



**City of Biddeford
City Council**

September 3, 2024 at 6:00 PM
City Hall Council Chambers & Zoom

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Or call in by phone: +1 312 626 6799

Meeting ID: 917 2398 3564

Passcode: 893384

1. Roll Call
2. Pledge of Allegiance
3. Adjustment(s) to Agenda
4. Recognition
 - 4.a Fire Department Promotions:
Captain/Paramedic Andrew Stevenson
Lieutenant/Paramedic Benjamin Brown
Lieutenant/Paramedic Breenna Ross
5. Appointments
 - 5.a 2024.140 Approval/Mayoral Appointments to Citizens Committees
6. Public Addressing the Council
(3 minute limit per speaker for up to a total of 15 minutes)
7. Consideration of Minutes
 - 7.a Approval Council Minutes 8-20-24
8. Second Reading
 - 8.a 2024.132 Approval/Ch. 70 Ordinance Revision (Sewer Permit Fees)
 - 8.b 2024.133 Approval/Establishment of a New Sustainability Commission
9. Orders of the Day
 - 9.a 2024.141 Heart of Biddeford waiver request for October Fest
 - 9.b 2024.142 Heart of Biddeford October fest

- 9.c 2024.143 Tidewater Estates Lot 5 Consent Agreement
- 9.d 2024.151 Approval/EV Charger Station
- 9.e 2024.150 Approval for Eastern Fire/EMS Station Land Transfer Agreement
- 9.f 2024.123 Approve Funds for Eastern Fire/EMS Station Property/Site Conditions Review and Additional Architectural Work
- 9.g 2024.144 Approval/Recycling Center Fees
- 9.h 2024.148 Approval/Street Opening fees
- 9.i 2024.149 Approval/Recycling Center Vehicle Sticker
- 9.j 2024.152 Authorize Purchase of 2021 Hyundai Ioniq (Vehicle Coming Off Lease)
- 9.k 2024.145 Approval Orchard Street Parking
- 9.l 2024.146 Amend/ Part II: Code of Ordinances, Chapter 42 Motor Vehicles and Traffic, Article IV Specific Street Regulations, Sec. 42-90(a) No Parking - Lester B. Orcutt Blvd
- 9.m 2024.147 Approval Opioid Use Settlement Fund Tracking and Reporting Ordinance
- 10. Public Addressing the Council
(5 minute limit per speaker)
- 11. City Manager Report
- 12. Other Business
- 13. Council President Addressing the Council
- 14. Mayor Addressing the Council
- 15. Executive Session
 - 15.a Executive Session MRS 405 6 (a) Personnel Matters
- 16. Adjourn

City of Biddeford



2024.140

IN BOARD OF CITY COUNCIL...September 3, 2024

BE IT ORDERED, that I, Martin Grohman, Mayor of the City of Biddeford, do hereby appoint:

Jacob Hammer, General Assistance Supervisor
As Trustee to the Clayton & Virginia Cartmill Trust

Attest by: _____
Robin Patterson, City Clerk

**City of Biddeford
City Council
August 20, 2024 at 6:00 PM
City Hall Council Chambers & Zoom**

1. Roll Call

Council President LaFountain -present.
Councilor Lessard - present.
Councilor Ortiz - present.
Councilor Emhiser - present.
Councilor Whiting -excused.
Councilor Beaupre -excused.
Councilor Gross - present.
Councilor Belanger -present.
Councilor Doughty -excused.

2. Pledge of Allegiance

3. Adjustment(s) to Agenda

Mayor Grohman added 4b. Recreation Department Skateboard Park Presentation.

Mayor Grohman removed agenda item 10.a.

4. Presentation(s)

4.a. Airport Commission

Airport Commission Chair Carmen Bernier provided a brief update to the Council.

4.b. Recreation Department Skateboard Park Presentation (additional agenda item)

Recreation Director Lisa Thompson presented a slideshow of program updates and reported on the status of the skateboard park. She recommended removing the current park and start the process to establish a new park. A public meeting has been scheduled for 6:00 P.M. on Thursday, August 29th at Rotary Park Teen Center and Mayor Grohman encouraged attendance.

5. Public Hearing(s)

5.a. Public Hearing for Liquor License the Dunn Bar, Irish Pub LLC

Public hearing opened at 6:20 P.M.

There were no public comments.

Public hearing closed at 6:20 P.M.

5.b. Public Hearing Liquor License Aperio

Public hearing opened at 6:21 P.M.

Aperio Owners Marie Grasser and Sophia Normantas introduced themselves with excitement to be returning to their home town as new business owners.

Public Hearing closed at 6:30 P.M.

5.c. Public Hearing for Liquor License Pop's Tavern

Public hearing opened at 6:30 P.M.

Pop's Tavern Owner Dana Bailey introduced himself and encouraged all to visit his establishment.

Public Hearing closed at 6:33 P.M.

6. Liquor License Consideration

6.a. Liquor License the Dunn Bar, Irish Pub LLC

Motion: Councilor Emhiser;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

6.b. Liquor License Aperio

Motion: Councilor Emhiser;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

6.c. Liquor License Pop's Tavern

Motion: Councilor Emhiser;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

7. Public Addressing the Council

There were seventeen people that spoke about the value of the skate park to the community and all were in favor of keeping the skate park open to the public while exploring options for a new park. Mayor Grohman thanked the public and encouraged all to attend the meeting on August 29 at the Rotary Park Teen Center for additional discussion.

8. Consideration of Minutes

8.a Council Minutes 8-6-24

Motion: Councilor Emhiser;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

9. Second Reading

9.a 2024.124 Approval Demolition Fees

Motion: Councilor Emhiser;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

9.b 2024.127 Approval/Avesta Housing Indian Cliff Development Corp CZ 23

Motion: Councilor Emhiser;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

9.c 2024.128 Approval/Westbrook Development Corporation CZ 24

Motion: Councilor Emhiser;
Second: Councilor Lessard.

Vote: Unanimous in favor.
Motion passed.

10. Orders of the Day

(Removed from agenda) 10.a 2024.123 Approve Funds for Eastern Fire/EMS Station Property/Site Conditions Review and Additional Architectural Work

10.b 2024.130 Approval/Purchase Motorola Body Camera System

Motion: Councilor Emhiser;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

10.c 2024.132 Approval/Ch. 70 Ordinance Revision (Sewer Permit Fees)

Motion: Council Emhiser;
Second: Councilor Lessard.

Motion to amend order under Section 70-172D to add “any project that requires an extension beyond its original approval date will no longer qualify for the grandfathered impact fee rates and will be subject to the impact fee rate listed on table 200 at the time the extension is granted.”

Motion: Council President LaFountain;
Second: Councilor Belanger.
Vote: 2 yeas (LaFountain, Ortiz) and 4 nays (Lessard, Belanger, Gross, and Emhiser).
Motion to amend failed.

Vote on original motion: Unanimous in favor.
Motion passed.

10.d 2024.133 Approval/Establishment of a New Sustainability Commission

Motion: Council President LaFountain;
Second: Councilor Lessard.

Motion to amend #6. Work in an advisory informational capacity to City Council, Planning Board, and other city committees, commission, and boards.

Motion: Councilor Lessard;
Second: Councilor Ortiz.
Vote: 1 yea (Lessard); 5 nays (LaFountain, Ortiz, Emhiser, Belanger and Gross).
Motion to amend failed.

Vote on original motion: Unanimous in favor.
Motion passed.

10.e 2024.134 Approval/EV Charger Station

Motion: Council President LaFountain;
Second: Councilor Lessard.

Motion to Table this item to the next meeting.
Motion: Councilor Lessard;
Second: Councilor Belanger.

Vote: Unanimous in favor.
Motion to Table passed.

10.f 2024.135 Recommendation - Acceptance of Waterworks Drive as a Public Way

Motion: Council President LaFountain;
Second: Councilor Lessard.

Motion to amend the order to correct Water works to one word, "Waterworks" and drive should contain a capital D (Drive).

Motion: Councilor Belanger;
Second: Councilor Lessard.
Vote on amendment: Unanimous in favor.
Motion passed.

Vote on amended motion: Unanimous in favor.
Motion passed.

10.g 2024.136 Approval/Ordinance Change Part III: Land Development Regulations, "Table A- Table of Land Uses"

Motion: Councilor Ortiz;
Second: Councilor Lessard.

Motion to enter Executive Session at 8:13 P.M. to discuss a real estate matter (per MRS Title 1 Section 405.6.C).

Motion: Councilor Lessard;
Second: Council President LaFountain.
Vote: Unanimous in favor.
Motion passed.

Motion to come out of Executive Session at 8:45 P.M.

Motion: Councilor Belanger;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

Motion to amend the Table A, # 28 to strike Section D and add "residential developments within the I3 zoning district shall be eligible for Maine State Housing Authority tax credits for Affordable Housing Programs as may be amended from time to time."

Motion: Council President LaFountain;
Section: Councilor Belanger.
Vote: Unanimous in favor.
Motion to amend passed.

Vote on amended motion: Unanimous in favor.
Motion passed.

10.h 2024.137 Approval/Dispense with Second Reading of item 2024.136 on Two Separate Days

Motion: Council President LaFountain;

Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

10.i 2024.138 Approval/Waive 30 Day requirement for item 2024.136

Motion: Council President LaFountain;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

10.j 2024.139 Approval to send CZ25 to the Planning Board

Motion: Council President LaFountain;
Second: Councilor Belanger.

Motion to Table until the developer is able to attend the meeting and respond to questions by Council.

Motion: Councilor Belanger;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion to Table passed.

11. Public Addressing the Council

There were no public comments.

12. City Manager Report

City Manager Jim Bennett reported that over five hundred 30-day demand tax lien notices were mailed out which is more than the annual average of three hundred. There were a few issues with wire transfers and mortgage holders (Wells Fargo and Town & Country) that have been resolved and the taxpayer will receive written notification of resolve. There are other issues involving bill pay from March that are being reviewed as well. He apologized to those impacted and thanked the taxpayers for their patience as we work through this process. Manager Bennett commended staff for their hard work and encouraged taxpayers to contact the Finance Department with any concerns and/or to review their tax account.

13. Other Business

Council President LaFountain requested an update on the unhoused plan process, financial impacts and expenditures at the earliest date possible.

14. Council President Addressing the Council

Council President LaFountain congratulated Counselor Ortiz for being selected as a fellow for early learning policy fellowship at the Hunt Institute, a deserved honor.

15. Mayor Addressing the Council

Mayor Grohman reported that the River Jam was a successful event. He also reported that construction at Biddeford Primary School will be moving forward before too long and there will be access to the playground.

Mayor Grohman reported that the Maine Climate Council will be at the Biddeford Middle School for a listening session on September 19 with more details to follow.

16. Adjourn

Motion: Councilor Belanger;

Second: Councilor Lessard.

Vote: Unanimous in favor.

Meeting adjourned at 8:59 P.M.



City Council

Meeting Date: September 3, 2024
Meeting Time: 6:00 PM
Agenda Item No: 8.a
Item Description: 2024.132 Approval/Ch. 70 Ordinance Revision (Sewer Permit Fees)
Submitted By: Jeff Demers, Public Works Director

Supporting Information/Documentation:

2024.132 Council Order Sewer Fees 2nd, Exhibit A-Revised Chapter 70 Ordinance with Tables 100-200 & Appendix B, 2-Town Comparison Sewer Permit Fees, 3-Sewer Capacity Deficit Map, 4-Summary List of Planning Projects

Key Terms:

N/A

Executive Summary:

Over the past few years, the City of Biddeford has experienced unprecedented growth by large private development and continues to see-so.

Utilizing a private engineering consultant, a handful of chokepoints within the City's existing sewer infrastructure were identified that cannot handle the proposed flow from these large developments. Multi-million dollar sewer infrastructure upgrades are needed to provide sewer capacity for these large developments and future growth.

To help offset the large cost to upgrade the sewer capacity of the City's infrastructure, City Staff recommends increasing our sewer permit rate fees to be in-line with adjacent communities.

Detailed Review:

Like most cities, sections of Biddeford's existing sewer infrastructure are old and were never sized for modern-day development.

Wright-Pierce's formal sewer model confirmed a number of sewer capacity chokepoints impacted by recent large private developments; see attached deficit map. As more development is expected to grow in Biddeford, continued sewer infrastructure upgrades should be anticipated.

New developments currently pay a one-time Sewer Permit fee, which per code section 70-172, are to be held for sewer infrastructure upgrades; however, the City's existing flow calculations and sewer permit fee rates have not been updated in over thirty years.

City Staff is recommending the attached revisions to the City's Chapter 70 ordinance to:

- a. Clarify proposed sewer flow calculations (Table 100)
- b. Increase sewer permit rate fees to be in-line with adjacent communities (Table 200)
(thus offsetting the City's cost for sewer infrastructure upgrades required from private development growth)

These revised sewer permit rates were unanimously approved by Wastewater Management Commission at their June 26th, 2024 meeting.

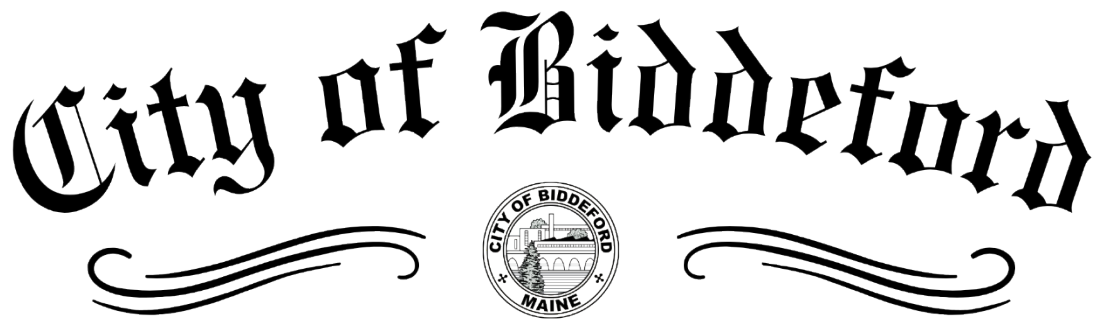
These ordinance revisions were unanimously approved by the Policy Committee on 7/22/2024, with the specification that the revised sewer permit rates would be applicable to any project that did not have a valid Preliminary or Final Planning Board approval as of 7/22/2024.

Funding Source:

N/A

Staff Recommendation:

Staff recommends incorporating the Chapter 70 Ordinance revisions unanimously approved by the Policy Committee on 7/22/2024.



2024.132

IN BOARD OF CITY COUNCIL...AUGUST 20, 2024

BE IT ORDAINED by the City Council of the City of Biddeford, to amend Chapter 70 of the City of Biddeford's Code of Ordinances as shown on the attached Exhibit A (by adding Tables 100, Table 200, Appendix B, and by ~~deleting~~ or ~~adding~~ text as shown).

NOTE:

These revised sewer permit rates were unanimously approved by Wastewater Management Commission at their 6/26/2024 meeting.

These ordinance revisions were unanimously approved by the Policy Committee at their 7/22/2024 meeting, with the specification that the revised sewer permit rates would be applicable to any project that did not have a valid Preliminary or Final Planning Board approval as of 7/22/2024.

August 20, 2024

Motion: Council Emhiser;

Second: Councilor Lessard.

Motion to amend order under Section 70-172D to add "any project that requires an extension beyond its original approval date will no longer qualify for the grandfathered impact fee rates and will be subject to the impact fee rate listed on table 200 at the time the extension is granted."

Motion: Council President LaFountain;

Second: Councilor Belanger.

Vote: 2 yeas (LaFountain, Ortiz) and 4 nays (Lessard, Belanger, Gross, and Emhiser).

Motion to amend failed.

Vote on original motion: Unanimous in favor.

Motion passed.

September 3, 2024

Attest by: _____

new flow into the system will be required to remove a defined percentage of the amount of the proposed new flow through the elimination of infiltration and inflow. Once the inflow and infiltration removal program is in place, the allocation system may be eliminated.

Sec. 70-129 Capacity of plant.

[Code 1975, § 19-63; amended 2-4-2020 by Ord. No. 2020.6]

- (a) At the time of any reenactment or amendment of this article, and at such other times as the City Council may direct, the City Engineer shall establish the total remaining capacity of the wastewater treatment plant, determine the nature and extent of efforts to remove infiltration and inflow from the system, and report that information to the City Council.
- (b) Any person who received a sewer use permit prior to September 18, 1990, or whose project appears in the documents on file in the City Clerk's office, is subject to the provisions of Section 70-127(b).

Sec. 70-130 Expiration of article; program monitoring; amendments.

[Code 1975, § 19-69; amended 2-4-2020 by Ord. No. 2020.6]

The capital improvement program shall be reviewed and monitored by the City Council through the City Engineer to determine the program's effectiveness. Amendments deemed necessary should be made at the time of renewal under this section or at such times as deemed necessary by the City Council.

Sec. 70-131 Penalties for violation of article.

[Code 1975, § 19-72]

Any person who violates this article commits a civil violation for which a forfeiture of \$2,500 shall be imposed. Each day of violation constitutes a separate violation. The City Solicitor, in addition to seeking forfeitures, may request injunctive relief, as necessary.

Sec. 70-132 Growth management program renewed.

[Ord. of 6-21-1994]

The provisions of this Article III (Wastewater System Capacity Management), of the Biddeford Code of Ordinances, as most recently revised and ordained on March 5, 1991, be renewed in its entirety in accordance with the provisions of Section 70-130 hereof, and that this measure take effect upon passage.

Sec. 70-133 through Sec. 70-140. (Reserved)

**DIVISION 2
PERMITS**

Sec. 70-141 Application; fee; determination of discharges.

[Code 1975, § 19-66]

- (a) Applications for permits under this article shall be on forms provided by the ~~City Engineer~~Engineering Department, and shall be accompanied by ~~such plans as he may require~~approved utility drawings and floor plans. As the case may be, applications must be accompanied by written evidence of final approval from the Planning Board, Zoning Board or Building Inspector, where approvals of or permits for the development activity are required from those boards or officials. ~~Applications shall be accompanied by a nonrefundable fee of \$200.~~ [Amended 2-4-2020 by Ord. No. 2020.6]
- (b) ~~In determining the amount of wastewater flow likely to be discharged from any development activity, the City Engineer shall be guided by the State of Maine Internal Plumbing Rules. His determination is final.~~Refer to 'Table 100: Estimated Sewer Design Flows' for proposed sewer design flow calculations.

Using the estimated design flow from Table 100, refer to 'Table 200: Sewer Permit Fees' for calculating the proposed sewer permit fee.

Sec. 70-142 Expiration of permits.

[Code 1975, § 19-67]

Permits issued under this article shall expire if construction of the development for which each permit is issued has not commenced within one year of the permit being issued, except that the City Engineer may extend the life of such permits if the holder is able to demonstrate that he has been delayed in his development by natural conditions beyond his control or that he has been diligently pursuing other licenses required for the development but has not yet received approval through no fault of his own. Decisions of the City Engineer under this section may be appealed to the City Council.

Sec. 70-143 Nontransferability.

[Code 1975, § 19-68]

Permits issued under this article may not be transferred to other development projects on other real estate but shall run with the real estate which is the subject of the proposed development for which the permit is issued, but only for the life of the permit as indicated in Section 70-142.

Sec. 70-144 through Sec. 70-155. (Reserved)

**DIVISION 3
CONSERVATION**

Sec. 70-156 Mandatory.

[Code 1975, § 19-70]

- (a) Notwithstanding any other provisions of this Code, the following provisions apply to development which will create new wastewater flow into the City sewer system or which will increase existing flow from any property.
 - (1) All toilet fixtures, whether for residential or nonresidential uses, must have flushing volumes less than or equal to 1.6 gallons.
 - (2) All shower and faucet fixtures for residential and nonresidential uses must be installed with volume reduction devices. This requirement may be waived for certain nonresidential uses by the Codes Enforcement Officer at his discretion when the requirement interferes with the fixture's purpose, such as but not limited to industrial showers designed to treat burn victims.
- (b) The standards of this section must be met by all units inspected by the City Plumbing Inspector as of the date of passage of the ordinance from which this article derives, in order to receive a certificate of occupancy.

Sec. 70-157 Voluntary.

[Code 1975, § 19-71]

In order to avoid requiring conversion to low-volume toilets in the City's existing households and businesses, the City requests users of the City's sewer system to, as an example, reduce discharge volumes by installing displacement devices such as bricks and milk containers in toilet holding tanks. The installation of water flow reduction devices in showerheads and faucets are other inexpensive means of reducing both residential and nonresidential wastewater discharge.

DIVISION 4 INFLOW AND INFILTRATION REMOVAL

Sec. 70-171 Study by City Engineer; report; amendment of article.

[Code 1975, § 19-81]

- (a) The City Engineer may forthwith investigate the areas within the existing sewer system which may be changed, altered or repaired to remove infiltration and inflow, and determine both the nature and extent of such repairs, the specific amounts of gallons per day removed for any particular repair project, and the associated cost per gallon per day of any such repair. He will, in addition, determine an average cost per gallon per day of removal for all projects in such a fashion that the average cost may be adjusted from time to time to reflect changing conditions. The determinations by the City Engineer will be used to create a fee to be charged to applicants of the removal of infiltration and inflow in an amount equal to a specific percentage of the amount of new flow into the system which the applicant is proposing to create. That percentage shall conform to any requirements imposed on the City by state or federal agencies. [Amended 2-4-2020 by Ord. No. 2020.6]
- (b) The City Engineer shall report the results of his study under this section to the City Council. The City Council may then, consistent with the terms of federal and state approvals, implement and adopt a mandatory inflow and infiltration removal requirement. Under the terms of the requirement, a sewer use permit may only be obtained to remove an adequate amount of inflow and infiltration from the system or if the sewer user has paid the appropriate fee in lieu of completing a project.
- (c) At the time of the submittal of the results of his study under this section, the City Engineer shall present to the City Council a proposed amendment to this article setting out the method of administration of the removal requirement, and demonstrating compliance with any provisions of law restricting the creation of such a program, including the creation of any dedicated fund into which fees will be placed.

Sec. 70-172 Issuance of permit; interim fee.

[Code 1975, § 19-82; Ord. of 9-6-1994; Ord. No. 2001.1, 1-16-2001]

- ~~(a) Pending completion of the study, report and presentation set forth in Section 70-171, and subject to the availability of capacity at the treatment plant and compliance with all other provisions of this article, a sewer use permit may be given after an applicant complies with this section.~~
- ~~(b) An applicant for a sewer use permit shall, in addition to other information required by this article, pay the fee set out in Subsection (c) of this section. The City Engineer may require such other information as he deems necessary. [Amended 2-4-2020 by Ord. No. 2020.6]~~
- ~~(c) Except as indicated in Subsection (d) of this section, applicants shall pay a fee equal to five times \$2.72 times the number of gallons of proposed new flow, as that flow is finally determined by the City Engineer under Section 70-141(b). Fees received under this subsection shall be segregated from the projects designed to remove inflow and infiltration from the sewer system as finally determined after the completion of the study, report and presentation set forth in Section 70-171. Fees, or any portion of those fees, actually paid, which exceed the actual cost of removal, or which are not expended according to the removal schedule to be finally adopted, shall not be refunded. These unexpended fees shall be deposited in a designated enterprise account segregated from the City's general revenues and be earmarked to help defray the cost of future more costly inflow and infiltration removal projects.~~
- ~~(d) Persons who had received a sewer use permit prior to September 18, 1990, projects appearing in Appendix B of this section which is on file in the City Clerk's office and lots of record as of September 18, 1990, which were within 200 feet of the existing sewer system at the time, are subject to a fee equal~~

~~to one times \$2.72 times the number of gallons of proposed new flow, as that flow is finally determined by the City Engineering Department under Section 70-141. [Amended 2-4-2020 by Ord. No. 2020.6]~~

- ~~(e) An applicant for a sewer use permit where said permit is proposed to be issued and includes flows to the pump station located adjacent to 528 Alfred Road shall pay an impact fee for said pump station equal to \$3.35 times the number of gallons of proposed new flow as that flow is finally determined by the City Engineer under Section 70-141(b). Fees collected under this provision shall be deposited in a designated account segregated from the City's general revenues and reserved for inflow and infiltration removal projects. The City reserves the right to verify the estimate of flow for up to five years and to increase the impact fee as necessary.~~
- ~~(f) An applicant for a sewer use permit where said permit is proposed to be issued and includes flows to a pump station located in an area that will serve the flows to be produced from a new or upgraded project shall pay an impact fee for said pump station equal to a prorated share of the costs of any upgrades needed for the pump station and/or associated conveyance system to receive and convey the flows to be produced. The cost of the prorated share will be the ratio of the existing flows to the new flows times the cost of needed upgrades as finally determined by the City Engineer. Fees collected under this provision shall be deposited in a designated account segregated from the City's general revenues and reserved for the needed upgrades to the affected pump stations. The City reserves the right to verify the estimate of flow for up to five years and to increase the impact fee as necessary. [Added 2-4-2020 by Ord. No. 2020.6]~~ Any connection or modification of private sewer flow to the City's public sewer requires a sewer permit from the Engineering Department.
- (b) Refer to 'Table 100: Estimated Sewer Design Flows' for proposed sewer design flow calculations. Using the estimated design flow from Table 100, refer to 'Table 200: Sewer Permit Fees' for calculating the proposed sewer permit fee.
- (c) Undeveloped projects listed on the previous 'Appendix B' are still subject to paying a sewer permit, but may use the grandfathered \$2.72/GPD impact fee rate (versus the impact fee rate listed on Table 200).
- (d) Unless explicitly stated elsewhere, development projects that had a valid preliminary or final planning board approval as of 07/22/2024 may use the grandfathered impact fee rates (\$2.72/GPD to \$13.6/GPD), versus the impact fee rate listed on Table 200.

Sec. 70-173 through Sec. 70-195. (Reserved)

ARTICLE IV

SEPTIC TANK SLUDGE DISPOSAL

DIVISION 1

GENERALLY

Sec. 70-196 Definitions.
[Code 1975, § 19-21]

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

APPLICANT

Any person requesting approval to discharge septic tank sludge wastes into City facilities.

CESSPOOL

A lined excavation in the ground which receives the discharge of a drainage system, or part thereof, so

Table 100: Estimated Sewer Design Flows

Revision Date: 6/5/2024

Residential:

Number of Bedrooms	Area of Bedroom	Design Flow (gpd/unit)
1	<600 SF	90
	600-800 SF	120
	In-Law Apartment	120
	801-1000 SF	135
	>1000 SF	150
2	N/A	180
3		270
4		360

Non-Residential:

Refer to the latest Maine Department of Health & Human Services Chapter 241 for non-residential flow rates. Final design flows to be determined by the City Engineer.

Notes:

1. Final floor plans are required for all sewer permit applications, verifying number/sizes of proposed uses.
2. For units exceeding 4 bedrooms, a design flow of 90 gpd shall be used for each additional bedroom.
3. For multi-use properties, the total design flow shall be the sum of each individual use design flow.
4. The residential design flows listed above are referenced from Maine Department of Health & Human Services Chapter 241.
5. Definition of bedroom and in-law apartment determined via local code enforcement/ordinance, plumbing code, and the referenced Chapter 241.
6. The above-stated flows are final; no reference flow data to be considered.

Table 200: Sewer Permit Fees*Revision Date: 6/5/2024*

Sewer Fee Type	Proposed Fee
Application Fee ¹	\$200
Sewer Main Connection Fee ²	\$800/each
Single-Lot Shared Lateral Fee ³	\$100/each connection
Tying into an Existing Sewer Lateral Stub ⁴	\$100/each connection
Impact Fee ⁵	\$20/GPD
Inspection Fee ⁶	\$200

Notes:

1. All sewer permits require an application fee.
2. 'Sewer Main Connection Fee' applies for new connections to the public sewer main.
- 3A. 'Single-Lot Shared Lateral Fee' is applied to each individual unit connecting to a sewer lateral serving a single-lot (multi-family apartments, ADU, hotel rooms, etc.)
- 3B. Shared sewer laterals are not permitted for separate lots.
- 3C. Only in rare circumstances will a shared sewer lateral be allowed for multiple privately owned lots, pending Public Works Director approval and a formal easement is provided signed by all parties - negating the City of any responsibility.
4. 'Tying into an Existing Sewer Lateral Stub' is for undeveloped lots connecting to previously installed sewer lateral stubs.
- 5A. 'Impact Fee' is based on proposed design flows (Table 100) and is a one-time fee that covers: future infrastructure upgrades, combined sewer separation, and Inflow & Infiltration (I&I) removal.
- 5B. If an existing building is being retrofitted for the same-use and has previously paid a sewer permit within the last 15 years, existing flows can be credited towards the proposed 'Impact Fee'. No credits/refunds will be issued for decreased post-development flow.
- 5C. No existing flows can be credited towards the proposed 'Impact Fee' for any new building (i.e. demolition/rebuild) or change-in-use.
6. All sewer permits requiring exterior sewer modifications require an inspection by the Engineering Department prior to backfilling.
7. Sewer permit fees shall be collected and held separately from the operation budget, and strictly used for future sewer improvements.

APPENDIX B - 1990 GRANDFATHERED IMPACT FEE PROJECTS

(List revised 1 November, 1990)

GROWTH MANAGEMENT ORDINANCE**APPENDIX B**

Applications Approved Prior To Septemeber 18, 1990

<u>PROJECT NAME</u>	<u>NUMBER OF UNITS/LOTS</u>	<u>DEVELOPER</u>	<u>DATE APPROVED</u>
1. Cathedral Oaks I - III	94 Lots	Mike Eon Associates	March 1986 - Dec. 1988*
2. Brookside I-II	50 Lots	John Roberge	June 1983 - Feb 1987*
3. Webber Medical Office Park	44,700 s/f	Mosses Corp.	Sept 1985 *
4. Stoneridge	24 Lots	John Roberge	March 1986 *
5. Picard Estates	8 Lots	Jerry Picard	May 1986 *
6. Cathedral Oaks Place	24 Units	Mike Eon Associates	June 1988
7. Stoneview	9 Lots	Bouthot Construction	Oct. 1988 *
8. 3 Lots	3 Lots	Clem Fleurent	March 1989 *
9. Trix Lane	4 Lots	Richard Albert	March 1989 *
10. Medical Offices	16,000 s/f	Dr. Schill	April 1989
11. Chrystal Village	6 Units	Don Allie	May 1989 *
12. Parkside by the Falls	35 Lots	E & R Development	June 1989 *
13. Southern Maine Medical Center	35,000 s/f Addition		Oct. 1989**
14. Five Graham Street	66 Units	5 Graham St. Assoc.	Nov. 1989
15. Riverside Apts.	34 units	Richard Roberge	Apr. 1990
16. Wadlin Bld.	13 Units (46 Unit total)	Junior High School Assoc.	Apr. 1990 ****
17. 8 unit apts.	8 units	Robert Zuke	Apr. 1990
18. Coastal Bank	1 unit bank	Coastal Bank	June 1990
19. Thatcher Brook Estates	22 lot	Mike Eon Associates	June 1990 *
20. 3 Lot	3 Lots off Granite St.	Guy Bouthot	June 1990
21. 7-11 Store	1 store off Alfred St.	RMR Inc.	Aug. 1990
22. Village Woods	4 lots off Village Ln.	Indian Cliff Devel.	Aug. 1990 *

The following projects have conditional final approval, but have not been signed by Planning Board:

1. Jonathan Heights	15 lots off Hill St.	Virgillio/Jocye	June 1989 ***
2. Coach Estates	39 lots off Hill/Merrill St.	Granite REalty Trust	June 1989 ***
3. Granite Heights	8 lots off Bond St.	Nelquist Realty	June 1989 ***

* Projects under construction.

** Plans reviewed by Planning Board but no requirement to sign mylar.

*** These projects have received preliminary approval, but have not met conditions for final approval as of September 18, 1990.

**** Pending final agreement with City Council.

Projects on this list are subject to the provisions of section 19-73c of this Ordinance.

Proposed Tables to Consider for Chapter 70
70-141 Application; fee; determination of discharges
70-172 Issuance of permit; interim fee.

Table 100: Estimated Sewer Design Flows

Revision Date: 6/5/2024

Residential:

Number of Bedrooms	Area of Bedroom	Design Flow (gpd/unit)
1	<600 SF	90
	600-800 SF	120
	In-Law Apartment	120
	801-1000 SF	135
	>1000 SF	150
2	N/A	180
3		270
4		360

Non-Residential:

Refer to the latest Maine Department of Health & Human Services Chapter 241 for non-residential flow rates. Final design flows to be determined by the City Engineer.

Notes:

- 1. Final floor plans are required for all sewer permit applications, verifying number/sizes of proposed uses.
- 2. For units exceeding 4 bedrooms, a design flow of 90 gpd shall be used for each additional bedroom.
- 3. For multi-use properties, the total design flow shall be the sum of each individual use design flow.
- 4. The residential design flows listed above are referenced from Maine Department of Health & Human Services Chapter 241.
- 5. Definition of bedroom and in-law apartment determined via local code enforcement/ordinance, plumbing code, and the referenced Chapter 241.
- 6. The above-stated flows are final; no reference flow data to be considered.

Table 200: Sewer Permit Fees

Revision Date: 6/5/2024

Sewer Fee Type	Existing Fee	Proposed Fee
Application Fee ¹	\$200	\$200
Sewer Main Connection Fee ²	\$500/each	\$800/each
Single-Lot Shared Lateral Fee ³	\$100/each connection	\$100/each connection
Tying into an Existing Sewer Lateral Stub ⁴	\$100/each connection	\$100/each connection
Impact Fee ⁵	\$3.72 to \$16.95/GPD	\$20/GPD
Inspection Fee ⁶	\$35-\$100	\$200

Notes:

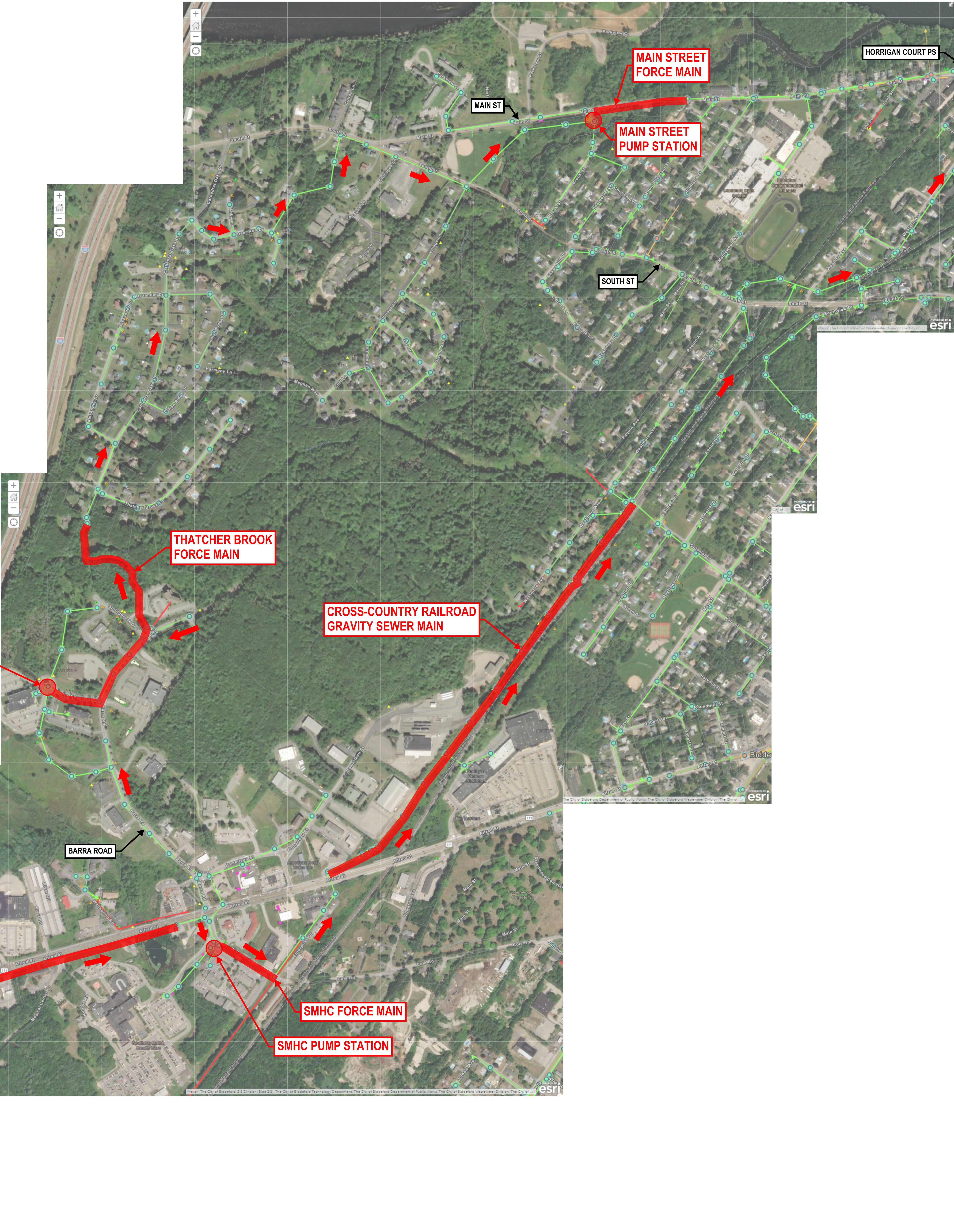
- 1. All sewer permits require an application fee.
- 2. 'Sewer Main Connection Fee' applies for new connections to the public sewer main.
- 3A. 'Single-Lot Shared Lateral Fee' is applied to each individual unit connecting to a sewer lateral serving a single-lot (multi-family apartments, ADU, hotel rooms, etc.)
- 3B. Shared sewer laterals are not permitted for separate lots.
- 3C. Only in rare circumstances will a shared sewer lateral be allowed for multiple privately owned lots, pending Public Works Director approval and a formal easement is provided signed by all parties - negating the City of any responsibility.
- 4. 'Tying into an Existing Sewer Lateral Stub' is for undeveloped lots connecting to previously installed sewer lateral stubs.
- 5A. 'Impact Fee' is based on proposed design flows (Table 100) and is a one-time fee that covers: future infrastructure upgrades, combined sewer separation, and Inflow & Infiltration (I&I) removal.
- 5B. If an existing building is being retrofitted for the same-use and has previously paid a sewer permit within the last 15 years, existing flows can be credited towards the proposed 'Impact Fee'. No credits/refunds will be issued for decreased post-development flow.
- 5C. No existing flows can be credited towards the proposed 'Impact Fee' for any new building (i.e. demolition/rebuild) or change-in-use.
- 6. All sewer permits requiring exterior sewer modifications require an inspection by the Engineering Department prior to backfilling.
- 7. Sewer permit fees shall be collected and held separately from the operation budget, and strictly used for future sewer improvements.

TOWN COMPARISON SEWER PERMIT FEE FOR 200GPD HOME

Community	\$/Gallon		Avg Residential Fee (200 GPD)	
Saco	\$	34.31	\$	6,862.00
Kittery	\$	30.00	\$	6,000.00
Biddeford - Proposed	\$	26.00	\$	5,200.00
Scarborough	\$	19.97	\$	3,994.00
Ogunquit	\$	18.50	\$	3,700.00
Warren	\$	17.96	\$	3,592.00
Kennebunkport	\$	17.50	\$	3,500.00
Wells	\$	16.63	\$	3,326.00
Portland	\$	16.32	\$	3,264.00
York	\$	15.72	\$	3,144.00
Sanford	\$	12.50	\$	2,500.00
Old Orchard	\$	12.50	\$	2,500.00
Rockland	\$	12.00	\$	2,400.00
Brunswick	\$	11.59	\$	2,318.00
Yarmouth	\$	11.25	\$	2,250.00
Skowhegan	\$	8.00	\$	1,600.00
Biddeford	\$	7.72	\$	1,544.00
Augusta	\$	5.38	\$	1,076.00
Westbrook	\$	1.25	\$	250.00
Bangor	\$	1.06	\$	212.00

INCLUDES APPLICATION FEE, CONNECTION FEE, INSPECTION FEE, ETC.

CITY OF BIDDEFORD - WESTERN SEWER CAPACITY DEFICITS



Project List RE: Sewer Impact Fee Proposed Amendment

8.12.2024

No Impact
Risk of impact
Impacted

Project	Brief Description
<u>Pepperall Bldgs 19 & 20</u>	64 unit aptment building, 6 of which are Affordable Housing units as a result of Inclusionary Zoning. Has Sketch plan approval from Planning Board. No JDA .
<u>Fathom</u>	Lots 1 & 3 (lots on each side of the Parking Garage). (1) Sketch plan for 80 Affordable Housing expected to be at Planning Board this fall; (2) 85 Condos on Lot 3B; (3) 5 Town Homes on Lot 3A; (4) Commercial Use/Restaurant-pending; (5) Commercial Office Bldg on Lot 1A will likely be a future mixed use Bldg. Active JDA
<u>WDC - 3 Lincoln Lot 1</u>	Already mentioned as part of "Fathom" - WDC will be the developer (working with Fathom) for the 80 units of Affordable Housing.
<u>27 Washington</u>	In early initial discussion for a commercial use.
<u>One Diamond</u>	Phase 1 plans at Planning Board for 209 residential Mkt rate apartments. Future phases TBD. Active JDA
<u>Five Points Shopping Center</u>	New submission. Initial planning board discussion likely in September - Developer has submitted sketch plan for review. 127 Mkt Rate apartments. No JDA
<u>12 Pearl Street</u>	Sketch plan review complete - HPC Workshop scheduled. 25 unit market rate apartments, 3 units of which will Affordable Housing due to Inclusionary Zoning. No JDA
<u>Devine Development Project</u>	416 Market Rate apartments. Planning board approvals align with the Contract Zone timeline. Developers still intend to move forward. Active JDA
<u>Marble Block</u>	8 units residential; Bowling Alley & Restaurant
<u>60 Barra Rd</u>	250 units residential
<u>Avesta Housing - Trailside Way</u>	46 units Affordable Housing
<u>EON Development - Indian Cliff</u>	8 lots for residential development

<u>WDC - 37 Barra</u>	76 units Affordable Housing
<u>Reveler (FKA Saco-Lowell)</u>	86 units residential (Upper Falls Road)
<u>Hidden Hills MH Community</u>	72 units Manufactured Housing
<u>Building 11 Pepperell Mill</u>	72 residential units
<u>69 Elm Street</u>	14 residential units
<u>25 Barra Rd</u>	Dentist Office
<u>Coastal Oks</u>	512 Pool St - 8 lot cluster sub-division. Sketch plan approval. Currently planning on septic systems. Will be impacted if this changes.
<u>20 Clifford Street</u>	4 unit condo building. Sketch plan approval achieved.
<u>Biddeford Primary School</u>	Not impacted



City Council

Meeting Date: September 3, 2024
Meeting Time: 6:00 PM
Agenda Item No: 8.b
Item Description: 2024.133 Approval/Establishment of a New Sustainability Commission
Submitted By: Brad Favreau

Supporting Information/Documentation:

20240820 Sustainability Commission -ORDER 2nd, Draft Ordinance Sustainability Commission Established

Key Terms:

Executive Summary:

The Mayor's Ad Hoc Sustainability fulfilled its mandate to draft an ordinance to establish a permanent Sustainability Commission. This draft ordinance was presented to the Policy Committee on July 22, 2024 and was approved with minor edits.

Detailed Review:

In April, 2024, Mayor Grohman created the Mayor's Ad Hoc Sustainability Committee with a mandate to draft an ordinance to establish a permanent Sustainability Commission. This committee worked through May and June of 2024 to draft this ordinance.

The highest priority action as described in the Biddeford Climate Action Plan of 2023 is the establishment of a Sustainability Commission. This new commission will begin the implementation of actions that support the overall goals enumerated in this Plan. The Climate Task Force was an ad hoc committee mandated to create a climate action plan, and with this work completed and approved by City Council in December 2023, the Climate Task Force formally dissolved. The implementation work now falls to a new commission that will work in coming years to ensure that Biddeford becomes more resilient in the face of climate events that are already taking place.

The functions and purpose of the proposed Sustainability Commission are:

1. Develop and recommend policies to City Council for the implementation of climate actions as outlined in the 2023 Biddeford Climate Action Plan;
2. Develop and recommend policies to meet greenhouse gas emission reduction targets established for 2030 and 2050 as resolved by City Council in 2022.

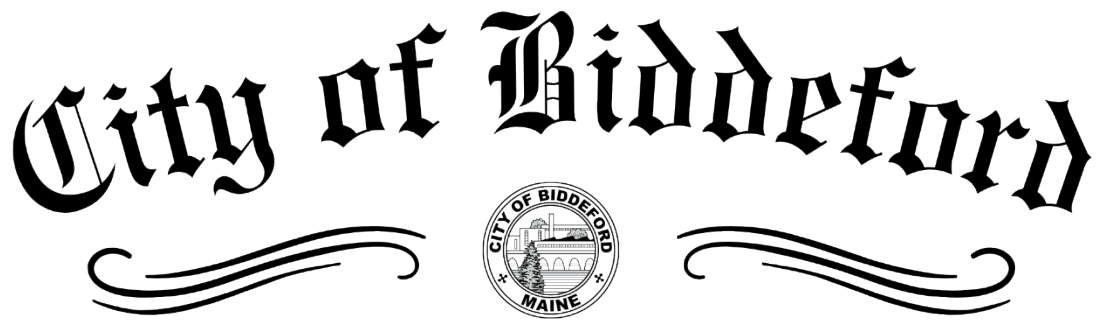
3. Investigate and recommend policies and best practices for adoption in Biddeford, as appropriate for climate mitigation and adaptation;
 4. Promote sustainable development best practices;
 5. Incorporate nature-based solutions wherever possible in addressing climate change and sustainability matters;
 6. Work in an advisory capacity to City Council, Planning Board, and other city committees, commissions, and boards;
 7. Undertake an updated Greenhouse Gas Emission Inventory to track emission reductions according to best practices;
 8. Engage community members and partners in all commission activities to keep the public informed and to ensure public participation.
 9. Consider social equity in all climate actions.
 10. Provide an annual report to City Council, Mayor, and City Manager of commission activities, especially progress of implementing Biddeford Climate Action Plan.
- Because the Climate Task Force is now disbanded, this action will have no net effect on the overall number of City committees and commissions.

Funding Source:

N/A

Staff Recommendation:

Staff recommends the adoption of this draft ordinance for the implementation of Biddeford's 2023 Climate Action Plan.



2024.133 IN BOARD OF CITY COUNCIL...AUGUST 20, 2024

BE IT ORDERED, that, the City Council of the City of Biddeford does hereby amend the Code of Ordinances as follows:

Amend Part II: Code of Ordinances, Chapter 2 Administration, Article IV Boards, Committees, Commissions, by adding new Division 13 Sustainability Commission
In accordance with the attached document.

August 20, 2024

Motion: Council President LaFountain;

Second: Councilor Lessard.

Motion to amend #6. Work in an advisory informational capacity to City Council, Planning Board, and other city committees, commission, and boards.

Motion: Councilor Lessard;

Second: Councilor Ortiz.

Vote: 1 yea (Lessard); 5 nays (LaFountain, Ortiz, Emhiser, Belanger and Gross).

Motion to amend failed.

Vote on original motion: Unanimous in favor.

Motion passed.

September 3, 2024

Attest by: _____
Robin Patterson, City Clerk

Chapter 2. Administration

Article IV. Boards, Committees, and Commissions

Division 14. Sustainability Commission

Sec. 2-340. Established

The Biddeford Sustainability Commission is hereby established.

Sec. 2-341. "Commission" Defined

Unless otherwise indicated, the term "Commission," as used in this division, shall mean the Biddeford Sustainability Commission.

Sec. 2-342. Composition; Appointment of Commissioners; Terms of Office

- a. The Commission shall consist of nine members, referred to in this division as "Commissioners." Such Commissioners shall be nominated by the Mayor and confirmed by the City Council.
- b. Commissioners shall serve for three-year terms. The terms of each Commissioner shall be staggered so that no more than three Commissioners' terms shall expire in the same year. Any Commissioner appointed to fill a vacancy for which more than half of the unexpired term remains shall be deemed to have served one full term.
- c. A Commissioner shall automatically be removed from office in the event that he or she no longer is a resident of the City of Biddeford or is absent for three consecutive regular meetings without being excused by the Chair.
- d. The commission shall also include a student representative as a tenth non-voting member of the commission, to provide youth perspective.

Sec. 2-343. Functions and Purposes

It shall be the function and purpose of the Sustainability Commission to:

- a. Develop and recommend policies to City Council for the implementation of climate actions as outlined in the 2023 Biddeford Climate Action Plan;
- b. Develop and recommend policies to meet greenhouse gas emission reduction targets established for 2030 and 2050 as resolved by City Council in 2022.
- c. Investigate and recommend policies and best practices for adoption in Biddeford, as appropriate for climate mitigation and adaptation;
- d. Promote sustainable development best practices;
- e. Incorporate nature-based solutions wherever possible in addressing climate change and sustainability matters;
- f. Work in an advisory capacity to City Council, Planning Board, and other city committees, commissions, and boards, including, but not limited to, upon request advising as to the climate impact of any proposed ordinance or City action;
- g. Undertake an updated Greenhouse Gas Emission Inventory to track emission reductions according to best practices;
- h. Engage community members and partners in all commission activities to keep the public informed and to ensure public participation.

- i. Consider social equity in all climate actions.
- j. Provide an annual report to City Council, Mayor, and City Manager of commission activities, especially progress of implementing Biddeford Climate Action Plan.

Sec. 2-344. Quorum at Meetings

A simple majority of commissioners shall constitute a quorum.

Sec. 2-345. Required Vote

The Commission shall act by majority vote of those present and voting.

Sec. 2-346. Annual Election of Officers

The Commission shall hold a meeting at the beginning of each calendar year for the purpose of electing officers:

- a. Chair - The Chair shall preside over meetings. The Chair shall not vote except to break a tie.
- b. Vice Chair – The Vice Chair shall preside in the event the Chair is absent from any meeting.
- c. Secretary – The Secretary shall record all proceedings of the Commission.

Sec. 2-347. Management of Commission

The management of the commission shall be vested in the commissioners appointed and confirmed in accordance with Section 2-342. The commission shall be staffed by a designee of the Planning and Development Director, until such time as a Sustainability Coordinator or similar position is created and filled, at which time such person shall staff the commission.

Sec. 2-348. Chair to Submit Budget, Reports

The Commission Chair shall submit a budget request to Council for each fiscal year, report to Council each year regarding progress made in meeting goals as outlined in the most recent Climate Action Plan adopted by the City, or, as requested by Council.

Sec. 2-349. Authority to Establish Subcommittees

The Commission may from time to time establish subcommittees composed of such persons as the Commission shall desire, comprising current members of the commission, or other experts as needed, to provide advice and counsel on sustainability and matters of climate change.

Sec. 2-350. Expenditures

All Commission expenditures shall comply with the City procurement policies established in the City Code of Ordinances, Article V Finance, Division 2 Procurement.



City Council

Meeting Date: September 3, 2024
Meeting Time: 6:00 PM
Agenda Item No: 9.a
Item Description: 2024.141 Heart of Biddeford waiver request for October Fest
Submitted By: Roby Fecteau

Supporting Information/Documentation:

October fest waiver request, Council order waiver request october fest

Key Terms:

Executive Summary:

The Heart of Biddeford is seeking to apply for a special events permit to be held on September 3, 2024. The event permit fee is a \$500.00 fee and the Council is the authority to review a waiver request.

Also, as part of the special events permitting the City may require city staff to work the event, Pursuant to the Special Events Ordinance the City may require that City employees, including Police, Fire, Public Works, Code Enforcement and/or Parks and Recreation, are present at or assist with the event. The City shall determine the number of personnel necessary to ensure the safety of the public and participants, minimize the inconvenience to residents, and reduce public liability exposure to the event sponsor and the City. The cost associated with the use of any such personnel, including City equipment, is the responsibility of the event sponsor. A deposit of thirty percent (30*) of the estimated personnel cost for the event will be required with the submittal of the application. The City shall provide a good faith estimate of the total personnel within 10 days after the approval of the application. The complete fee must be submitted to the City prior to the day of the event. Fees may be waived in whole or in part by the City Council prior to the special event.

Police and public works have submitted their estimates and the estimated total cost for this event will be \$1000.00

Police: \$300.00 - DPW: \$700.00

Detailed Review:

Funding Source:

Staff Recommendation:



7/22/24

Biddeford City Council
205 Main Street
Biddeford, ME 04005

Dear Members of the Biddeford City Council,

On behalf of Heart of Biddeford, I am writing to request a waiver of the City Personnel fees associated with our event applications for Oktoberfest, the I Heart Biddeford 5k, Creepy Crawl, and Holiday Fest.

We understand there has been a 400% increase in the application fee for events expecting over 100 attendees. While we appreciate the reasons for this adjustment, and will be submitting events with the new fee, we are concerned that the additional financial burden of absorbing the cost of any City personnel may hinder our ability to organize community events that are vital for drawing locals and visitors to our downtown area.

We recognize the need for City employees, including Police, Fire, Public Works, Code Enforcement, and Recreation, to contribute to or be present at our events for public safety and minimal inconvenience to residents. Nevertheless, the costs associated with their presence, along with the required 30% deposit of estimated personnel costs, are a significant financial challenge.

We respectfully request the City Council waive these additional fees to allow us to continue organizing events that benefit the entire Biddeford community.

Thank you for your consideration.

Sincerely,

Delilah Poupore
Executive Director
Heart of Biddeford
207-284-8520

Mission Statement:

Powered by the strength of community involvement, Heart of Biddeford fosters a vibrant, inclusive and sustainable downtown for residents, businesses, and visitors.



City of Biddeford



2024.141

IN BOARD OF CITY COUNCIL... September 3, 2024

BE IT ORDERED, that the City Council of the City of Biddeford does hereby grant a waiver to the Heart of Biddeford for the permit fee of \$500.00 and \$1000.00 for added costs to support the event .

Attest by: _____



City Council

Meeting Date: September 3, 2024
Meeting Time: 6:00 PM
Agenda Item No: 9.b
Item Description: 2024.142 Heart of Biddeford October fest
Submitted By: Roby Fecteau

Supporting Information/Documentation:

October fest special event 2024, Council order october fest 2024

Key Terms:

Executive Summary:

Heart of Biddeford is applying for a special events permit to hold its annual October Fest on September 28, 2024. The location of the event will be on Lincoln Street.

Detailed Review:

Funding Source:

Staff Recommendation:

APPLICATION NUMBER: _____

EFFECTIVE 7-18-2024 THE FOLLOWING
FEES WILL APPLY:

BO50 Administrative Fee	\$100.00
BO51 Tier One	\$100.00
BO52 Tier Two	\$200.00
BO53 Tier Three	\$500.00

Any person, firm, corporation, business or organization seeking a permit to hold a special event within the City of Biddeford must file an application with the permitting authority at least 30 days prior to the beginning of the event; or in cases related to activities protected by the First Amendment to the United States or Maine Constitution, other than commercial speech, two business days prior to the beginning of the event. Permit applications are available on the City's website or at the City Clerk's Office.

All vendors must obtain proper licenses/permits from the City Clerk's office (207-284-9307).
Indemnification agreement/insurance certificate must be attached to this application at the time of submission.
Site Plan Sketch may be accompanied by a separate map, if necessary

CITY OF BIDDEFORD

SPECIAL EVENT APPLICATION

City of Biddeford
P.O. Box 586
Biddeford, ME 04005

Name of Event Biddeford Oktoberfest Location of Event Lincoln Street
Date of Event 9/28/24 Start Time 8:00am set up Finish Time 7:00pm break down

Organization (Applicant) Information

Name of Organization or Name of Applicant if NOT an Organization
Heart of Biddeford

Physical Address 205 Main Street Suite 103 Biddeford, ME 04005

Mailing Address see above

Business Telephone 207-284-8520 Fax _____ E-mail office@heartofbiddeford.org

Income Tax Exempt: Yes ☐ No ☒ Tax Exempt Number _____

Contact Person/Event Coordinator

Name & Address

Delilah Poupore, 205 Main Street Suite 103, Biddeford, ME 04005

Telephone 207-284-8520 Cellular 207-251-5695 E-Mail director@heartofbiddeford.org

Relationship Organization Executive Director

Revised 7/18/2024

APPLICATION NUMBER: _____

Detailed and specific description of Event (attach separate sheet if necessary)

Community event on Lincoln Street including various breweries, German music, food vendors, and themed games and activities. Lincoln Street closure from Main Street to Pearl, also includes barricading Stone Street so no entrance onto Lincoln. Designed to celebrate local craft brewing, Oktoberfest culture, and drawing visitors into the downtown (from mills, throughout Biddeford, and surrounding communities). There is a charge to enter.

Estimated # of Participants ⁵⁰ _____ Estimated Attendance ^{1800 (1500 drinking)} _____

What impact will this have upon the surrounding neighborhood? (Noise, Traffic, etc.)

Please explain:

Noise from live music, games outside, Lincoln Street closed from Main Street to Pearl.

Describe the means by which the neighborhood (residents and businesses) will be notified of this event and its public hearing:

Mailing to residents and businesses in the affected area, public notification online or in print at least 30 days before the event

Type of Event:

Special events may fall under three categories:

- ☐ **Tier 1** Special Events involve the use of Recreation Department facilities for functions involving 100 or less people. **The Recreation Director or their designee is the permitting authority**
- ☐ **Tier 2** Special Events include street closure requests, parades, road races, walks or other single-day functions involving 100 or less people. **The Police Chief and Public Works Director or their Designees are the permitting authority**
- ☒ **Tier 3** Special Events are functions that involve a street closure or the use of a City facility for a single-day function involving 100-999 people. **The Coordinating Committee is the permitting authority**

Note: > 999 people

APPLICATION NUMBER: _____

PLEASE NOTE: The City Council shall be the permitting authority for events to be held in City of Biddeford parks, recreation, public buildings, grounds and streets which it could reasonably be assumed that 1,000 or more persons might gather or participate; or any event which is proposed to last longer than two consecutive days, regardless of the number of persons anticipated to gather or participate.

FURTHER: If alcohol is being sold, or otherwise available, permission must be obtained through application at the City Clerk's Office, and must be approved by the City Council. If alcohol is sold, this requires applicable State of Maine Liquor license to sell alcohol.

List contact name and address of licensee:
LHeart of Biddeford

General Service Questions

Department of Public Works

Is the use of barricades necessary/requested for this event? Yes
If yes, number needed _____ We will provide hard barriers, however we would like 6 wood/ plastic barriers for hanging signage as well as 2 signs that say "no entrance"
Will it be necessary to cover street and/or parking signs for this event? Yes If yes, please note on diagram. "No parking" from 8am-7pm Saturday Sept 28, with 24 hours notice
What is your plan for cleanup and debris disposal for this event?
volunteer/ staff clean up

Is any other Public Works assistance anticipated?
4 trash and 2 recycling cans, and an additional dumpster please

Recreation Department

Will this event take place in a Public Right of Way, Public Way, City Park or athletic field? Yes
If yes, where
Lincoln Street and sidewalks (closed from Main Street to Pearl Street and barricaded at Stone)

APPLICATION NUMBER: _____

Will tenting/staging be utilized for this event? Yes If yes, what is your plan to repair any damage caused by stakes, tie-downs, etc.?
No stakes, only weights

Any Parks and Recreation assistance required?
No

Fire Department

Will the Fire Department have access to all sites in the event of an emergency?
Yes

Will any fire hydrants be obstructed? No Will you have access to E 9-1-1?
Yes

Will you have First Aid or medical staff present?
No

******* If First Aid or medical staff is needed, the Biddeford Fire Department may provide for a fee. Please contact the Biddeford Fire Department at 207-282-6632 for details.*******

Police Department

Is traffic control necessary for this event? No If yes, who will provide it?

Is crowd control necessary for this event? Yes If yes, who will provide it?
HOB has hired a professional, bonded security company to provide ID checking and monitor area

APPLICATION NUMBER:_____

SITE PLAN SKETCH OF SPECIAL EVENT (Completed by Event Coordinator)

In the space below, please provide the following information. Attach a separate map if necessary.

- | | | |
|---------------------------|------------------|-------------------------------------|
| General Map of Location | Vender Locations | Street Closures/Parking Information |
| Event Coordinator’s Booth | Garbage Cans | Water/Electricity Sources |
| Tents/Stages/Grandstands | Water Sources | Loudspeakers |
| Rest Facilities | | |

APPLICATION NUMBER: _____

INDEMNIFICATION AND RELEASE PROVISIONS
CITY OF BIDDEFORD SPECIAL EVENT PERMIT

A. In consideration for being permitted to use the facilities and/or rights-of-way of the City of Biddeford, (hereinafter "City"), Heart of Biddeford
(insert name of person/entity seeking permission to use facilities and/or right-of-way, hereinafter "Applicant") agrees to indemnify and hold harmless the City, its officers, employees, and insurers, from and against all liability, claims, and demands, which are incurred, made, or brought by any person or entity on account of damage, loss, or injury, including without limitation claims arising from property loss, or damage, bodily injury, personal injury, sickness, disease, death, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the use of the facilities and/or rights-of-way, whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the part of the City, its officers, or its employees, or from any other cause whatsoever.

B. By signing below, Applicant agrees that in the event of damage, loss or injury to the facilities or to any property or equipment therein or to the City rights-of-way, the City may deduct from any damage deposit the full amount of such damage, loss, or injury. Applicant further agrees that if such damage, loss, or injury exceeds the amount of the damage deposit, Applicant will promptly reimburse the City for all costs associated therewith upon billing by the City.

C. In addition, in consideration for being permitted or allowed to use the facilities and/or right-of-way, Applicant on behalf of itself and its officers, employees, members, and participants, hereby expressly exempts and releases the City, its officers, employees, insurers, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, or death, that Applicant may incur as a result of such use, whether any such liability claims and demands result from the act, omission, negligence, or other fault on the part of the City, its officer, or its employees, or from any other cause whatsoever.

D. In addition, Heart of Biddeford has furnished and attached two copies of certificates of insurance with the City of Biddeford named as an additional insured in the amount of \$400,000 unless a greater amount is warranted.

E. In addition, Depending upon the size and nature of the event, the City may require that City employees, including Police, Fire, Public Works, Code Enforcement and/or Parks and Recreation, are present at or assist with the event. The City shall determine the number of personnel necessary to ensure the safety of the public and participants, minimize the inconvenience to residents, and reduce public liability exposure to the event sponsor and the City. The cost associated with the use of any such personnel, including City equipment, is the responsibility of the event sponsor. A deposit of thirty percent (30*%) of the estimated personnel cost for the event will be required with the submittal of the application. The City

APPLICATION NUMBER:_____

shall provide a good faith estimate of the total personnel within 10 days after the approval of the application. The complete fee must be submitted to the City prior to the day of the event. Fees may be waived in whole or in part by the City Council prior to the special event.



Signature of Applicant

7/23/24

Date



Printed Name of Applicant

APPLICATION NUMBER:_____

REVIEW BY SPECIAL EVENTS PERMITTING AUTHORITY:

Having completed a review of the application, the proposal itself, the location of the vent and its impact upon services and resources, this application is:

☐ APPROVED WITH MODIFICATIONS AND/OR RESTRICTIONS DATE:

☐ APPROVED AS SUBMITTED DATE:

☐ DENIED DATE:

Modifications / Restrictions:

REASON(S) FOR DENIAL:

Police Chief

Fire Chief

Public Works Director

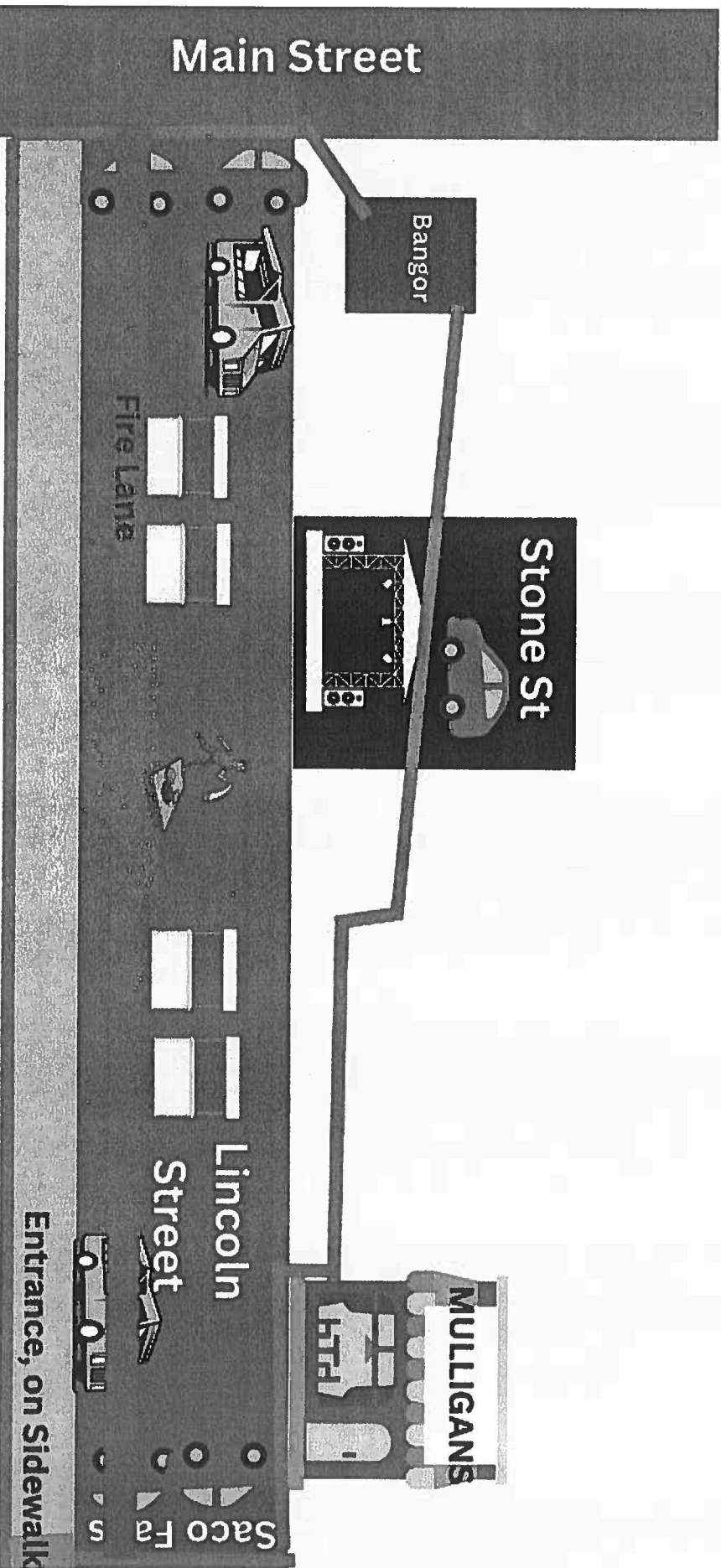
Codes Enforcement Officer

Recreation Director

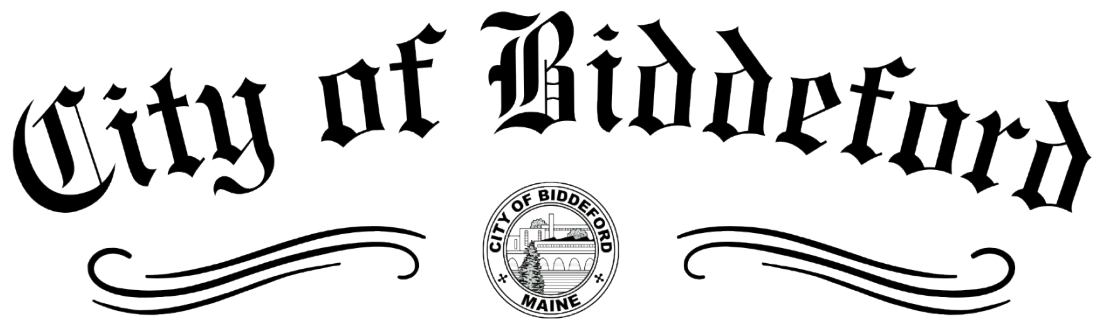


LINCOLN STREET CLOSURE OKTOBERFEST

From Main to Saco Falls Wy
SATURDAY, SEPT. 28, 2024
CLOSURE: 8 AM - 7 PM
EVENT: NOON-6 PM



Lincoln Lofts and Hotel



2024.142 IN BOARD OF CITY COUNCIL... September 3, 2024

BE IT ORDERED, that the City Council of the City of Biddeford does hereby grant a waiver pursuant to Chapter 6, Amusements, Article V – Sales, Possession and Consumption of liquor at and during Special Events on City Public Property specifically section 6-151 to allow the Sale and Consumption of liquor (beer/wine/hard cider) at the Heart of Biddeford Octoberfest (Lincoln Street) September 28, 2024.

BE IT FURTHER ORDERED that in accordance with the provisions set forth under Article IV Special Events the City Council of the City of Biddeford Grants the Special Events permit application for Heart of Biddeford's Octoberfest September 28, 2024.

BE IT FURTHER ORDERED, that in accordance with the provisions set forth under Article V Sales, Possession and Consumption of liquor at and during Special Events on City Public Property. The City Council of the City of Biddeford does hereby grant approval for the Heart of Biddeford to sponsor the service of liquor (beer/wine/hard cider) provided by local breweries at Octoberfest on September 28, 2024

Attest by: _____



City Council

Meeting Date: September 3, 2024
Meeting Time: 6:00 PM
Agenda Item No: 9.c
Item Description: 2024.143 Tidewater Estates Lot 5 Consent Agreement
Submitted By: Roby Fecteau

Supporting Information/Documentation:

Council order tide water, 1668_Lot 5, Tidewater Estates Consent Agreement

Key Terms:

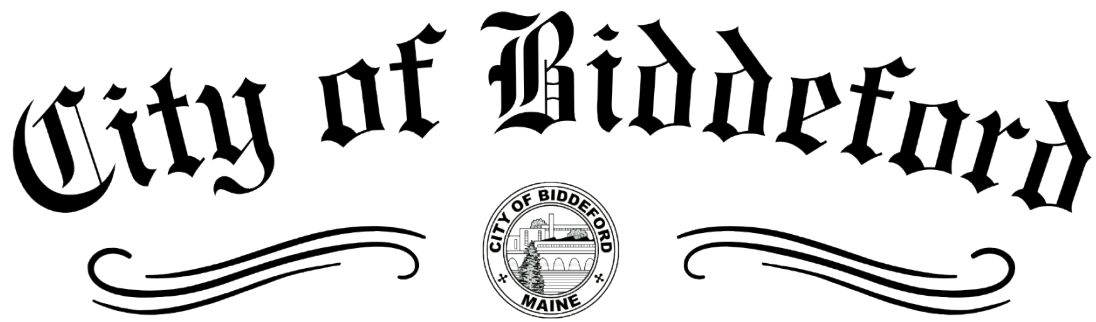
Executive Summary:

Tide Water Estates, LLC received a building permit on 10-31-2023 to construct a single family home located on Lot 5 of Tide water drive Tax map 47 Lot 44. The required front yard setback depicted on the subdivision plan is 40 feet. All setbacks are the sole responsibility of the developer to ensure they are met. After receiving notice that the building was constructed within the setback, the developer met with the city and disclosed the violation. The developer was instructed to try to redesign the right of way in an effort to try to resolve the violation. After review, the realignment would not work because there was not enough land. The developer has requested to enter into a consent agreement that acknowledges the violation and pays the city a fine.

Detailed Review:

Funding Source:

Staff Recommendation:



2024.143 **IN BOARD OF CITY COUNCIL... September 3, 2024**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby enter into a consent agreement between Tide Water Estates, LLC and the City of Biddeford for a front yard setback violation.

BE IT FURTHER ORDERED, WHEREAS: Permit Applicant is the owner of 5 Tide Water Drive, Biddeford, Maine 04005, MBL 47 - 44, shown as Lot 5 (hereinafter, the “Lot”) on Plan entitled, “Amended Subdivision Plan, Tide Water Estates” dated June 2, 2022, and recorded in the York County Registry of Deeds in Plan Book 423, Page 44 (the “Plan”), and being a portion of the premises conveyed to Permit Applicant by deed of the Albert L. Bartolucci Living Trust dated July 5, 2000, the Pearl M. Bartolucci Living Trust dated July 5, 2000, and Lisa M. Curro, dated August 11, 2021 and recorded in the York County Registry of Deeds in Book 18767, Page 626; and

WHEREAS: on October 19, 2023, Permit Applicant submitted a building permit application for the Lot to the Code Enforcement Office to construct a single family home; and

WHEREAS: on October 31, 2023, the Code Enforcement Office approved a building permit to construct a single family home on the Lot; and

WHEREAS: on May 27, 2024, an as-built plan (the “As-Built Plan”) was completed by Paul P. Gadbois Professional Land Surveyor that showed the structure was built 16’+/- from the front-yard property line instead of the required 40’; and

WHEREAS: Part III, Chapter LDR, Article V, Section 4(A) of City of Biddeford Code of Ordinances states no structure shall be erected unless in conformity with the Zoning Ordinance, which includes the required setbacks; and

WHEREAS: The construction of the structure is substantially complete; and

WHEREAS: The Permit Applicant has explored and exhausted all available remedies, and would incur excessive cost of moving the structure to comply with the required 40’ setback; and

WHEREAS: the encroachment into the setback does not cause substantial increase in health or safety risk to abutters or future property owners; and

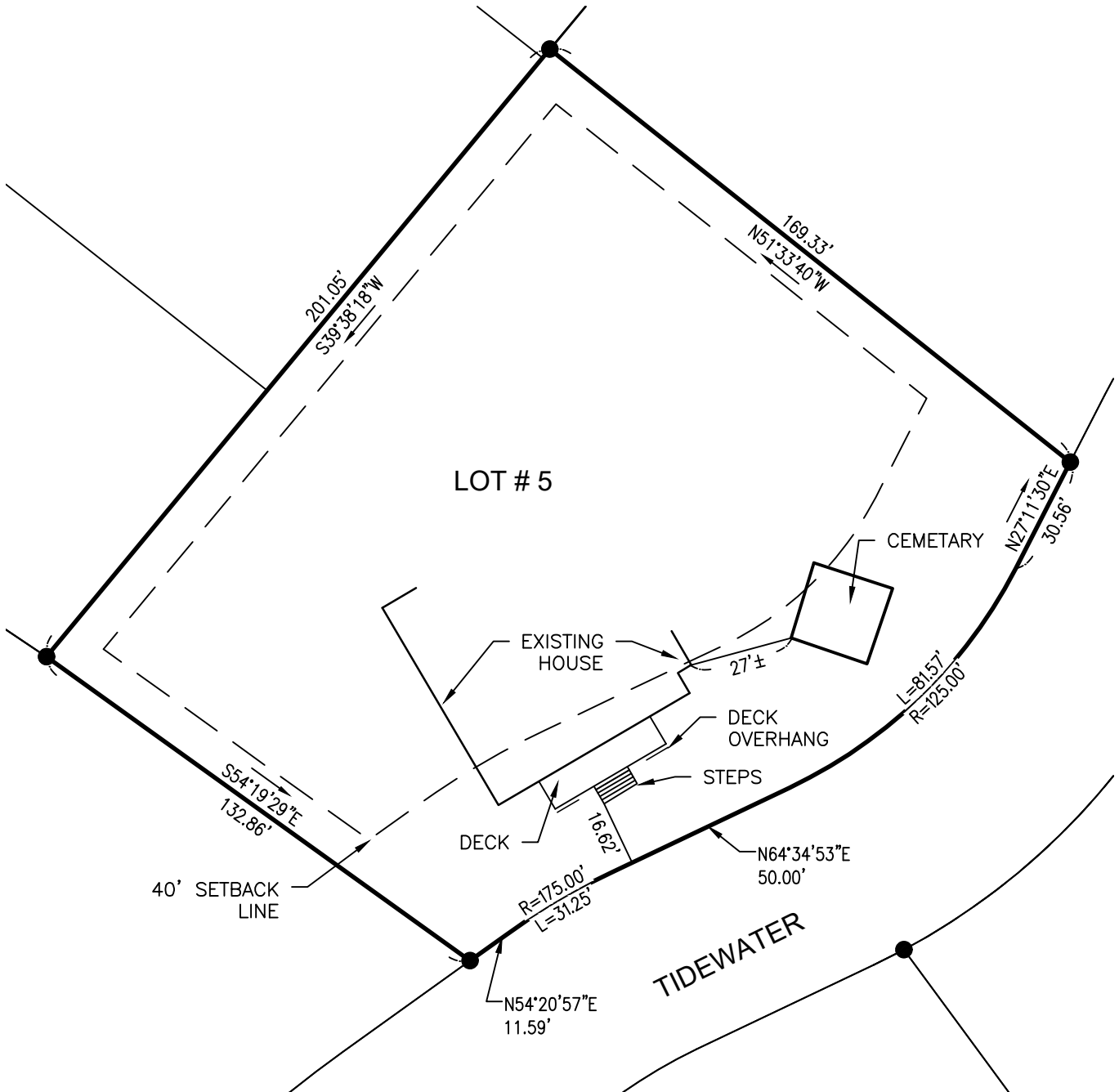
WHEREAS: state law and the City's ordinances authorize the City to bring enforcement actions to cure violations, including the imposition of fines and the recovery of legal fees and expenses; and

WHEREAS: the City and Permit Applicant wish to resolve this matter without further litigation.

NOW, THEREFORE, in consideration of the mutual promises and agreements set forth herein, the parties agree as follows:

1. The City shall not seek any further action against Permit Applicant, its successors in interest, heirs or assigns, with respect to the encroachment and those matters shown on the As-Built Plan attached hereto as Exhibit A.
2. Permit Applicant shall pay a civil penalty to the City in the amount of Twenty Thousand and 00/100 Dollars (\$20,000.00).
3. In the event that Permit Applicant, its successors or assigns, fail or refuse to comply with any of the terms of this Agreement, they shall be deemed to be in violation of this Agreement and shall be liable to the City for a civil penalty of one hundred dollars (\$100.00) per day for each day the violation continues and further relief as a court may deem appropriate, including, without limitation, payment of the attorney's fees and costs incurred by the City to bring an action to enforce this Agreement.
4. At a meeting of the City Council held on September 3, 2024, the City approved the resolution of the matters set forth herein on the terms and conditions set forth in this Agreement, and in connection therewith authorized James Bennett, in his capacity as City Manager, to sign and deliver this Agreement for and on behalf of the City.
5. This Agreement shall be recorded in the York County Registry of Deeds, and a copy will remain in the property file.

Attest by: _____



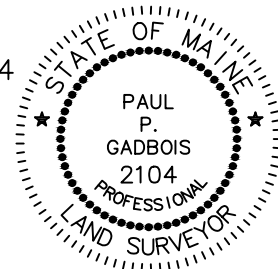
I CERTIFY THE INFORMATION SHOWN ON THIS PLAN IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Paul P. Gadbois

05-27-2024

PAUL P. GADBOIS, PLS 2104

DATE



PLAN REFERENCE:

AMENDED SUBDIVISION PLAN "TIDE WATER ESTATES" APPROVED BY THE CITY OF BIDDEFORD ON JUNE 6, 2022 AND RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 423, PAGE 44.

CLIENT/PROJECT: CONLON DEVELOPMENT LLC

LOCATION: LOT 5 TIDEWATER

TOWN: BIDDEFORD COUNTY: YORK STATE: MAINE

PAUL P. GADBOIS

ENGINEERING SURVEYING
LAND PLANNING

P.O. BOX 327, SACO, MAINE 04072
(207) 283-3980

SHEET TITLE:

LOT 5 AS-BUILT

SCALE: 1"=40'

DATE: 05-24-24

PROJ. NO. 1668-22

SP4

**CONSENT AGREEMENT
BETWEEN THE CITY OF BIDDEFORD
AND TIDE WATER ESTATES, LLC**

This Agreement is made between the City of Biddeford, hereinafter “City”, and Tide Water Estates, LLC, a Maine limited liability company with a mailing address of P.O. Box 1604, Saco, Maine 04072, hereinafter “Permit Applicant”.

WHEREAS: Permit Applicant is the owner of 5 Tide Water Drive, Biddeford, Maine 04005, (Map 47, Lot 44 on the Biddeford Assessor’s Maps), shown as Lot 5 (hereinafter, the “Lot”) on Plan entitled, “Amended Subdivision Plan, Tide Water Estates” dated June 2, 2022, and recorded in the York County Registry of Deeds in Plan Book 423, Page 44 (the “Plan”), and being a portion of the premises conveyed to Permit Applicant by deed of the Albert L. Bartolucci Living Trust dated July 5, 2000, the Pearl M. Bartolucci Living Trust dated July 5, 2000, and Lisa M. Curro, dated August 11, 2021 and recorded in the York County Registry of Deeds in Book 18767, Page 626; and

WHEREAS: on October 19, 2023, Permit Applicant submitted a building permit application for the Lot to the Code Enforcement Office to construct a single family home; and

WHEREAS: on October 31, 2023, the Code Enforcement Office approved a building permit to construct a single family home on the Lot; and

WHEREAS: on May 27, 2024, an as-built plan (the “As-Built Plan”) was completed by Paul P. Gadbois Professional Land Surveyor that showed the structure was built 16’ +/- from the front-yard property line instead of the required 40’; and

WHEREAS: Part III, Chapter Land Development Regulations, Article V, Section 4(A) of City of Biddeford Code of Ordinances states no structure shall be erected unless in conformity with the Zoning Ordinance, which includes the required setbacks; and

WHEREAS: The construction of the structure is substantially complete; and

WHEREAS: The Permit Applicant has explored and exhausted all available remedies, and would incur excessive cost of moving the structure to comply with the required 40’ setback; and

WHEREAS: the encroachment into the setback does not cause substantial increase in health or safety risk to abutters or future property owners; and

WHEREAS: state law and the City’s ordinances authorize the City to bring enforcement actions to cure violations, including the imposition of fines and the recovery of legal fees and expenses; and

WHEREAS: the City and Permit Applicant wish to resolve this matter without further litigation.

NOW, THEREFORE, in consideration of the mutual promises and agreements set forth herein, the parties agree as follows:

1. The City shall not seek any further action against Permit Applicant, its successors in interest, heirs or assigns, with respect to the encroachment and those matters shown on the As-Built Plan attached hereto as Exhibit A.
2. Permit Applicant shall pay a civil penalty to the City in the amount of Twenty Thousand and 00/100 Dollars (\$20,000.00).
3. In the event that Permit Applicant fails or refuses to comply with any of the terms of this Agreement, that is, the payment of the sums due hereunder at or prior to a closing on the Lot, it shall be deemed to be in violation of this Agreement and shall be liable to the City for a civil penalty of one hundred dollars (\$100.00) per day for each day the violation continues and further relief as a court may deem appropriate, including, without limitation, payment of the attorney's fees and costs incurred by the City to bring an action to enforce this Agreement. Any subsequent purchaser of the Lot may request a statement from the then serving Codes Enforcement Officer of the City of Biddeford that Permit Applicant has complied with all terms of this Agreement and such purchaser may conclusively rely on such statement that no violation exists.
4. At a meeting of the City Council held on _____, the City approved the resolution of the matters set forth herein on the terms and conditions set forth in this Agreement, and in connection therewith authorized James A. Bennett, in his capacity as City Manager, to sign and deliver this Agreement for and on behalf of the City.
5. This Agreement shall be recorded in the York County Registry of Deeds, and a copy will remain in the property file.
6. Upon payment of the monetary sums due hereunder, the structure on the Lot shall be deemed to be a lawfully existing non-conforming structure under the terms of all relevant land use and zoning ordinances and regulations.

Signed and agreed to by:

TIDE WATER ESTATES, LLC

CITY OF BIDDEFORD

Michael Conlon, Manager

Date: _____

James A. Bennett, City Manager

Date: _____

State of Maine

County of York, ss _____, 2024

Personally appeared Michael Conlon, in his capacity as the Manager of Tide Water Estates, LLC and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of Tide Water Estates, LLC.

Before me,

Notary Public/Attorney at Law

Print Name:_____

My Commission Expires:_____

State of Maine

County of York, ss _____, 2024

Personally appeared James A. Bennett, in his capacity as the City Manager for the City of Biddeford, Maine, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of the City of Biddeford, Maine.

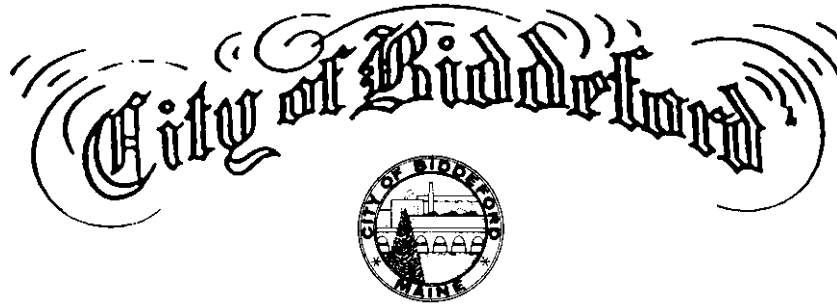
Before me,

Notary Public/Attorney at Law

Print Name:_____

My Commission Expires:_____

Shred/rah/olsen21/000/consentagreement

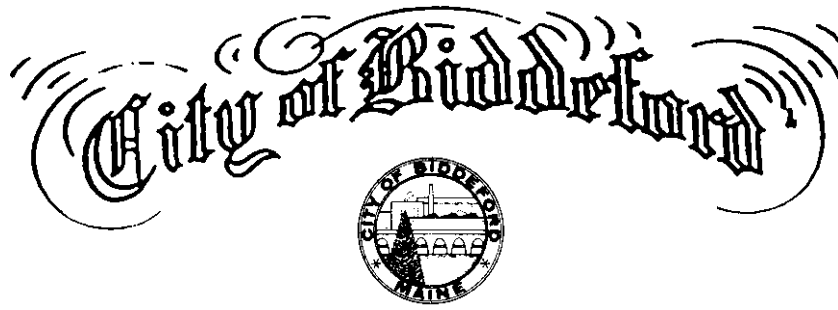


2024.151) IN BOARD OF CITY COUNCIL... SEPTEMBER 3, 2024
BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve either:

- 1.) The installation of one (1) dual-port electric vehicle charging stations on Water Street at Mechanic's Park by All Pro Electric of Haverhill Massachusetts, and the development of an EV charger siting plan to guide the future build-out this infrastructure, or;
- 2.) The installation of two (2) dual-port electric vehicle charging stations, the first at Water Street and the second in the surface parking lot on the corner of Washington Street and Jefferson Street.

BE IT FURTHER ORDERED, that this work is funded by a U.S. Department of Energy, Energy Efficiency Block Grant program formula allocation not to exceed \$75,790.

Attest by: _____





#	State/Territory	Entity Name	Level of Government	Allocation
823	MD	Carroll	County	\$80,670
824	MD	Charles	County	\$80,380
825	MD	Frederick	County	\$81,250
826	MD	Harford	County	\$266,890
827	MD	Howard	County	\$326,870
828	MD	Montgomery	County	\$764,010
829	MD	Prince George's	County	\$681,220
830	MD	St. Mary's	County	\$78,910
831	MD	Annapolis	City	\$76,480
832	MD	Baltimore	City	\$549,550
833	MD	Bowie	City	\$117,040
834	MD	College Park	City	\$76,350
835	MD	Frederick	City	\$137,000
836	MD	Gaithersburg	City	\$130,110
837	MD	Hagerstown	City	\$76,550
838	MD	Laurel	City	\$76,020
839	MD	Rockville	City	\$134,050
840	MD	Salisbury	City	\$76,290
841	ME	Androscoggin	County	\$76,570
842	ME	Aroostook	County	\$77,330
843	ME	Cumberland	County	\$79,760
844	ME	Hancock	County	\$76,920
845	ME	Kennebec	County	\$79,330
846	ME	Knox	County	\$76,420
847	ME	Oxford	County	\$76,950
848	ME	Penobscot	County	\$79,010
849	ME	Somerset	County	\$76,720
850	ME	York	County	\$80,520
851	ME	Auburn	City	\$75,880
852	ME	Bangor	City	\$76,320
853	ME	Biddeford	City	\$75,790
854	ME	Brunswick, Town of	City	\$75,800
855	ME	Lewiston	City	\$76,350
856	ME	Portland	City	\$133,250
857	ME	Sanford	City	\$75,730
858	ME	Scarborough, Town of	City	\$75,810
859	ME	South Portland	City	\$75,990
860	ME	Westbrook	City	\$75,730



CITY OF BIDDEFORD PLANNING DEPARTMENT

REQUEST FOR BIDS - REVISED

Disclosure: *BIDS shall be kept confidential until a contract is awarded. The City of Biddeford (City) reserves the right to request clarification of any proposal term from prospective suppliers. Selected supplier(s) will be notified in writing, and any award is contingent upon the successful negotiation of final contract terms. Negotiations shall be confidential and not subject to disclosure to competing suppliers unless and until an agreement is reached. If contract negotiations cannot be concluded successfully, the City reserves the right to negotiate a contract with another supplier or withdraw the RFB. Any contract resulting from this RFB shall not be effective unless and until approved by the City.*

Introduction

The City of Biddeford is requesting BIDS from qualified firms to furnish and install Electric Vehicle Charging Station(s) in the downtown area of the City. As one of the ten largest municipalities in the State of Maine, Biddeford has been allocated by the U. S. Department of Energy the sum of \$75,790 as part of the Energy Efficiency and Conservation Block Grant (EECBG). Through community outreach, and with consideration of City and State climate action goals, the City wishes to use these funds to increase access of low to moderate income residents to electric vehicle (EV) charging infrastructure. This project will strengthen climate equity in Biddeford.

Project Overview

The City is requesting BIDS from qualified suppliers to design, install, and fully commission dual port electric vehicle charger(s) at one of two potential locations listed here, final location will be determined by bid cost. The two site under consideration are:

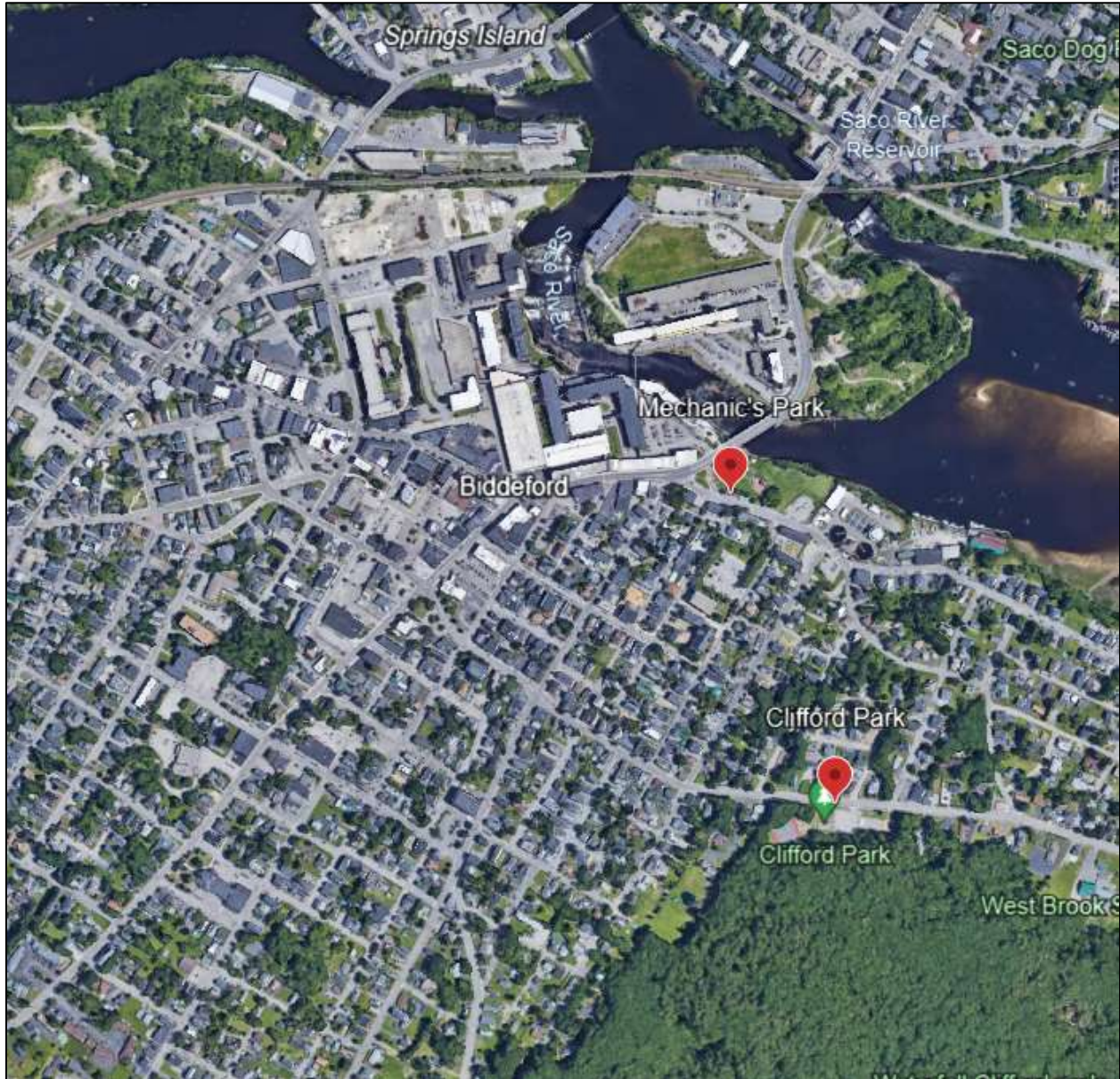
- Water Street at Mechanic's Park (3 - 45 Block)
- Pool Street at Clifford Park (130 Pool Street)

These city-owned sites have been selected based on their proximity to 3-phase electric power and to surrounding low-to-moderate income households, thereby increasing access to electric vehicle charging infrastructure.



CITY OF BIDDEFORD PLANNING DEPARTMENT

Proposed locations are:





CITY OF BIDDEFORD

PLANNING DEPARTMENT

Scope of Project and Deliverables:

The Scope of Project is as follows:

Supply and install all required equipment, materials, and labor for “100% Turnkey” installation and complete commissioning of dual port EV charging station including, but not limited to:

- Provide preliminary design for installation of chargers subject to approval by City of Biddeford;
- Provide final design for installation of chargers, including designation of parking spaces, power source, power requirements, metering location, trenching plan, subject to approval by City of Biddeford;
- Supply one (1) ChargePoint Model CT 4021 dual port Level 2 electric vehicle charging station, including quote for both 1-year and 5-year networking plan;
- Supply and install concrete mounting base for charger;
- Supply and install two (2) protective bollards for charger;
- Obtain all necessary electrical permits, including applicable taxes;
- Provide trenching and backfill (or similar) for electrical conduit, as needed for electrical service;
- Extend and install electric service to charger location;
- Install and commission EV charger.

Contract will be negotiated upon acceptance of proposal by City and award of grant by U.S. DOT. Grant will be awarded late Spring, 2024.

To be provided by the City:

- Proper signage
- Parking stall striping (as needed)

Submittal Instructions

1. All questions regarding this Request can be directed to:

Brad Favreau
Biddeford Economic Development Coordinator
Brad.favreau@biddefordmaine.org
(207) 571-1612



CITY OF BIDDEFORD

PLANNING DEPARTMENT

2. Questions must be received by March 18, 2024. Responses to all questions received will be posted to the city website [Current RFPs & RFQs | Biddeford, ME \(biddefordmaine.org\)](https://www.biddefordmaine.org/current-rfps-rfq).

Site visit is scheduled as follows to allow bidders to further evaluate the sites. Site visit is mandatory, and no consideration will be given to proposals from bidders not present at site visit.

Site Visits Bidder must attend site visit. Will be conducted as needed. Contact Brad Favreau at brad.favreau@biddefordmaine.org to schedule.

3. Bidders shall submit one (1) original proposal, marked "EV Chargers" to, in a sealed envelope to:

Brad Favreau
Planning and Development Department
City of Biddeford
P.O. Box 586
205 Main Street
Biddeford ME 04005

BIDS must be received by March 25, 2024 @ 3:00 pm. BIDS that do not arrive by the specified date and time **WILL NOT BE ACCEPTED** and will be returned unopened. Suppliers may submit their proposal any time prior to the above stated deadline. BIDS will be opened and made publicly available March 26, 2024 at 3:00 pm. BIDS must remain valid through the award of the grant proposal, which will take place by early summer, 2024.

4. Submittals must include the following information:

1. **Project Summary**
2. **Company Description**
3. **Demonstration of experience as an authorized ChargePoint installer**
4. **No fewer than three references as a ChargePoint installer**
5. **Scope of Work (To ensure full understanding of project)**
6. **Description of Hardware**
7. **Project Cost and Charger Options (if any)**

The City shall not be responsible for oral interpretation given by any city employee, representative, or others. If any addenda are issued to the RFB the City will post such addenda to the RFP website. It shall be the responsibility of each consultant, prior to submitting their bid, to review the website to determine if addenda were issued and to consider all addenda a part of the bid request.



CITY OF BIDDEFORD

PLANNING DEPARTMENT

I. Preparation Expenses

Each consultant preparing a response to the RFB shall bear all expenses associated with its preparation and any subsequent and related expenses, and no claims for reimbursement shall be submitted to the CITY for the expense of preparation or presentation.

II. Legal Name

Responses shall clearly indicate the legal name, address, and telephone number of the consultant and shall indicate whether the consultant is a corporation, general partnership, individual or other business entity. RFB responses shall be signed above the typed or printed name and title of the authorized representative. The authorized representative shall have the authority to bind the consultant to the submitted competitive bid.

III. Openness of Procurement Process

Written responses, other discussions, correspondence, and all other pertinent records shall be handled as public records in compliance with Local, State and Federal open records statutes and regulations.

IV. Errors and Omissions

Once a bid is submitted, the City may consider requests by any consultant to correct errors or omissions prior to bid opening. The City shall retain sole discretionary authority to determine the outcome of such a request.

V. Retention and Disposal of Statements of Qualifications

The City reserves the right to retain all submitted statements for public recordkeeping purposes. No copies of any material will be returned to the consultant. The City reserves the right to cancel this solicitation at any time prior to the execution of a formal contract.

VI. Collusion

By offering a response to this RFB the consultant certifies that they have not divulged to or discussed or compared its submittal with any competitors, and have not colluded with any other consultant or parties to this process whatsoever. The consultant also certifies, and in the case of a joint venture, each party thereto certifies as to its own organization, that in connection with their submittal:

1. No attempt has been made or will be made by the consultant to induce any other person or firm to submit or not to submit a bid for the purpose of restricting competition.
2. The principal or principals being named therein and no other person have an interest in this project or in the Agreement to be entered into.
3. No person or agency has been employed or retained to solicit or secure this Agreement upon an agreement or understating for a commission, percentage, brokerage, or contingent fee, accepting bona fide employees or established commercial agencies maintained by the consultant for the purpose of doing business. All firms interested in this project (including the firm's employees, representatives,



CITY OF BIDDEFORD

PLANNING DEPARTMENT

agents, lobbyists, attorneys, and sub-consultants) will refrain, under penalty of disqualification, from direct or indirect contact for the purpose of influencing the selection or creating bias in the selection process with any person who may play a part in the selection process, including but not limited to, members of the city council, the mayor, the city manager, department heads, and other staff. This policy is intended to create fairness for all potential firms, to assure that contract decisions are made in public, and to protect the integrity of the selection process. All contact on this selection process should be addressed to brad.favreau@biddefordmaine.org.

At its sole discretion, the City may reject incomplete proposal submittals if, in its judgment, the submittal lacks information needed to effectively evaluate the proposal. Nothing in this request for qualifications implies a contractual obligation with any firm, nor will the City reimburse costs for submittal preparation.

Prepared for:

City of Biddeford
Mechanic's Park at
Water Street

Proposal:

Installation of one (1)
ChargePoint CT400
Dual-Port Electric
Vehicle Charging
Station

April 8, 2024



-chargepoint+



Dear City of Biddeford,

Greetings from All-Pro Electric! We are writing today to inform you of an exciting, limited time offer on the installation one (1) ChargePoint CT400 Dual-Port Electric Vehicle Charging Station for Mechanics Park at Water St, Biddeford, ME.

WHO WE ARE

- **All-Pro Electric** is a full service, locally owned and operated electrical contractor with over 25 years of experience in the industry offering an unmatched expertise in clean energy technologies and initiatives.
- We have partnered with National Grid as one of only a few certified electrical contractors for this program in the state.

THE ALL-PRO ADVANTAGE

Our team of knowledgeable and skilled professionals will handle:

- **System Design** - Guide you in choosing which EV Charger will best fit the needs of our community and choose the optimal location on your property.
- **Permitting** - Secure all necessary permitting for the project.
- **Installation** – Supply and install all necessary materials and equipment.

WHEN TO ACT

The time is **NOW**. This is a **100% turnkey installation** from All-Pro Electric. This offer **will not last forever**, and will be granted on a **first-come, first-serve** basis through All-Pro Electric, *your complete electrical service company*.

Respectfully,

Michael Harrington

Michael Harrington
CEO/Principal
All-Pro Electric



RE: City of Biddeford
Mechanics Park at
Water St Biddeford,
ME 04005

Proposal

We hereby submit this Proposal to provide a Turn-Key solution to install one (1) ChargePoint CT400 Dual-Port Electric Vehicle Charging Station at Mechanics Park at Water St, according to the following:

1. All-Pro is to work with City of Biddeford, to determine which locations are best suited at the property to install EV Chargers.
2. All-Pro is to complete a preliminary design for the approved location.
3. All-Pro is to complete a final design for the installation of EV Chargers which includes designation of parking spaces, power source, power requirements, metering locations, and trenching plan. These final designs are subjected to approval by City of Biddeford.
4. All-Pro is to furnish & install wireless access points for charger connectivity.
5. **One year of network management included in quote at \$1679.00 per unit.**
6. All-Pro is to furnish & install one (1) ChargePoint CT400 Dual-Port Electric Vehicle Charger.
7. All-Pro is to supply Electrical Installation Permits, including all applicable Taxes.
8. All-Pro is to furnish and install new electrical service to support one (1) ChargePoint CT400 Dual-Port Electric Vehicle Charger.
9. All-Pro is to supply all necessary equipment, labor and material to extend circuitry to parking spaces.
10. Material prices may increase due to the uncertainty with supply chains.
11. All work completed during normal business hours.

TOTAL AMOUNT OF PROPOSAL -----\$37,500.00

Payment is to be negotiated upon acceptance of proposal.

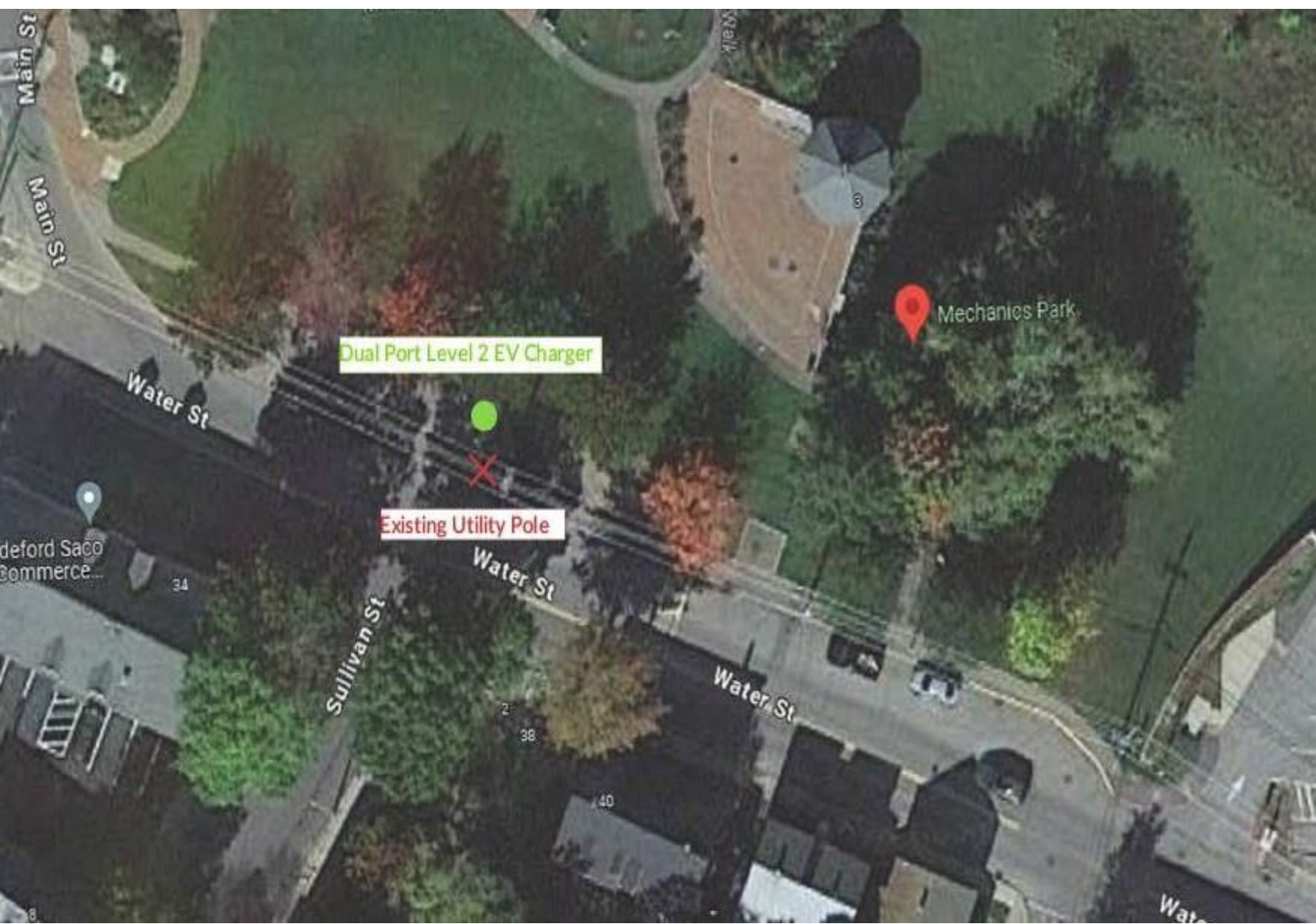
Owners acknowledge they have read all provisions of the proposal, and understand the same.

ACCEPTANCE:

In Witness Whereof, the parties have hereunto caused this Proposal to be executed, with (2) counterparts, on this _____ Day of _____, 2024.

BY: _____

BY: Steve Wentworth
Steve Wentworth, Lead Estimator
SteveW@AllProElectric.com, Cell: (978) 857-1994





Electrifying your business with **All-Pro Electric**



4 Simple Steps of EV Chargers Installation

- Step 1**  **Perform a site survey**
 Every Property is different.
 Site survey provides an opportunity to review the site requirements for project viability and necessary upgrades.
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 Based on the result of the site consultation, provide expert advice for charger selection and purchase the equipment
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 - Access control
 - Pricing plans
 - Usage report

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2025	33,759	93,651	13,758	8,006	8,773	7,095	165,043
2026	40,468	116,072	19,036	11,115	10,414	8,601	205,706
2027	47,110	138,446	25,066	14,385	12,403	10,267	247,676
2028	53,768	160,595	32,035	17,830	14,418	12,097	290,742
2029	61,258	182,196	39,262	21,371	16,470	14,082	334,639
2030	68,898	203,904	45,314	24,946	18,577	16,089	377,727
2031	77,764	227,216	49,894	28,655	20,756	18,366	422,651
2032	87,919	251,736	52,854	32,593	22,643	20,935	468,679
10-year total (2023-2032)	518,934	1,494,004	291,071	165,953	137,080	117,884	2,724,923
Previous 10-year total (2022-2031)	369,920	530,755	258,273	58,524	96,652	207,673	1,521,796
Change	+149,014	+963,249	+32,798	+107,429	+40,428	-89,789	+1,203,127

- Massachusetts plan to ban the sales of gas-powered vehicle by 2035
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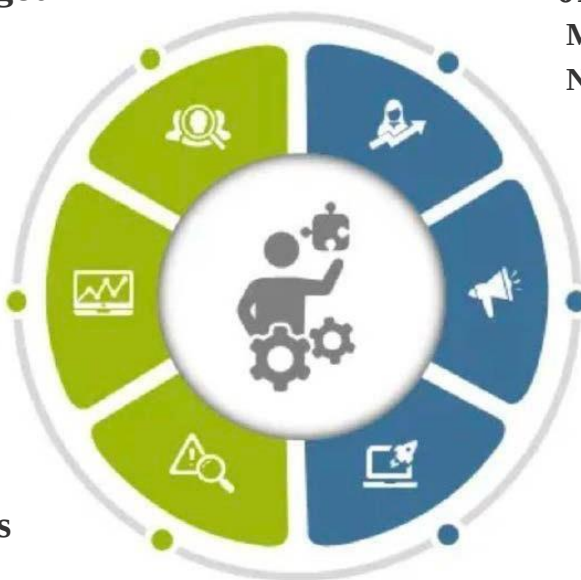
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Stations are available in bollard and wall mount configurations for easy installation anywhere. All stations are fully software upgradeable remotely over the air.

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Driver Friendly User Interface

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Certified EV Charger

Service Products and Support

ChargePoint offers world-class service products and support that help ensure quality of work, save time and money, protect your investment and enhance the productivity of your charging stations. From site planning to installation and setup, to ongoing care and management, when you choose ChargePoint, you're covered.

- + ChargePoint Configuration and Activation: customized setup and activation of your stations
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Energy Measurement and Management

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- + 15 minute interval recording
- + Time of Day (TOD) pricing
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- + Stations are rugged, built to withstand the elements
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- + ENERGY STAR certified, charges efficiently and conserves power when not charging

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- + One less thing to worry about: Proactive station monitoring provides you with regular reporting
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CT4021

Dual-port bollard charging station with 18' charging cables. Standard *EV Charging Only* sign without optional custom branding.



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- + Increase brand recognition
- + Attract EV drivers by making sure your stations are highly visible
- + Ensure EV charging installations are consistent with the look and feel of your brand
- + Differentiate your stations from standard ChargePoint stations to make them easily identifiable by your driver base



Branded CT4021
Shown with optional branding on bollard. 18' cords on 6' model.

Easily customizable branding area.
All stations come with *EV Charging Only* sign, which can be replaced with your custom signage.

5.7" color LCD display for customizable video content.

Upload up to 60 seconds of high quality video to individual stations as often as desired.

Daylight readable with auto brightness control.

OPTIONAL:
Additional customizable branding areas.

All stations have standard extrusions to hold your custom signage.

Artwork templates and material specifications are conveniently downloadable from chargepoint.com



Branded CT4025
Shown with optional branding on back. 23' cords on 8' model.

Bollard Charging Stations

CT4011



CT4021



CT4025



Wall Mount Charging Stations

CT4013



CT4023



CT4027



Contact Us

-  Visit [chargepoint.com](https://www.chargepoint.com)
-  Call +1.408.705.1992
-  Email sales@chargepoint.com



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240 East Hacienda Avenue
Campbell, CA 95008-6617 USA

+1.408.841.4500 or
+1.877.370.3802 US and Canada toll-free
[chargepoint.com](https://www.chargepoint.com)

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Prepared for:

City of Biddeford
75 Washington
St, Biddeford,
ME 04005

Proposal:

Installation of one (1)
ChargePoint CT400
Dual-Port Electric
Vehicle Charging
Station

April 8, 2024



-chargepoint+



Dear City of Biddeford,

Greetings from All-Pro Electric! We are writing today to inform you of an exciting, limited time offer on the installation of one (1) ChargePoint CT400 Dual-Port Electric Vehicle Charging Station for 75 Washington St, Biddeford, ME 04005.

WHO WE ARE

- **All-Pro Electric** is a full service, locally owned and operated electrical contractor with over 25 years of experience in the industry offering an unmatched expertise in clean energy technologies and initiatives.
- We have partnered with National Grid as one of only a few certified electrical contractors for this program in the state.

THE ALL-PRO ADVANTAGE

Our team of knowledgeable and skilled professionals will handle:

- **System Design** - Guide you in choosing which EV Charger will best fit the needs of our community and choose the optimal location on your property.
- **Permitting** - Secure all necessary permitting for the project.
- **Installation** – Supply and install all necessary materials and equipment.

WHEN TO ACT

The time is **NOW**. This is a **100% turnkey installation** from All-Pro Electric. This offer **will not last forever**, and will be granted on a **first-come, first-serve** basis through All-Pro Electric, *your complete electrical service company*.

Respectfully,

Michael Harrington

Michael Harrington
CEO/Principal
All-Pro Electric



All-Pro Electric
Post Office Box 5217
Haverhill, MA 01835-5217
info@allproelectric.com



RE: City of Biddeford
75 Washington St
Biddeford, ME 04005

Proposal

We hereby submit this Proposal to provide a Turn-Key solution to one (1) ChargePoint CT400 Dual-Port Electric Vehicle Charging Station at 75 Washington St, according to the following:

Including:

1. All-Pro is to work with City of Biddeford, to determine which locations are best suited at the property to install EV Chargers.
2. All-Pro is to complete a preliminary design for the approved location.
3. All-Pro is to complete a final design for the installation of EV Chargers which includes designation of parking spaces, power source, power requirements, metering locations, and trenching plan. These final designs are subjected to approval by City of Biddeford.
4. All-Pro is to furnish & install wireless access points for charger connectivity.
5. **One year of network management included in quote at \$1679.00 per unit.**
6. All-Pro is to furnish & install one (1) ChargePoint CT400 Dual-Port Electric Vehicle Charger.
7. All-Pro is to supply Electrical Installation Permits, including all applicable Taxes.
8. All-Pro is to furnish and install new electrical service to support one (1) ChargePoint CT400 Dual-Port Electric Vehicle Charging Station, EV chargers.
9. All-Pro is to supply all necessary equipment, labor and material to extend circuitry to parking spaces.
10. Material prices may increase due to the uncertainty with supply chains.
11. All work completed during normal business hours.

TOTAL AMOUNT OF PROPOSAL----- \$37,850.00

Payment is to be negotiated upon acceptance of proposal.

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Massachusetts EVIP
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CT4021

Dual-port bollard charging station with 18' charging cables. Standard *EV Charging Only* sign without optional custom branding.



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- + Differentiate your stations from standard ChargePoint stations to make them easily identifiable by your driver base



Branded CT4021
Shown with optional branding on bollard. 18' cords on 6' model.

Easily customizable branding area.
All stations come with *EV Charging Only* sign, which can be replaced with your custom signage.

5.7" color LCD display for customizable video content.

Upload up to 60 seconds of high quality video to individual stations as often as desired.

Daylight readable with auto brightness control.

OPTIONAL:
Additional customizable branding areas.

All stations have standard extrusions to hold your custom signage.

Artwork templates and material specifications are conveniently downloadable from chargepoint.com



Branded CT4025
Shown with optional branding on back. 23' cords on 8' model.

Bollard Charging Stations



Wall Mount Charging Stations



Contact Us

- Visit chargepoint.com
- Call +1.408.705.1992
- Email sales@chargepoint.com



ChargePoint, Inc.
240 East Hacienda Avenue
Campbell, CA 95008-6617 USA
+1.408.841.4500 or
+1.877.370.3802 US and Canada toll-free
chargepoint.com

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EV Charger Project Proposal

Biddeford – Mechanics Park

Water Street (3 – 45 Block) Biddeford, ME 04005

Project Cost: \$43,783

Per port (2): \$21,891

This Proposal expires 30 days after delivery to customer.

ReVision Energy proposes to install a new 200A 120/240V single-phase service. It will likely not be possible to add a transformer to the existing pole, so another utility-owned pole will need to be placed in the grassy area across from the charger location with the final location to be determined by CMP. From there, we will run underground conduits and install a molded EV charger base with 2 bollards in the cobblestone median. We will install, wire, and activate a CT4021 dual charger here. To keep costs to a minimum, we assume the City's own crews will patch asphalt and repair the cobblestones rather than us including the costs for subcontractors to do this work for us.

Utility Feasibility Fee: \$3,500

This fee covers the work of coordinating with the local utility company to determine if sufficient power can be brought to the proposed site. If the utility cannot provide power and the project is not possible, only this fee will be assessed. If power can be brought to the proposed site as assumed, this fee is included in the total project cost presented here.

Major Components

Chargers	(1) ChargePoint CT4021, Dual (included pedestal) [CT4021-GW1]
Network Subscription	(2) 1 Year CP Commerical Network Service
Warranty	No additional warranties included. Standard manufacturer warranties apply.
Manufacturer Fees	(1) ChargePoint L2 Activation and Programming (1) CP Site Validation
Other	New 200A 240V rack-mounted service (2) 4-inch bollard(s)

Notes and Assumptions

The following assumptions were made in preparing this quote. Should these not turn out to be true, pricing will need to be adjusted:

- This price is for 1 year of network service for both ports. Upgraded to 5-years for the dual port would add \$3400.
- While the RFB specifies concrete mounting bases, we will use a molded ABS base instead. These bases are extremely sturdy and durable, but are easier to install and have a lower impact on the environment since they can be transported much more easily than heavy concrete bases.
- The utility will likely need to install another utility pole in the grassy area across from the charger in order to place their transformer. This may require them to trim back the existing trees.
- These prices reflect current hardware costs and may need to be modified if manufacturer prices change.
- Pricing assumes excavation and installation in clean and level ground, free of ledge or large obstructions, with no existing underground utilities or structures in the work area. Should site plans, utility locating services, vegetation clearing, or excavation indicate otherwise, the project quote will need to be adjusted and the design may need to be modified.
- Pricing assumes all in-ground work will be done after spring thaw and before the ground freezes in the fall. Winter work is not included.
- Assumes new service will be brought overhead to within 20 ft of proposed installation area and from there will be brought underground through asphalt or concrete to the meter and electrical panel. Should the utility determine this is not possible or requires a different design, the price may need to be adjusted.
- Operations and maintenance work. ReVision will offer our standard workmanship warranty on all electrical work up to the charging equipment. Ongoing service for the chargers themselves, whether covered by warranty or an optional O&M package, is managed by the charger manufacturer.

Exclusions

The following work, if necessary, shall be performed by others and shall be expressly excluded from the work of this Contract:

- Cobblestone and asphalt replacement. We will fill and re-level trenches, but assume the City's own crews can complete this work more cost effectively than us subcontracting it out for these small scope repairs.
- Utility-assessed costs for the new service, including but not limited to poles, anchors, line extensions, easements, overhead secondary wiring, transformers, etc.
- Landscape remediation other than refilling and leveling trenches with excavated materials. Some small vegetation may need to be removed in order to trench and roots of nearby vegetation may be disturbed causing damage or death to the plants.
- Tree or stump removal, unless specifically noted above.
- Fencing or other aesthetic elements, unless specifically noted above.
- Repair or replacement of damaged existing site conditions, unless specifically noted above.
- Removal or relocation of on-site equipment in the work area, unless specifically noted above.



REVISION ENERGY

- Any costs associated with a full site review, which may be requested by the local planning board, council, or historic districts.
- Survey work, PE-stamped site plans, any other legal descriptions of property, or site renderings.
- Parking lot reconfiguration or striping.
- Hardware to boost cellular signals to necessary levels, unless specifically outlined in the scope of work.

CT4000 Level 2 Commercial Charging Station

Specifications and Ordering Information



CT4021

Ordering Information

The order codes below represent specific product configurations. Other product options are available. Please contact ChargePoint Sales for information and order codes.

Specify model number followed by the applicable code(s).

The order code sequence is: **Model-Options**. **Software**, **Services** and **Misc** are ordered as separate line items.

Hardware

Description		Order Code
Model	1830 mm (6 ft) Single Port Bollard Mount	CT4011-GW1
	1830 mm (6 ft) Dual Port Bollard Mount	CT4021-GW1
	1830 mm (6 ft) Single Port Wall Mount	CT4013-GW1
	1830 mm (6 ft) Dual Port Wall Mount	CT4023-GW1
	2440 mm (8 ft) Dual Port Bollard Mount	CT4025-GW1
	2440 mm (8 ft) Dual Port Wall Mount	CT4027-GW1
Included	Integral Modem – North America	-GW1
Misc	Power Management Kit Bollard Concrete Mounting Kit	CT4000-PMGMT
	Bollard Concrete Mounting Kit	CT4001-CCM

*Note: ALL CT4000 stations include Integral Modem -GW1.

Software & Services

Description	Order Code
ChargePoint Commercial Service Plan	CPCLD-COMMERCIAL- <i>n</i> *
ChargePoint Enterprise Plan	CPCLD-ENTERPRISE- <i>n</i> *
ChargePoint Assure	CT4000-ASSURE <i>n</i> *
Station Activation and Configuration	CPSUPPORT-ACTIVE
ChargePoint Station Installation and Validation	CT4000-INSTALLVALID

Note: All CT4000 stations require a network service plan per port.

*Substitute *n* for desired years (1, 2, 3, 4 or 5 years)

Order Code Examples

If ordering this...	...the order code is
1830 mm (6 ft) Dual Port Bollard Networked Station with Concrete Mounting Kit	CT4021-GW1 CT4001-CCM
ChargePoint Commercial Service Plan, 3 Year Subscription	CPCLD-COMMERCIAL-3
ChargePoint Station Installation and Validation	CT4000-INSTALLVALID
3 Years of Assure Coverage	CT4000-ASSURE3
1830 mm (6 ft) Single Port Wall Mount Networked Station	CT4013-GW1
ChargePoint Commercial Service Plan, 5 Year Subscription	CPCLD-COMMERCIAL-5
5 Years of Assure Coverage	CT4000-ASSURE5
Station Activation and Configuration	CPSUPPORT-ACTIVE

Architectural Drawings (Dimensions)

CT4021 1830 mm (6')

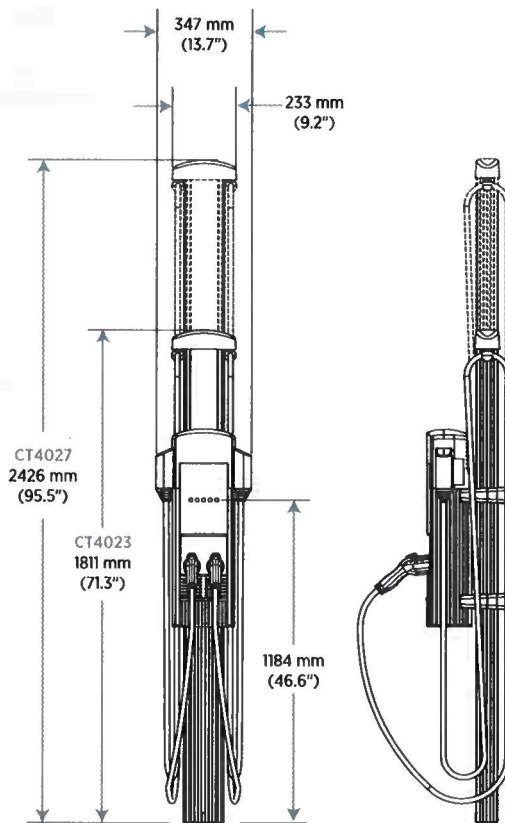
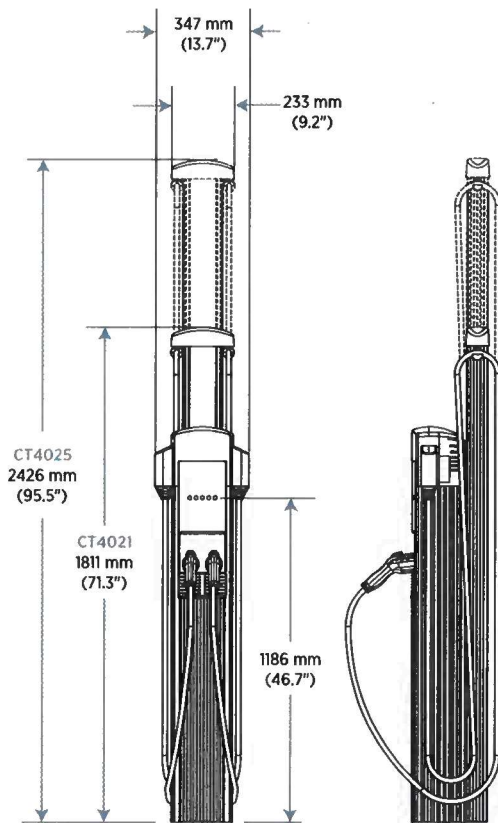
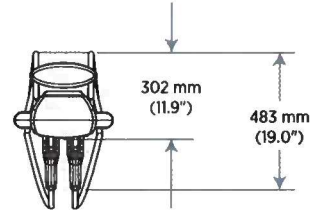
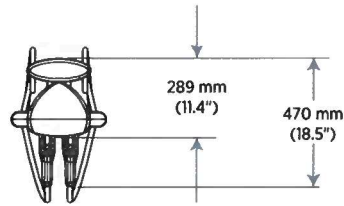
CT4025 2440 mm (8')

Bollard

CT4023 1830 mm (6')

CT4027 2440 mm (8')

Wall Mount



General Specifications

Electrical Input

Electrical Input	Single Port (AC Voltage 208 / 240V AC)			Dual Port (AC Voltage 208 / 240V AC)		
	Input Current	Input Power Connection	Required Service Panel Breaker	Input Current	Input Power Connection	Required Service Panel Breaker
Standard	30A	One 40A branch circuit	40A dual pole (non-GFCI type)	30A x 2	Two independent 40A branch circuits	40A dual pole (non-GFCI type) x 2
Standard Power Share	n/a	n/a	n/a	32A	One 40A branch circuit	40A dual pole (non-GFCI type)
Power Select 24A	24A	One 30A branch circuit	30A dual pole (non-GFCI type)	24A x 2	Two independent 30A branch circuits	30A dual pole (non-GFCI type) x 2
Power Select 24A Power Share	n/a	n/a	n/a	24A	One 30A branch circuit	30A dual pole (non-GFCI type)
Power Select 16A	16A	One 20A branch circuit	20A dual pole (non-GFCI type)	16A x 2	Two independent 20A branch circuits	20A dual pole (non-GFCI type)
Power Select 16A Power Share	n/a	n/a	n/a	16A	One 20A branch circuit	20A dual pole (non-GFCI type)
Service Panel GFCI	Do not provide external GFCI as it may conflict with internal GFCI (CCID)					
Wiring – Standard	3-wire (L1, L2, Earth)			5-wire (L1, L1, L2, L2, Earth)		
Wiring – Power Share	n/a			3-wire (L1, L2, Earth)		
Station Power	8 W typical (standby), 15 W maximum (operation)					

Electrical Output

Electrical Output	Single Port (AC Voltage 208 / 240V AC)	Dual Port (AC Voltage 208 / 240V AC)
Standard	7.2 kW (240V AC @ 30A)	7.2 kW (240V AC @ 30A) x 2
Standard Power Share	n/a	7.2 kW (240V AC @ 30A) x 1 or 3.8 kW (240V AC @ 16A) x 2

Power Select 24A	5.8 kW (240V AC @ 24A)	5.8 kW (240V AC @ 24A) x 2
Power Select 24A Power Share	n/a	5.8 kW (240V AC @ 24A) x 1 Or 2.9 kW (240V AC @ 12A) x 2
Power Select 16A	3.8 kW (240V AC @ 16A)	3.8 kW (240V AC @ 16A) x 2
Power Select 16A Power Share	n/a	3.8 kW (240V AC @ 16A) x 1 Or 1.9 kW (240V AC @ 8A) x 2

Functional Interfaces

	Single Port (AC Voltage 208 / 240V AC)	Dual Port (AC Voltage 208 / 240V AC)
Connector Types	SAE J1772™	SAE J1772™ x 2
Cable Length — 1.8 m (6 ft) Cable Management	5.5 m (18 ft)	5.5 m (18 ft) x 2
Cable Length — 2.4 m (8 ft) Cable Management	n/a	7 m (23 ft)
Overhead Cable Management System	Yes	
LCD Display	145 mm (5.7 in) full color, 640 x 480, 30 fps full motion video, active matrix, UV protected	
Card Reader	ISO 15693, ISO 14443, NFC	
Locking Holster	Yes	Yes x 2

Safety and Connectivity Features

Ground Fault Detection	20 mA CCID with auto retry
Open Safety Ground Detection	Continuously monitors presence of safety (green wire) ground connection
Plug-Out Detection	Power terminated per SAE J1772™ specifications
Power Measurement Accuracy	+/- 2% from 2% to full scale (30A)
Power Report/Store Interval	15 minute, aligned to hour. Vehicle to grid connected and responsive to TOU signals
Local Area Network	2.4 GHz WiFi (802.11 b/g/n)
Wide Area Network	LTE Category 4

Safety and Operational Ratings

Station Enclosure Rating	Type 3R per UL 50E
Safety and Compliance	UL and cUL listed; complies with UL 2594, UL 2231-1, UL 2231-2, and NEC Article 625
Station Surge Protection	6 kV @ 3,000A. In geographic areas subject to frequent thunder storms, supplemental surge protection at the service panel is recommended.
EMC Compliance	FCC Part 15 Class A
Operating Temperature	-40°C to 50°C (-40°F to 122°F)
Non-Operating Temperature	-40°C to 60°C (-40°F to 140°F)
Terminal Block Temperature Rating	105°C (221°F)
Operating Humidity	Up to 85% @ 50°C (122°F) non-condensing
Non-Operating Humidity	Up to 95% @ 50°C (122°F) non-condensing
Network	All stations include integral LTE modem and will be automatically configured to operate as gateway or non-gateway as needed

ChargePoint, Inc. reserves the right to alter product offerings and specifications at any time without notice, and is not responsible for typographical or graphical errors that may appear in this document



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Listed by Underwriters Laboratories Inc.



EV Charger Project Proposal

Biddeford – Washington Jefferson St Parking Lot
Corner of Washington & Jefferson Streets, Biddeford

Project Cost: \$46,607

Per port (2): \$23,304

This Proposal expires 30 days after delivery to customer.

ReVision Energy proposes the installation of one dual-port networked electric vehicle charger at the public parking lot located at the corner of Washington Street and Jefferson Street in Biddeford, Maine. The charger will be protected by two bollards. Power will be supplied to the charger via a newly established 200A electrical service. We plan for the power to arrive overhead to a newly installed service pole located near the existing parking ticket kiosk, which will avoid the need to cut and repair the existing sidewalk. The CMP power meter and breaker combo will be mounted to this pole. Power will then run underground to the EV charger, which will be located front and center of the two parking spots closest to the parking ticket kiosk, which will require some cutting of the existing pavement. Repair of the pavement will be the responsibility of the customer.

The installation of a customer-owned service pole to mount the meter and breaker combo is pending approval from CMP. If power cannot be brought in this way, the project will need to be redesigned and repriced.

Major Components

Chargers	(1) ChargePoint CT4021, Dual (included pedestal) [CT4021-GW1]
Network Subscription	(2) 1 Year CP Commerical Network Service
Warranty	No additional warranties included. Standard manufacturer warranties apply.
Manufacturer Fees	(1) ChargePoint L2 Activation and Programming (1) CP Site Validation
Other	New 200A 240V pole-mounted service (2) 4-inch bollard(s)

Notes and Assumptions

The following assumptions were made in preparing this quote. Should these not turn out to be true, pricing will need to be adjusted:

- This price is for 1 year of network service for both ports. Upgraded to 5-years for the dual port would add \$3400.
- While the RFB specifies concrete mounting bases, we will use a molded ABS base instead. These bases are extremely sturdy and durable, but are easier to install and have a lower impact on the environment since they can be transported much more easily than heavy concrete bases.
- The plan for the new service is subject to approval from CMP. Usually this is not an issue, but we did note shared overhead secondary in the area which may not have capacity for a new 200A service. In addition, the new pole location may be deemed to be too close to the minimum setback required from existing utility poles (15') though this is usually more flexible in urban settings.
- These prices reflect current hardware costs and may need to be modified if manufacturer prices change.
- Pricing assumes excavation and installation in clean and level ground, free of ledge or large obstructions, with no existing underground utilities or structures in the work area. Should site plans, utility locating services, vegetation clearing, or excavation indicate otherwise, the project quote will need to be adjusted and the design may need to be modified.
- Pricing assumes all in-ground work will be done after spring thaw and before the ground freezes in the fall. Winter work is not included.
- Assumes new service will be brought overhead to a new customer-owned pole. Should the utility determine this is not possible or requires a different design, the price may need to be adjusted.
- Operations and maintenance work. ReVision will offer our standard workmanship warranty on all electrical work up to the charging equipment. Ongoing service for the chargers themselves, whether covered by warranty or an optional O&M package, is managed by the charger manufacturer.

Exclusions

The following work, if necessary, shall be performed by others and shall be expressly excluded from the work of this Contract:

- Asphalt repair. We will fill and re-level the trenches, but assume the City's own crews can complete the asphalt repair more cost effectively than us subcontracting out these small scope repairs.
- Utility-assessed costs for the new service, including but not limited to poles, anchors, line extensions, easements, overhead secondary wiring, transformers, etc. The price does include placing pre-cast pad and necessary primary conduit for the utility to install a pad-mounted transformer. The price does include a customer-owned utility pole for the new service, meter, and panel.
- Landscape remediation other than refilling and leveling trenches with excavated materials. Some small vegetation may need to be removed in order to trench and roots of nearby vegetation may be disturbed causing damage or death to the plants.
- Tree or stump removal, unless specifically noted above.
- Fencing or other aesthetic elements, unless specifically noted above.

- Repair or replacement of damaged existing site conditions, unless specifically noted above.
- Removal or relocation of on-site equipment in the work area, unless specifically noted above.
- Any costs associated with a full site review, which may be requested by the local planning board, council, or historic districts.
- Survey work, PE-stamped site plans, any other legal descriptions of property, or site renderings.
- Parking lot reconfiguration or striping.
- Hardware to boost cellular signals to necessary levels, unless specifically outlined in the scope of work.

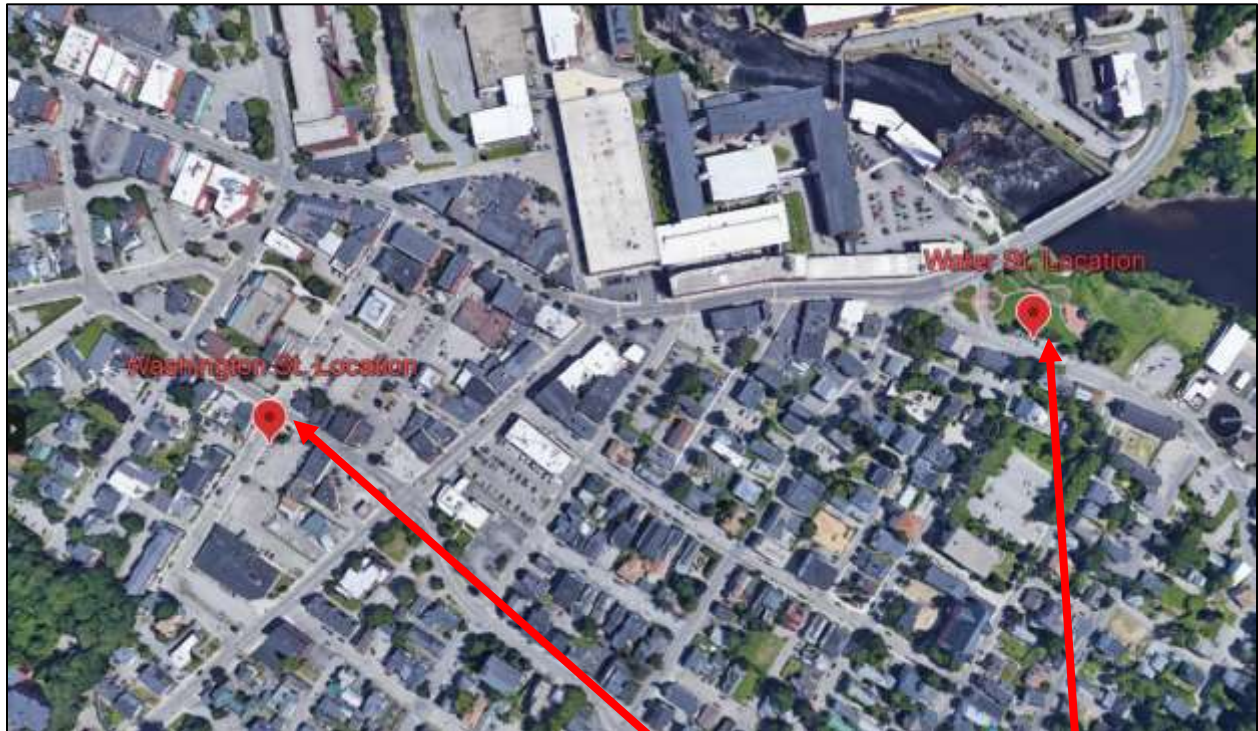
Utility Feasibility Fee: \$3,500

This fee covers the work of coordinating with the local utility company to determine if sufficient power can be brought to the proposed site. If the utility cannot provide power and the project is not possible, only this fee will be assessed. If power can be brought to the proposed site as assumed, this fee is included in the total project cost presented here.

Proposed Locations for EV Charging Stations

The City of Biddeford, Maine proposes to install one or two dual-port electric vehicle charging station at the parking median on Water Street and/or Washington Street (see red place marks in image below).

Public Works Department will be responsible for appropriate signage for dedicated parking spaces.



Courtesy Google Earth: [Google Earth](https://www.google.com/earth/)

Washington St.

Water St.

SCAG EV Charging Station Study

Electric Vehicle (EV) Infrastructure Plan – Culver City

REVISED AND APPROVED

FEBRUARY 28TH, 2023



EV Infrastructure Plan – Culver City

PUBLISH DATE: February 28, 2023

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ABOUT SCAG

SCAG is the nation’s largest metropolitan planning organization (MPO), representing six counties, 191 cities and more than 19 million residents. SCAG undertakes a variety of planning and policy initiatives to encourage a more sustainable Southern California now and in the future.

VISION

Southern California’s Catalyst for a Brighter Future

MISSION

To foster innovative regional solutions that improve the lives of Southern Californians through inclusive collaboration, visionary planning, regional advocacy, information sharing, and promoting best practices.



OVERVIEW

In September 2020, California Governor Gavin Newsom issued Executive Order N-79-20 which created a goal of 8 million EVs on the road by 2030. To meet this goal, in August 2022, California Air Resources Board (CARB) passed the Advanced Clean Cars II (ACC II) rule to which will require vehicle manufactures to sell an increasingly higher percentage of zero-emission vehicles (ZEVs), until 100% of new light-duty vehicle sales are zero-emission in 2035.¹ The California Energy Commission (CEC) estimates that up to 1.2 million EV charging stations (EVCS) may be needed in California by 2030 to support the State's EV goal². As of December 2022, only about 80,000 EVCS have been installed in the State, leaving a substantial infrastructure gap to be filled.

Depending on the mix of EVCS, the City of Culver City (City) may need between 380 and 1,154 charging stations by 2030 to help support statewide goals. Cities may also seek opportunities to convert their own fleets and provide supporting infrastructure and may also influence broader infrastructure development. While the City of Culver City can lead the way by installing EVCS at publicly owned locations such as City Hall, libraries, parks, and public parking lots, the majority of EVCS will be owned and operated by the private sector. The City still has several roles to play in fostering that private development including:

- Increasing education and awareness about EVs and EVCS
- Creating policies that encourage and streamline EVCS development and installation
- Connecting EV and EVCS stakeholders to funding resources to reduce upfront costs of EVs and EVCS installation
- Creating a dedicated EV landing page on their website and link to trusted sources of information on EVs including funding opportunities

The Southern California Association of Governments (SCAG) conducted an EV Charging Station Study (Study) between Jan 2020 and Feb 2023 with the goal of preparing the region for the development and deployment of EV charging infrastructure needed to accelerate transportation electrification. The study was informed through a comprehensive and multi-pronged community and stakeholder engagement effort. Study goals included:

- Helping jurisdictions in the SCAG region promote electric vehicle charging stations (EVCS) to accelerate transportation electrification
- Developing tools and resources for Cities
- Focusing on increasing EV infrastructure in traditionally hard to serve sectors – specifically disadvantaged communities (DACs) and multi-unit dwellings (MUDs)

The Study found that issues like cost, range anxiety, and limited charging infrastructure are still problems that the EV industry needs to overcome, but the technology continues to improve, and more charging stations are installed each year. Despite obstacles, there is a great deal of enthusiasm and in 2022, 18% of new car sales in CA were zero-emission³. The City of Culver City was one of 18 cities participating in this Study. As a result, the following resources and tools were prepared for the City to use to continue fostering EVCS installation and EV adoption:

¹ [Advanced Clean Cars II | California Air Resources Board](#)

² [Electric Vehicle Charging Infrastructure Assessment - AB 2127 | California Energy Commission](#)

³ <https://www.gov.ca.gov/2023/01/20/california-zev-sales-near-19-of-all-new-car-sales-in-2022/>

- Results of an EVCS Suitability Analysis that demonstrate where EVCS can be located throughout the region. Multiple scenarios were developed to better align with varying levels of existing EV infrastructure and/or varying City priorities for EVCS deployment. City results of the following four scenarios are contained in Attachment 1. Results of the larger regional analysis may be found on SCAG's PEV Atlas at <https://scag.ca.gov/southern-california-pev-readiness-atlas>.
 - A regional baseline scenario that prioritized SCAG's goals of serving DACs and MUDS
 - Expanding – Cities with substantially built out EV infrastructure and are looking to expand into hard-to-reach areas
 - Progressing – Cities with some EV infrastructure, but still have significant gaps to fill
 - Initiating – Cities with little to no existing EV Infrastructure and have a need to start with the most desirable, highly utilized sites
- A template to create a conceptual level plan for potential EVCS sites that includes design guidelines and best practices for determining the quantity and power level needed.
 - Completed conceptual site evaluations from top scoring sites from the City's suitability analysis were prepared using these best practices and can be found in Attachment 2
- A policy memorandum on best practices for streamlining EVCS permit approvals to meet the requirements of AB 1236 and AB 970 was provided to the City. These bills set requirements around permit streamlining and approval times. Some of these best practices include:
 - Clear and easy to find requirements posted to City website
 - Allowing for electronic submittals, review, and approval
 - Close internally coordination for larger EVCS projects
 - Automating permit approval if resources allow
 - More information and best practices can be found at GO-BIZ's website for [Plug-in Electric Vehicle Charging Station Readiness](#).
- Educational materials including an EV brochure, EV guides for Property Managers, and EV Guide for City Staff. These documents are included in Attachment 3.
- A list of notable funding sources available at the time of this study is included in Attachment 4. The Department of Energy (DOE) Alternative Fuels Data Center (AFDC) maintains a comprehensive up to date list at the [AFDC Laws and Incentives](#) webpage. Cities are encouraged to review this site regularly and/or include links to it on City EV webpages.

Resources associated with this study can also be found on the SCAG website

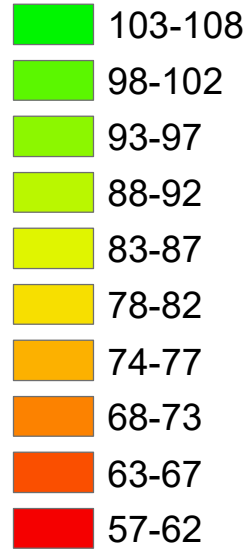
<https://scag.ca.gov/alternative-fuels-vehicles-projects> or by contacting the SCAG Project Manager, Alison Linder at linder@scag.ca.gov

ATTACHMENT 1 – SUITABILITY MAPS

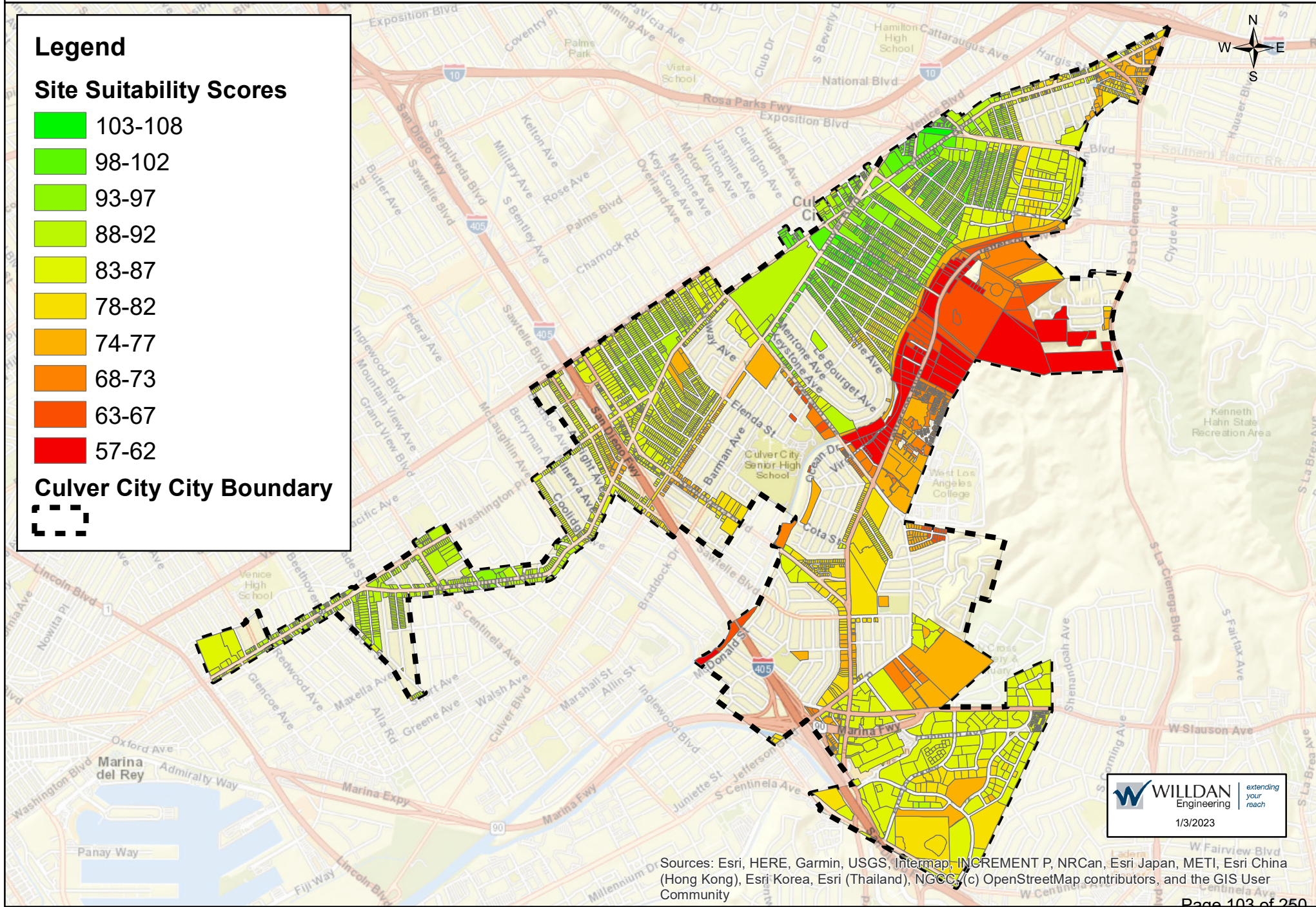
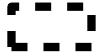
CITY OF CULVER CITY EV CHARGER SITE SUITABILITY ANALYSIS BASELINE SCENARIO

Legend

Site Suitability Scores



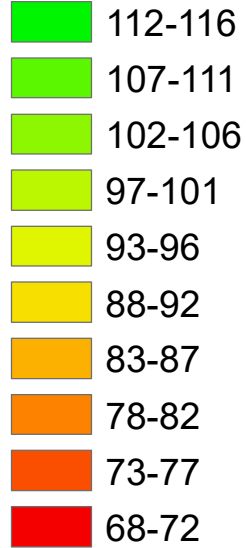
Culver City City Boundary



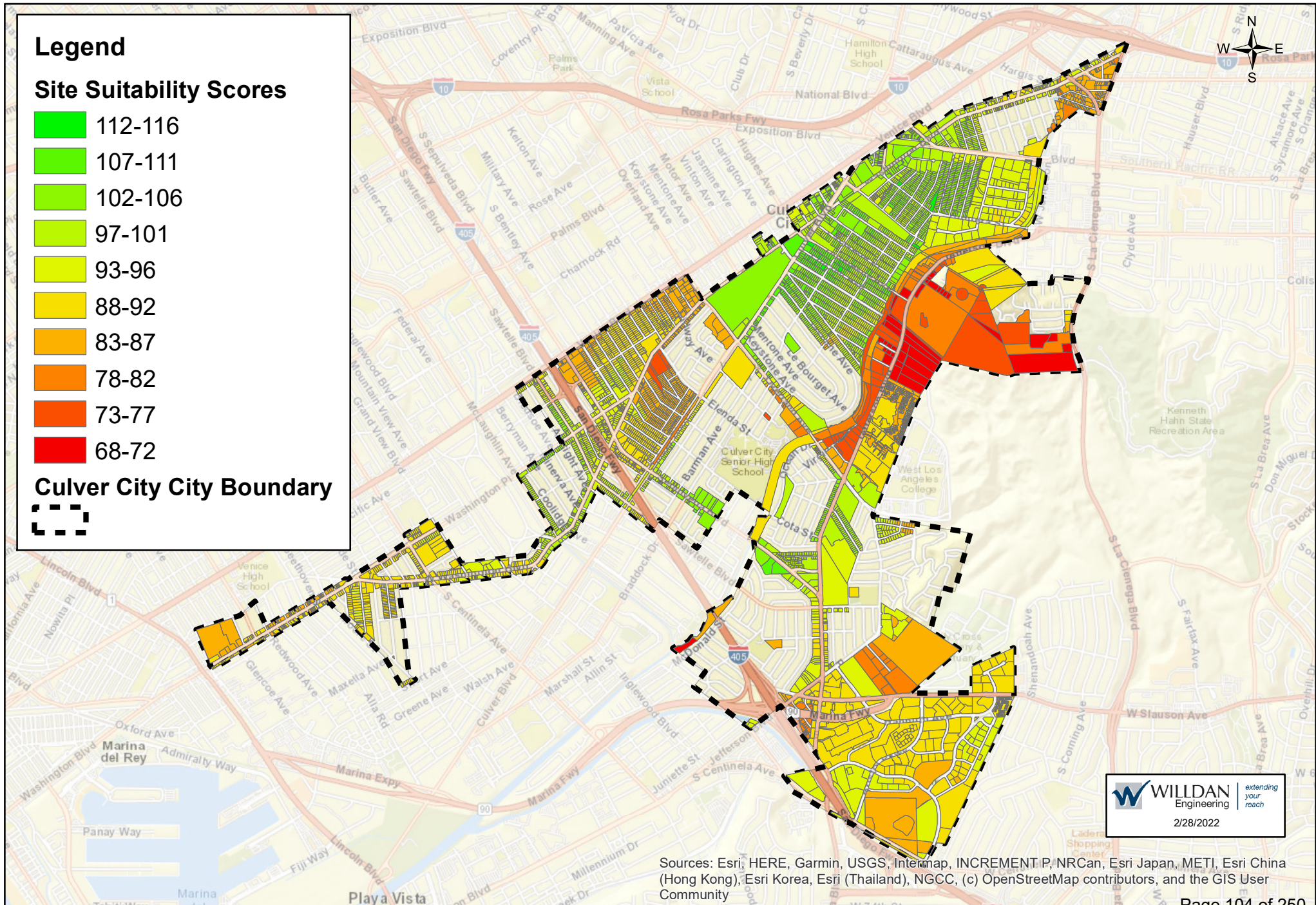
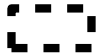
CITY OF CULVER CITY EV CHARGER SITE SUITABILITY ANALYSIS INITIATING SCENARIO

Legend

Site Suitability Scores



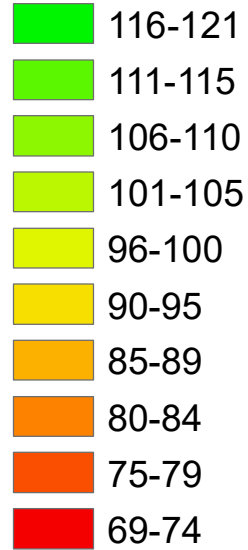
Culver City City Boundary



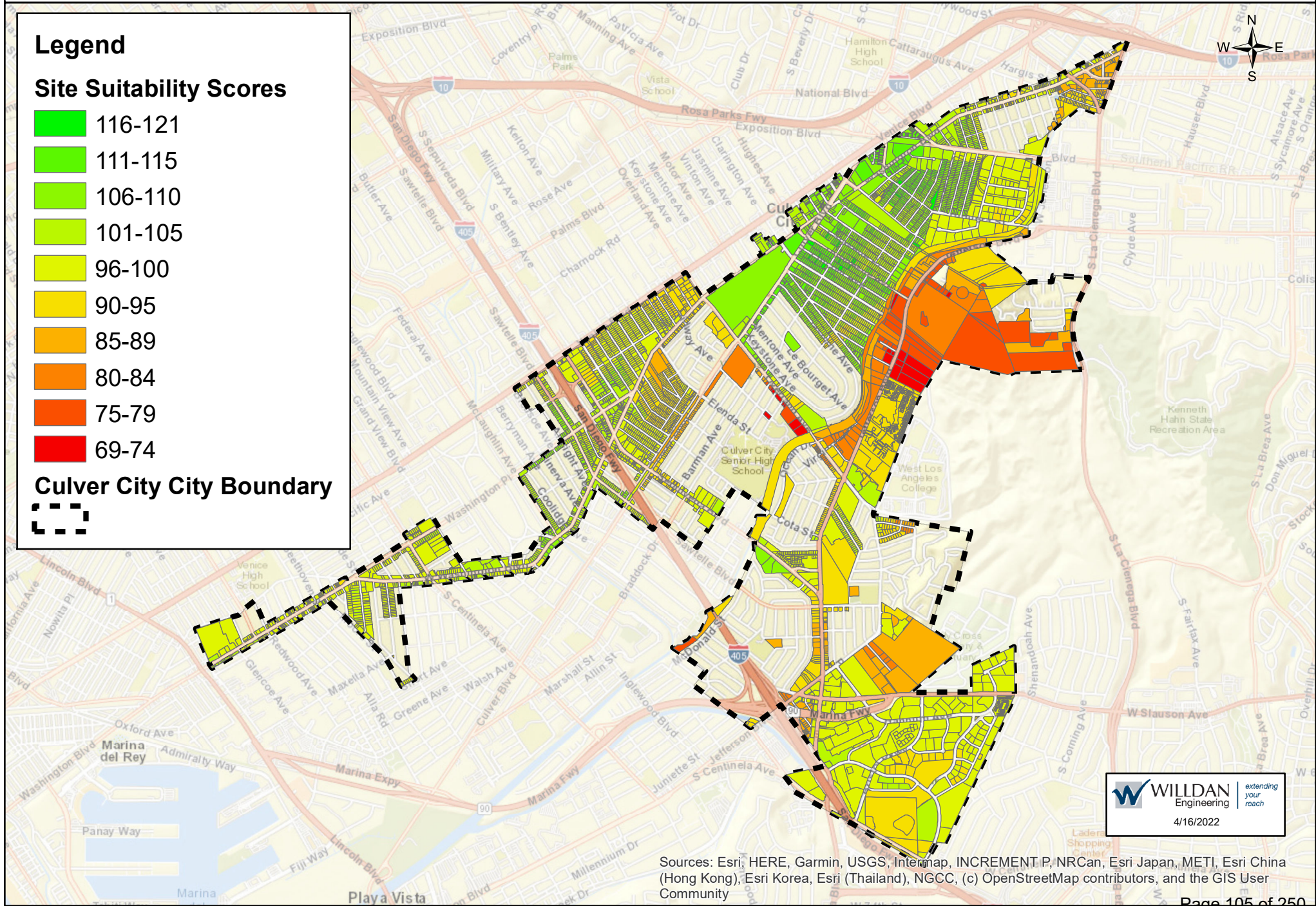
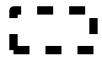
CITY OF CULVER CITY EV CHARGER SITE SUITABILITY ANALYSIS PROGRESSING SCENARIO

Legend

Site Suitability Scores



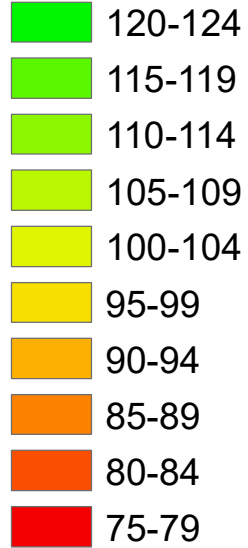
Culver City City Boundary



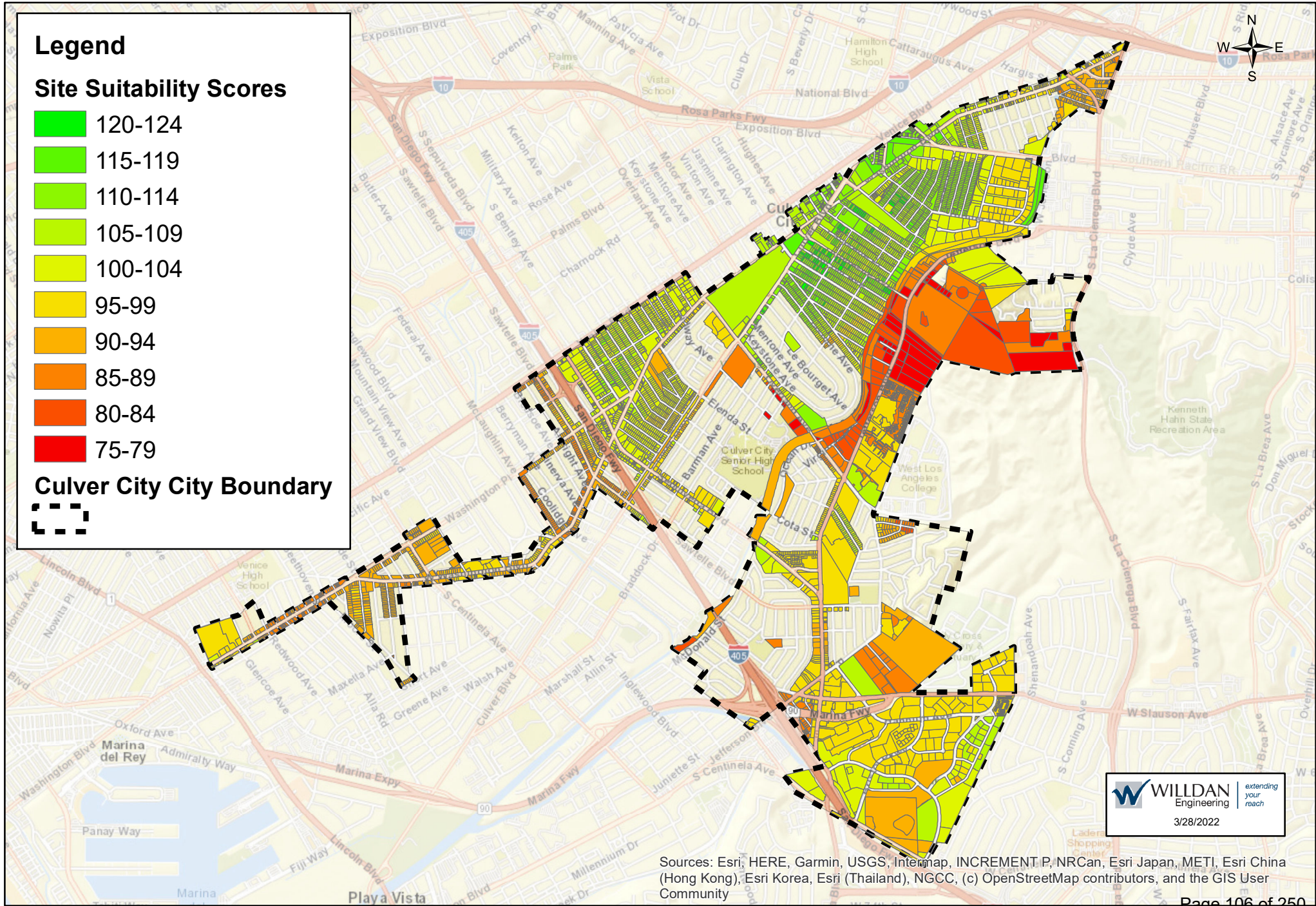
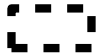
CITY OF CULVER CITY EV CHARGER SITE SUITABILITY ANALYSIS EXPANDING SCENARIO

Legend

Site Suitability Scores



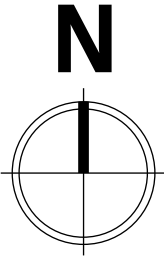
Culver City City Boundary



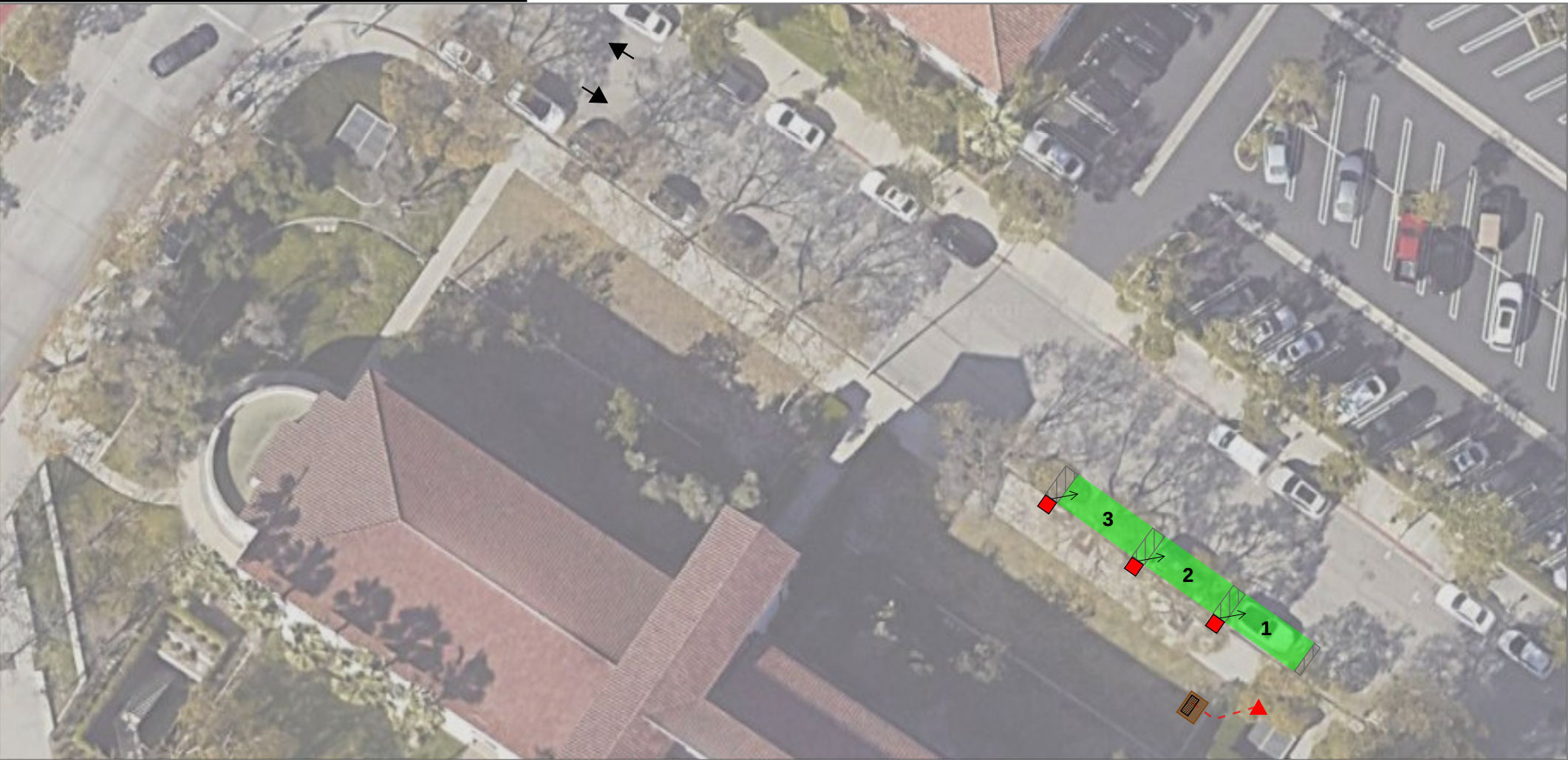
ATTACHMENT 2 – SITE EVALUATIONS

SCAG EV CHARGER SITE ASSESSMENT - CULVER CITY

CITY HALL - 9770 CULVER BOULEVARD



PROJECT SUMMARY	
SITE TYPE / OWNERSHIP	GOVERNMENT / PUBLIC
RECOMMENDED SCOPE	(3) LEVEL 3 CHARGE PORTS
ESTIMATED PROJECT COST	\$265,391
AMMENITIES	CITY HALL, MUD, POLICE DEPT.



LEGEND	
	STANDARD PARALLEL EV CHARING STALL, 24' TYP
	CONCRETE EQUIPMENT PAD, METERED ELECTRICAL SERVICE SWITCHBOARD, AND DISTRIBUTION
	SINGLE PORT LEVEL 3 EV CHARGING STATION
	UTILITY SERVICE
	UNDERGROUND VAULT, SOURCE NOT VERIFIED

SCAG EV CHARGER SITE ASSESSMENT - CULVER CITY

CITY HALL - 9770 CULVER BOULEVARD



SHEET: 2 OF 2

SITE DETAILS		
SCAG CITY		CITY OF CULVER CITY
SITE NAME / IDENTIFIER		CITY HALL
ADDRESS	STREET	9770 CULVER BOULEVARD
	CITY, STATE, ZIP	CULVER CITY, CA 90232
HOURS OF OPERATION	MON - FRI	7:30 AM - 5:30 PM
	SAT - SUN	N/A
CONTACT INFORMATION		(310) 253-6000
LAND USE OR BUSINESS TYPE		MUNICIPAL
PARKING CONFIGURATION		CURBSIDE
EXISTING PARKING SPACES		108 IN ADJACENT LOT
ELECTRICAL UTILITY		SCE
DAC	TOP QUARTILE	NO, 68%
CHARGER DESIGN DETAILS		
EVSE/CHARGE PORTS PROPOSED:	EVSE	3
	PORTS	3
EVSE TYPE		LEVEL 3; 250A @480VAC
MAX POWER REQUIREMENT		552 KVA
ADA CHARGING STALL REQUIREMENT	VAN ACCESSIBLE	N/A
	STD. ACCESSIBLE	N/A
	AMBULATORY	N/A
PLANNING-LEVEL COST ESTIMATE	TOTAL	\$265,391
	TRENCHING/ CIVIL	\$43,356
	ELECTRICAL	\$34,535
	EV CHARGERS	\$187,500
SITE DESCRIPTION / DEFINING CHARACTERISTICS		CURBSIDE METERED PARKING ON SOUTH SIDE OF LAFAYETTE PLACE ADJACENT TO CITY HALL. FUTURE CHARGING FOR POLICE VEHICLES AND PUBLIC

QUALIFICATIONS				
CRITERIA	DETAIL	YES	NO	TBD
PROXIMITY TO UTILITY POWER SOURCE	<150 FT FROM UTILITY TO METER?			X
SPACE AVAILABLE FOR ELECTRICAL INFRASTRUCTURE	METER/ MAIN DISTRIBUTION, STEP-DOWN TRANSFORMER	X		
CAN THE SITE ACCEPT THE QUANTITY OF PROPOSED CHARGERS?	PER CALGREEN TABLES 4.106.4.3.1 OR 5.106.5.3.3	X		
DO EVSE ADA ACCESSIBILITY REQUIREMENTS APPLY PER 11B?	ARE CHARGERS PUBLICALLY ACCESSIBLE AND NON-RESERVED?		X	
NEARBY ACCESSIBLE STALLS OR PATH OF TRAVEL			X	
IS PARKING AREA PAVED?		X		
IS PARKING AREA LEVEL?	<2% SLOPE IN ALL DIRECTIONS?		X	
DOES THE PROPOSED QUANTITY OF CHARGE PORTS MEET THE MINIMUM REQUIREMENT FOR SCE CHARGE READY CRITERIA	4 LEVEL 2 PORTS / PROJECT OR 2 LEVEL 3 PORTS / PROJECT?			X
IS THE PROJECT LOCATED IN AN AREA TO MAXIMIZE VISIBILITY?	VISIBLE FROM SURROUNDING STREETS?	X		
IS THERE EASY INGRESS/EGRESS FROM TRAFFIC?		X		
IS LIGHTING AVAILABLE AFTER DARK TO CREATE A SAFE ENVIRONMENT?		X		
ARE THERE NEARBY SERVICES/ AMMENITIES?	RESTROOM, SHOPPING, RECREATION?	X		

DETERMINATION OF QTY. OF EV CHARGE PORTS

THE RECOMMENDED QUANTITY OF CHARGER PORTS IS BASED ON THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE:

"The number of required EV spaces shall be based on the total number of parking spaces provided for all types of parking facilities in accordance with Tables 5.106.5.3.3 (Non-Residential) or 4.106.4.3.1 (Residential). Calculations for required number of EV spaces shall be rounded up to the nearest whole number."

NON-RESIDENTIAL MANDATORY TABLE 5.106.5.3.3		RESIDENTIAL PARKING COUNT BASED ON ADJACENT PARKING LOT	
TOTAL # OF PARKING SPACES	# OF REQUIRED EV CHARGING SPACES	TOTAL # OF PARKING SPACES	# OF REQUIRED EV CHARGING SPACES
0-9	0	0-9	0
10-25	2	10-25	1
26-50	4	26-50	2
51-75	7	51-75	4
76-100	9	76-100	5
101-150	13	101-150	7
151-200	18	151-200	10
201+	10% OF TOTAL	201+	6% OF TOTAL

DETERMINATION OF QTY. OF DC FAST PORTS

WHEN DC FAST CHARGE PORTS ARE PROPOSED, ONE (1) DC FAST CHARGE PORT WILL SUPPLEMENT FIVE (5) LEVEL 2 CHARGE PORTS AS IDENTIFIED IN TABLES 5.106.5.3.3 AND 4.106.4.3.1, PER THE 2022 CALIFORNIA GREEN BUILDING CODE

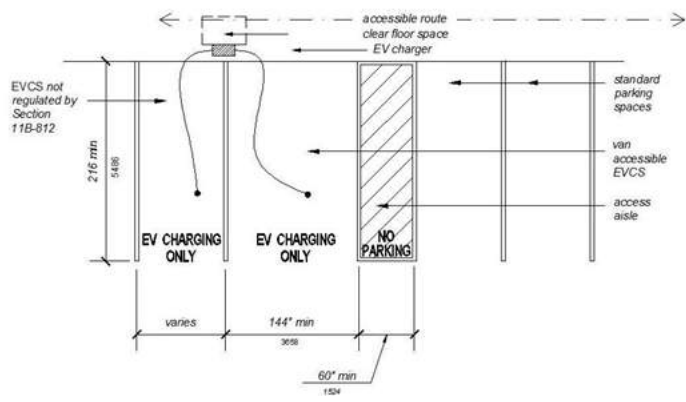
DETERMINATION OF QTY. AND TYPE OF ACCESSIBLE CHARGERS

EXEMPT - CURBSIDE CHARGING. NO-ADA STANDARD ADOPTED AND TYPE OF ACCESSIBLE CHARGING SPACES VIA BUILDING CODE SECTION 11B-812 (BY TYPE) OF EVCS REQUIRED TO COMPLY WITH SECTION 11B-812

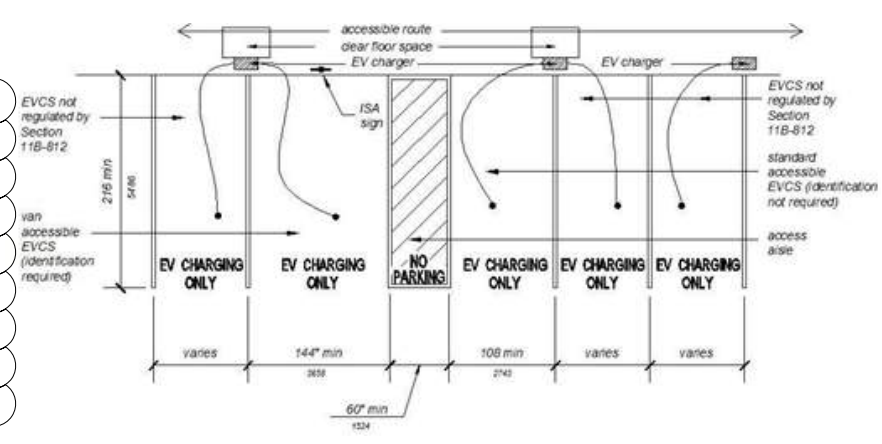
EVCS AT A FACILITY	SECTION 11B-812		
	VAN ACCESSIBLE	STANDARD	AMBULATORY
1 TO 4	1	0	0
5 TO 25	1	1	0
26 TO 50	1	1	1
51 TO 75	1	2	2
76 TO 100	1	3	3
101+	1, PLUS 1 FOR EACH 300, OR FRACTION THEREOF, >100	3, PLUS 1 FOR EACH 60, OR FRACTION THEREOF, >100	3, PLUS 1 FOR EACH 50, OR FRACTION THEREOF, >100

EV CHARGING STATION CONFIGURATION SAMPLES WITH ACCESSIBLE STALLS

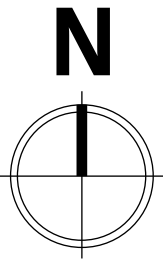
EV CHARGERS WITH (1) VAN ACCESSIBLE STALL



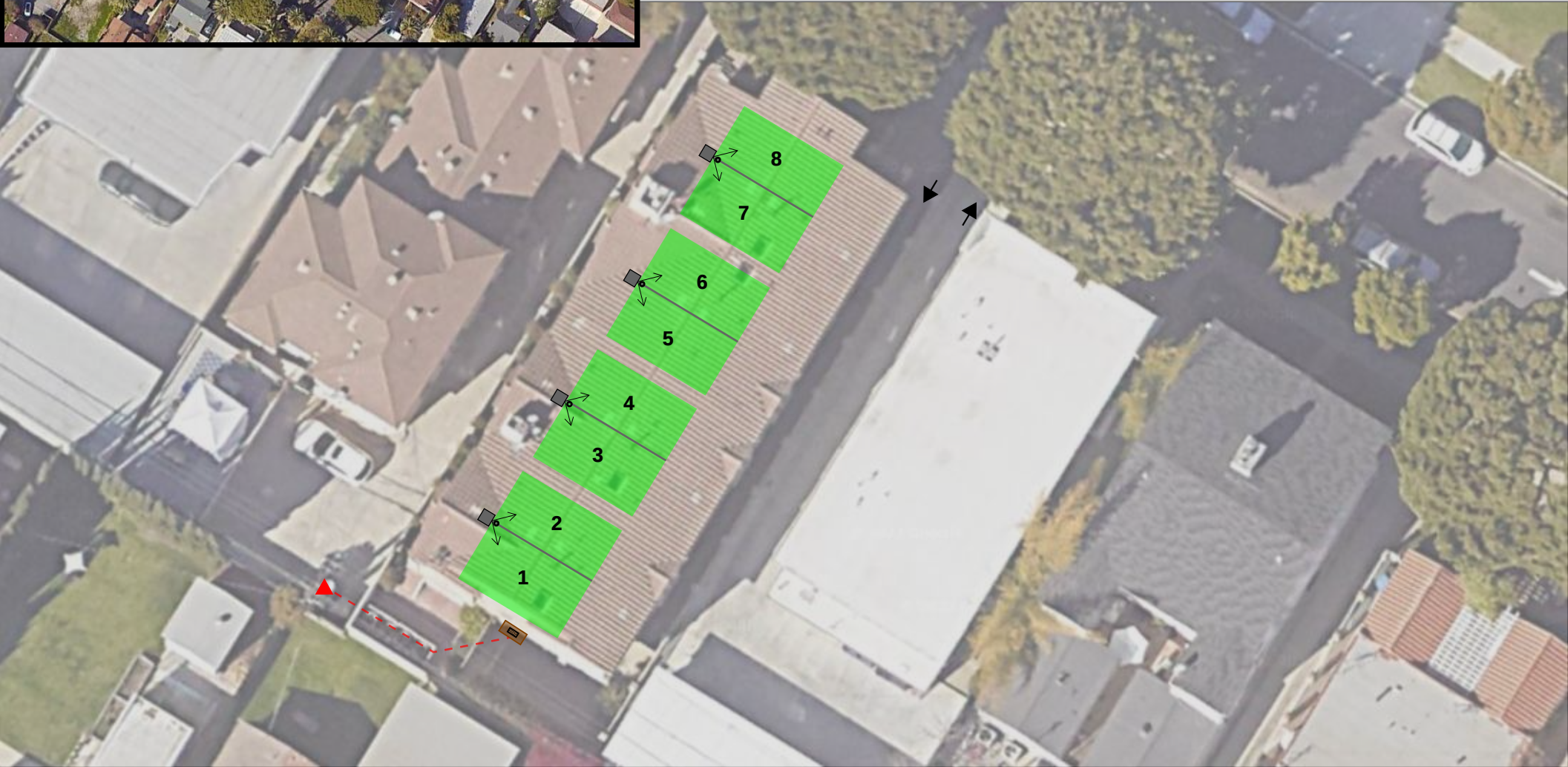
EV CHARGERS WITH (1) VAN ACCESSIBLE AND (1) STANDARD ACCESSIBLE STALL



SCAG EV CHARGER SITE ASSESSMENT - CULVER CITY CONDOMINIUM - 4045 LINCOLN AVENUE



PROJECT SUMMARY	
SITE TYPE / OWNERSHIP	RESIDENTIAL / PRIVATE
RECOMMENDED SCOPE	(8) LEVEL 2 CHARGE PORTS
ESTIMATED PROJECT COST	\$97,544
AMMENITIES	HOUSING



LEGEND	
	STANDARD EV CHARING STALL, 9' TYP
	METERED SERVICE PANELBOARD, WALL-MOUNT
	DUAL PORT LEVEL 2 EV CHARGING STATION
	PROTECTIVE BOLLARD, 4" DIAMETER STEEL TYP
	UTILITY SERVICE
	EXISTING POWER POLE, AVAILABILITY NOT VERIFIED WITH UTILITY

SCAG EV CHARGER SITE ASSESSMENT - CULVER CITY CONDOMINIUM - 4045 LINCOLN AVENUE



SHEET: 2 OF 2

SITE DETAILS		
SCAG CITY		CITY OF CULVER CITY
SITE NAME / IDENTIFIER		CONDOMINIUM
ADDRESS	STREET	4045 LINCOLN AVENUE
	CITY, STATE, ZIP	CULVER CITY, CA 90232
HOURS OF OPERATION	MON - FRI	N/A
	SAT - SUN	NA
CONTACT INFORMATION		UNKNOWN
LAND USE OR BUSINESS TYPE		MULTI-FAMILY RESIDENTIAL
PARKING CONFIGURATION		GARAGE
EXISTING PARKING SPACES		8
ELECTRICAL UTILITY		SCE
DAC	TOP QUARTILE	NO, 43%
CHARGER DESIGN DETAILS		
EVSE/CHARGE PORTS PROPOSED:	EVSE	4
	PORTS	8
EVSE TYPE		LEVEL 2; 32A @ 240VAC
MAX POWER REQUIREMENT		61.44 KVA
ADA CHARGING STALL REQUIREMENT	VAN ACCESSIBLE	N/A
	STD. ACCESSIBLE	N/A
	AMBULATORY	N/A
PLANNING-LEVEL COST ESTIMATE	TOTAL	\$97,544
	TRENCHING/ CIVIL	\$18,568
	ELECTRICAL	\$38,976
	EV CHARGERS	\$40,000
SITE DESCRIPTION / DEFINING CHARACTERISTICS		FOUR-UNIT CONDOMINIUM WITH RESIDENT GARAGES BELOW THE BUILDING. ASSIGNED PARKING, NO ADA REQUIRED

QUALIFICATIONS				
CRITERIA	DETAIL	YES	NO	TBD
PROXIMITY TO UTILITY POWER SOURCE	<150 FT FROM UTILITY TO METER?	X		
SPACE AVAILABLE FOR ELECTRICAL INFRASTRUCTURE	METER/ MAIN DISTRIBUTION, STEP-DOWN TRANSFORMER	X		
CAN THE SITE ACCEPT THE QUANTITY OF PROPOSED CHARGERS?	PER CALGREEN TABLES 4.106.4.3.1 OR 5.106.5.3.3	X		
DO EVSE ADA ACCESSIBLY REQUIREMENTS APPLY PER 11B?	ARE CHARGERS PUBLICALLY ACCESSIBLE AND NON-RESERVED?		X	
NEARBY ACCESSIBLE STALLS OR PATH OF TRAVEL			X	
IS PARKING AREA PAVED?		X		
IS PARKING AREA LEVEL?	<2% SLOPE IN ALL DIRECTIONS?		X	
DOES THE PROPOSED QUANTITY OF CHARGE PORTS MEET THE MINIMUM REQUIREMENT FOR SCE CHARGE READY CRITERIA	4 LEVEL 2 PORTS / PROJECT OR 2 LEVEL 3 PORTS / PROJECT?	X		
IS THE PROJECT LOCATED IN AN AREA TO MAXIMIZE VISIBILITY?	VISIBLE FROM SURROUNDING STREETS?		X	
IS THERE EASY INGRESS/EGRESS FROM TRAFFIC?				X
IS LIGHTING AVAILABLE AFTER DARK TO CREATE A SAFE ENVIRONMENT?		X		
ARE THERE NEARBY SERVICES/ AMMENITIES?	RESTROOM, SHOPPING, RECREATION?	X		

DETERMINATION OF QTY. OF EV CHARGE PORTS

THE RECOMMNEED QUANTITY OF CHARGER PORTS IS BASED ON THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE:

"The number of required EV spaces shall be based on the total number of parking spaces provided for all types of parking facilities in accordance with Tables 5.106.5.3.3 (Non-Residential) or 4.106.4.3.1 (Residential). Calculations for required number of EV spaces shall be rounded up to the nearest whole number."

PROPOSED QUANTITY OF CHARGERS EXCEEDS RESIDENTIAL MANDATORY MEASURES		RESIDENTIAL MANDATORY MEASURES TABLE 4.106.4.3.1	
TOTAL # OF PARKING SPACES	CHARGING SPACES	TOTAL # OF PARKING SPACES	# OF REQUIRED EV CHARGING SPACES
0-9	0	0-9	0
10-25	2	10-25	1
26-50	4	26-50	2
51-75	7	51-75	4
76-100	9	76-100	5
101-150	13	101-150	7
151-200	18	151-200	10
201+	10% OF TOTAL	201+	6% OF TOTAL

DETERMINATION OF QTY. OF DC FAST PORTS

WHEN DC FAST CHARGE PORTS ARE PROPOSED, ONE (1) DC FAST CHARGE PORT WILL SUPPLEMENT FIVE (5) LEVEL 2 CHARGE PORTS AS IDENTIFIED IN TABLES 5.106.5.3.3 AND 4.106.4.3.1, PER THE 2022 CALIFORNIA GREEN BUILDING CODE

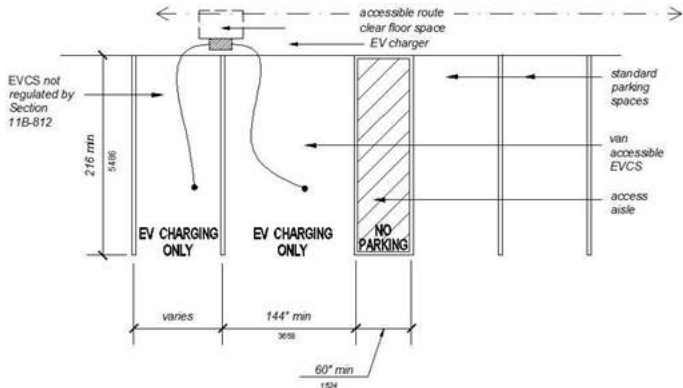
DETERMINATION OF QTY. AND TYPE OF ACCESSIBLE CHARGERS

THE REQUIRED QUANTITY AND TYPE OF ACCESSIBLE CHARGING SPACES IS BASED ON THE CALIFORNIA BUILDING CODE SECTION 11B-812

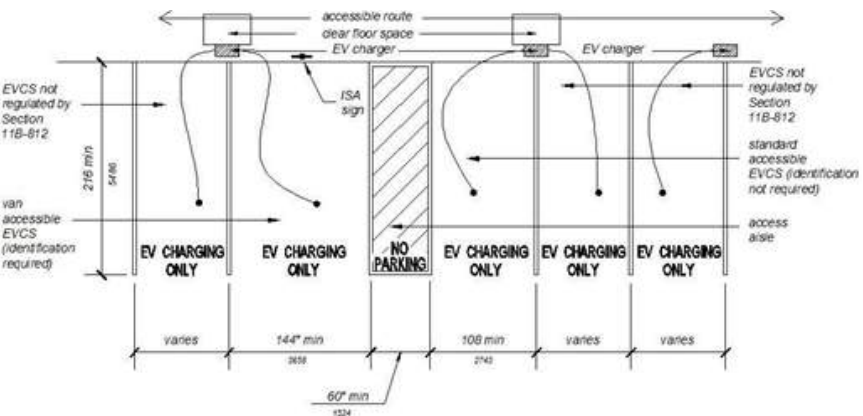
TOTAL # OF EVCS AT A FACILITY	MINIMUM # (BY TYPE) OF EVCS REQUIRED TO COMPLY WITH SECTION 11B-812		
	VAN ACCESSIBLE	STANDARD	AMBULATORY
1 TO 4	1	0	0
5 TO 25	1	1	0
26 TO 50	1	1	1
51 TO 75	1	2	2
76 TO 100	1	3	3
101+	1, PLUS 1 FOR EACH 300, OR FRACTION THEREOF, >100	3, PLUS 1 FOR EACH 60, OR FRACTION THEREOF, >100	3, PLUS 1 FOR EACH 50, OR FRACTION THEREOF, >100

EV CHARGING STATION CONFIGURATION SAMPLES WITH ACCESSIBLE STALLS

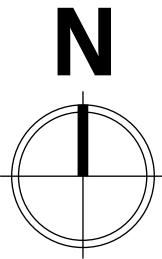
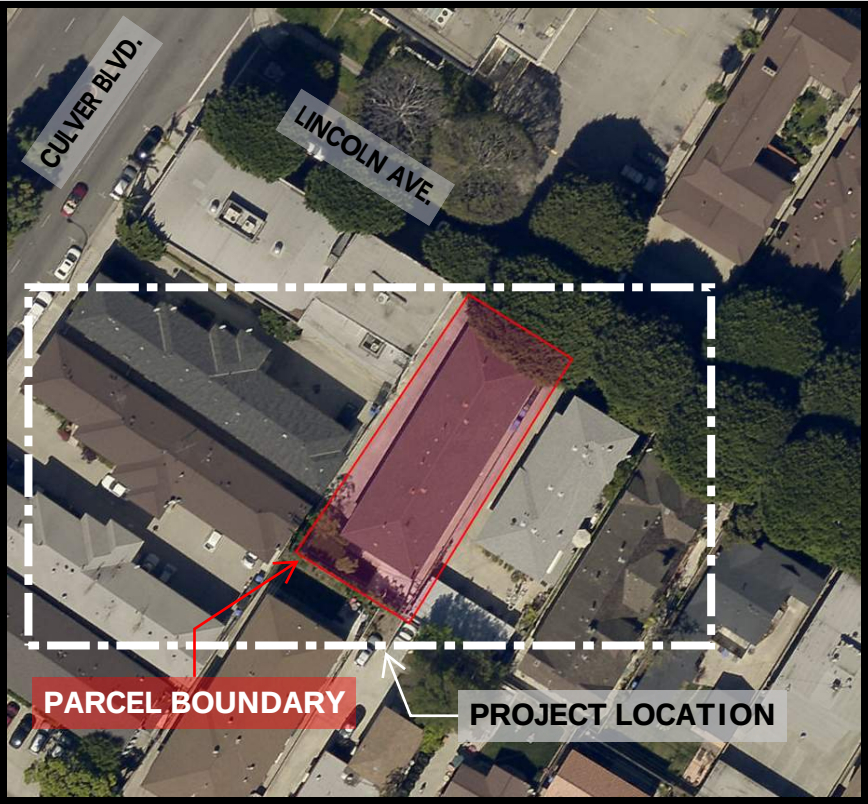
EV CHARGERS WITH (1) VAN ACCESSIBLE STALL



EV CHARGERS WITH (1) VAN ACCESSIBLE AND (1) STANDARD ACCESSIBLE STALL



SCAG EV CHARGER SITE ASSESSMENT - CULVER CITY CONDOMINIUM - 4017 LINCOLN AVENUE



PROJECT SUMMARY	
SITE TYPE / OWNERSHIP	RESIDENTIAL / PRIVATE
RECOMMENDED SCOPE	(7) LEVEL 2 CHARGE PORTS
ESTIMATED PROJECT COST	\$101,251
AMMENITIES	HOUSING



LEGEND	
	STANDARD EV CHARING STALL, 9' TYP
	EXISTING TENANT ADA STALL
	EXISTING ADA ACCESS AISLE
	METERED SERVICE PANELBOARD, WALL-MOUNT
	SINGLE PORT LEVEL 2 EV CHARGING STATION
	DUAL PORT LEVEL 2 EV CHARGING STATION
	PROTECTIVE BOLLARD, 4" DIAMETER STEEL TYP
	UTILITY SERVICE
	EXISTING POWER POLE, AVAILABILITY NOT VERIFIED WITH UTILITY

SCAG EV CHARGER SITE ASSESSMENT - CULVER CITY
CONDOMINIUM - 4017 LINCOLN AVENUE



SHEET: 2 OF 2

SITE DETAILS		
SCAG CITY		CITY OF CULVER CITY
SITE NAME / IDENTIFIER		CONDOMINIUM
ADDRESS	STREET	4017 LINCOLN AVENUE
	CITY, STATE, ZIP	CULVER CITY, CA 90232
HOURS OF OPERATION	MON - FRI	N/A
	SAT - SUN	N/A
CONTACT INFORMATION		UNKNOWN
LAND USE OR BUSINESS TYPE		MULTI-FAMILY RESIDENTIAL
PARKING CONFIGURATION		CARPORT
EXISTING PARKING SPACES		7
ELECTRICAL UTILITY		SCE
DAC	TOP QUARTILE	NO, 31%
CHARGER DESIGN DETAILS		
EVSE/CHARGE PORTS PROPOSED:	EVSE	4
	PORTS	7
EVSE TYPE		LEVEL 2; 32A @ 240VAC
MAX POWER REQUIREMENT		53.76 KVA
ADA CHARGING STALL REQUIREMENT	VAN ACCESSIBLE	N/A
	STD. ACCESSIBLE	N/A
	AMBULATORY	N/A
PLANNING-LEVEL COST ESTIMATE	TOTAL	\$101,251
	TRENCHING/ CIVIL	\$25,223
	ELECTRICAL	\$41,028
	EV CHARGERS	\$35,000
SITE DESCRIPTION / DEFINING CHARACTERISTICS		FOUR-UNIT MULTI-FAMILY RESIDENTIAL BUILDING. ASSIGNED PARKING, ONE EXSITING ADA STALL, NO VAN ACCESSIBLE ADA REQUIRED

QUALIFICATIONS				
CRITERIA	DETAIL	YES	NO	TBD
PROXIMITY TO UTILITY POWER SOURCE	<150 FT FROM UTILITY TO METER?	X		
SPACE AVAILABLE FOR ELECTRICAL INFRASTRUCTURE	METER/ MAIN DISTRIBUTION, STEP-DOWN TRANSFORMER			X
CAN THE SITE ACCEPT THE QUANTITY OF PROPOSED CHARGERS?	PER CALGREEN TABLES 4.106.4.3.1 OR 5.106.5.3.3			X
DO EVSE ADA ACCESSIBLY REQUIREMENTS APPLY PER 11B?	ARE CHARGERS PUBLICALLY ACCESSIBLE AND NON-RESERVED?		X	
NEARBY ACCESSIBLE STALLS OR PATH OF TRAVEL		X		
IS PARKING AREA PAVED?		X		
IS PARKING AREA LEVEL?	<2% SLOPE IN ALL DIRECTIONS?			X
DOES THE PROPOSED QUANTITY OF CHARGE PORTS MEET THE MINIMUM REQUIREMENT FOR SCE CHARGE READY CRITERIA	4 LEVEL 2 PORTS / PROJECT OR 2 LEVEL 3 PORTS / PROJECT?	X		
IS THE PROJECT LOCATED IN AN AREA TO MAXIMIZE VISIBILITY?	VISIBLE FROM SURROUNDING STREETS?		X	
IS THERE EASY INGRESS/EGRESS FROM TRAFFIC?				X
IS LIGHTING AVAILABLE AFTER DARK TO CREATE A SAFE ENVIRONMENT?		X		
ARE THERE NEARBY SERVICES/ AMMENITIES?	RESTROOM, SHOPPING, RECREATION?	X		

DETERMINATION OF QTY. OF EV CHARGE PORTS

THE RECOMMNEED QUANTITY OF CHARGER PORTS IS BASED ON THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE:

"The number of required EV spaces shall be based on the total number of parking spaces provided for all types of parking facilities in accordance with Tables 5.106.5.3.3 (Non-Residential) or 4.106.4.3.1 (Residential). Calculations for required number of EV spaces shall be rounded up to the nearest whole number."

PROPOSED QUANTITY OF CHARGERS EXCEEDS RESIDENTIAL MANDATORY MEASURES		RESIDENTIAL MANDATORY MEASURES TABLE 4.106.4.3.1	
TOTAL # OF PARKING SPACES	CHARGING SPACES	TOTAL # OF PARKING SPACES	# OF REQUIRED EV CHARGING SPACES
0-9	0	0-9	0
10-25	2	10-25	1
26-50	4	26-50	2
51-75	7	51-75	4
76-100	9	76-100	5
101-150	13	101-150	7
151-200	18	151-200	10
201+	10% OF TOTAL	201+	6% OF TOTAL

DETERMINATION OF QTY. OF DC FAST PORTS

WHEN DC FAST CHARGE PORTS ARE PROPOSED, ONE (1) DC FAST CHARGE PORT WILL SUPPLEMENT FIVE (5) LEVEL 2 CHARGE PORTS AS IDENTIFIED IN TABLES 5.106.5.3.3 AND 4.106.4.3.1, PER THE 2022 CALIFORNIA GREEN BUILDING CODE

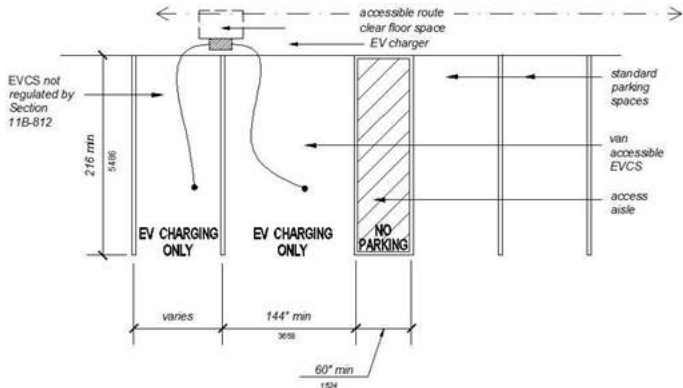
DETERMINATION OF QTY. AND TYPE OF ACCESSIBLE CHARGERS

THE REQUIRED QUANTITY AND TYPE OF ACCESSIBLE CHARGING SPACES IS BASED ON THE CALIFORNIA BUILDING CODE SECTION 11B-812

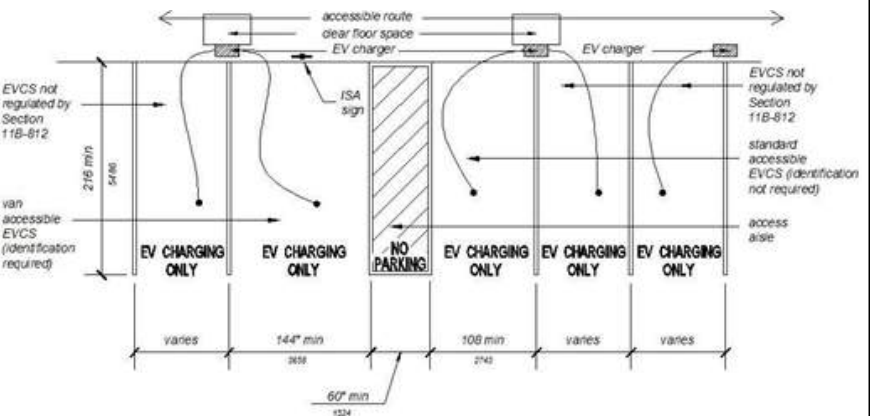
TOTAL # OF EVCS AT A FACILITY	MINIMUM # (BY TYPE) OF EVCS REQUIRED TO COMPLY WITH SECTION 11B-812		
	VAN ACCESSIBLE	STANDARD	AMBULATORY
1 TO 4	1	0	0
5 TO 25	1	1	0
26 TO 50	1	1	1
51 TO 75	1	2	2
76 TO 100	1	3	3
101+	1, PLUS 1 FOR EACH 300, OR FRACTION THEREOF, >100	3, PLUS 1 FOR EACH 60, OR FRACTION THEREOF, >100	3, PLUS 1 FOR EACH 50, OR FRACTION THEREOF, >100

EV CHARGING STATION CONFIGURATION SAMPLES WITH ACCESSIBLE STALLS

EV CHARGERS WITH (1) VAN ACCESSIBLE STALL

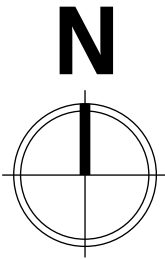
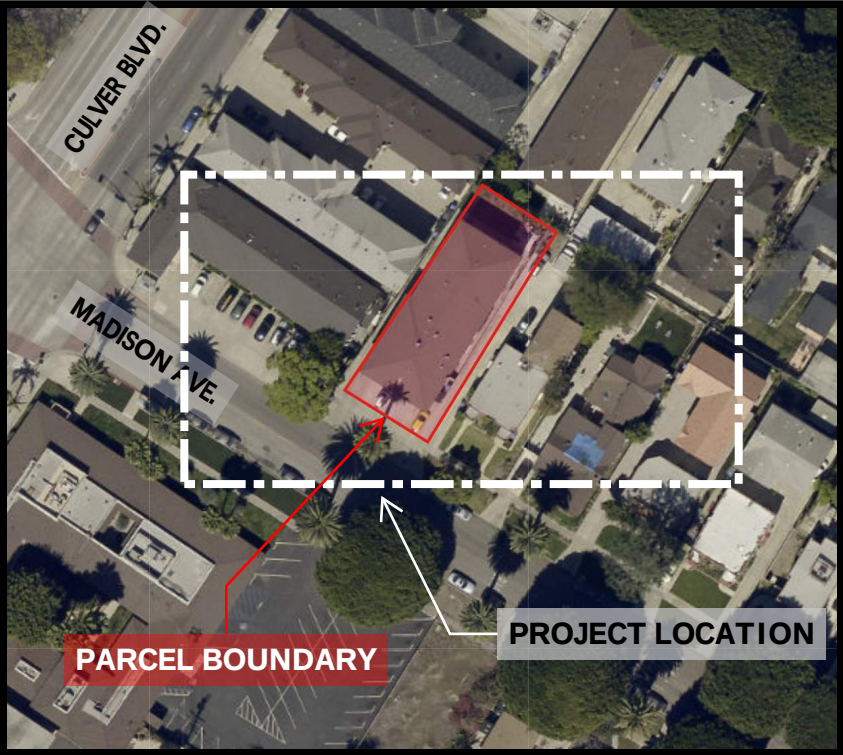


EV CHARGERS WITH (1) VAN ACCESSIBLE AND (1) STANDARD ACCESSIBLE STALL

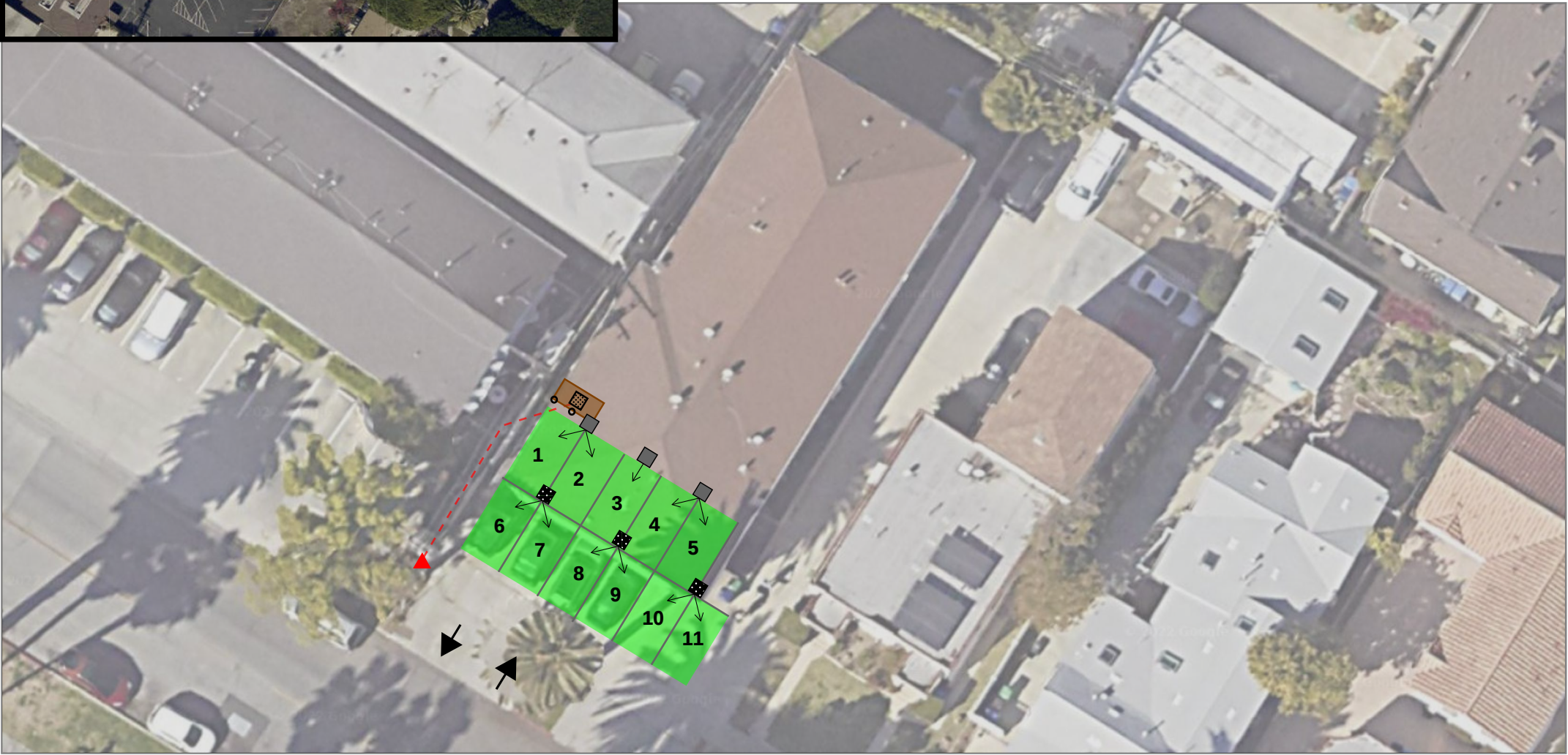


SCAG EV CHARGER SITE ASSESSMENT - CULVER CITY

MULTI-FAMILY RESIDENTIAL - 4016 MADISON AVENUE



PROJECT SUMMARY	
SITE TYPE / OWNERSHIP	RESIDENTIAL / PRIVATE
RECOMMENDED SCOPE	(11) LEVEL 2 CHARGE PORTS
ESTIMATED PROJECT COST	\$132,490
AMMENITIES	HOUSING



LEGEND	
	STANDARD EV CHARING STALL, 9' TYP
	CONCRETE EQUIPMENT PAD, METERED ELECTRICAL SERVICE SWITCHBOARD AND DISTRIBUTION
	SINGLE PORT, LOW PROFILE LEVEL 2 EV CHARGING STATION, WEBASTO OR SIMILAR
	2X SINGLE PORT, LOW PROFILE LEVEL 2 EV CHARGING STATION, WEBASTO OR SIMILAR
	2X SINGLE PORT, LOW PROFILE, COLUMN-MOUNTED LEVEL 2 EV CHARGING STATION, WEBASTO OR SIMILAR
	PROTECTIVE BOLLARD, 4" DIAMETER STEEL TYP
	UTILITY SERVICE
	POWER POLE, AVAILABILITY NOT VERIFIED WITH UTILITY

SCAG EV CHARGER SITE ASSESSMENT - CULVER CITY
MULTI-FAMILY RESIDENTIAL - 4016 MADISON AVENUE



SHEET: 2 OF 2

Table with 2 columns: Field and Value. Rows include: SITE DETAILS (SCAG CITY, SITE NAME / IDENTIFIER, ADDRESS, HOURS OF OPERATION, CONTACT INFORMATION, LAND USE OR BUSINESS TYPE, PARKING CONFIGURATION, EXISTING PARKING SPACES, ELECTRICAL UTILITY, DAC), CHARGER DESIGN DETAILS (EVSE/CHARGE PORTS PROPOSED, EVSE TYPE, MAX POWER REQUIREMENT, ADA CHARGING STALL REQUIREMENT, PLANNING-LEVEL COST ESTIMATE), and SITE DESCRIPTION / DEFINING CHARACTERISTICS.

Table with 5 columns: CRITERIA, DETAIL, YES, NO, TBD. Rows include: PROXIMITY TO UTILITY POWER SOURCE, SPACE AVAILABLE FOR ELECTRICAL INFRASTRUCTURE, CAN THE SITE ACCEPT THE QUANTITY OF PROPOSED CHARGERS?, DO EVSE ADA ACCESSIBILITY REQUIREMENTS APPLY PER 11B?, NEARBY ACCESSIBLE STALLS OR PATH OF TRAVEL, IS PARKING AREA PAVED?, IS PARKING AREA LEVEL?, DOES THE PROPOSED QUANTITY OF CHARGE PORTS MEET THE MINIMUM REQUIREMENT FOR SCE CHARGE READY CRITERIA, IS THE PROJECT LOCATED IN AN AREA TO MAXIMIZE VISIBILITY?, IS THERE EASY INGRESS/EGRESS FROM TRAFFIC?, IS LIGHTING AVAILABLE AFTER DARK TO CREATE A SAFE ENVIRONMENT?, ARE THERE NEARBY SERVICES/AMMENITIES?

DETERMINATION OF QTY. OF EV CHARGE PORTS

THE RECOMMENDED QUANTITY OF CHARGER PORTS IS BASED ON THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE:

"The number of required EV spaces shall be based on the total number of parking spaces provided for all types of parking facilities in accordance with Tables 5.106.5.3.3 (Non-Residential) or 4.106.4.3.1 (Residential). Calculations for required number of EV spaces shall be rounded up to the nearest whole number."

Table with 4 columns: PROPOSED QUANTITY OF CHARGERS EXCEEDS TO RESIDENTIAL MANDATORY MEASURES, RESIDENTIAL MANDATORY MEASURES TABLE 4.106.4.3.1, TOTAL # OF PARKING SPACES, # OF REQUIRED EV CHARGING SPACES. Includes rows for 0-9, 10-25, 26-50, 51-75, 76-100, 101-150, 151-200, 201+.

DETERMINATION OF QTY. OF DC FAST PORTS

WHEN DC FAST CHARGE PORTS ARE PROPOSED, ONE (1) DC FAST CHARGE PORT WILL SUPPLEMENT FIVE (5) LEVEL 2 CHARGE PORTS AS IDENTIFIED IN TABLES 5.106.5.3.3 AND 4.106.4.3.1, PER THE 2022 CALIFORNIA GREEN BUILDING CODE

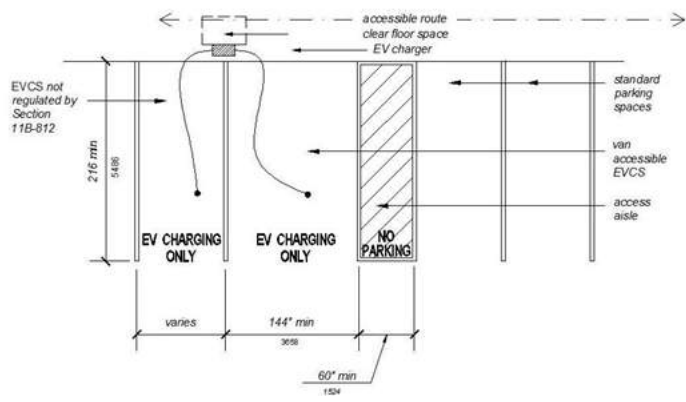
DETERMINATION OF QTY. AND TYPE OF ACCESSIBLE CHARGERS

THE REQUIRED QUANTITY AND TYPE OF ACCESSIBLE CHARGING SPACES IS BASED ON THE CALIFORNIA BUILDING CODE SECTION 11B-812

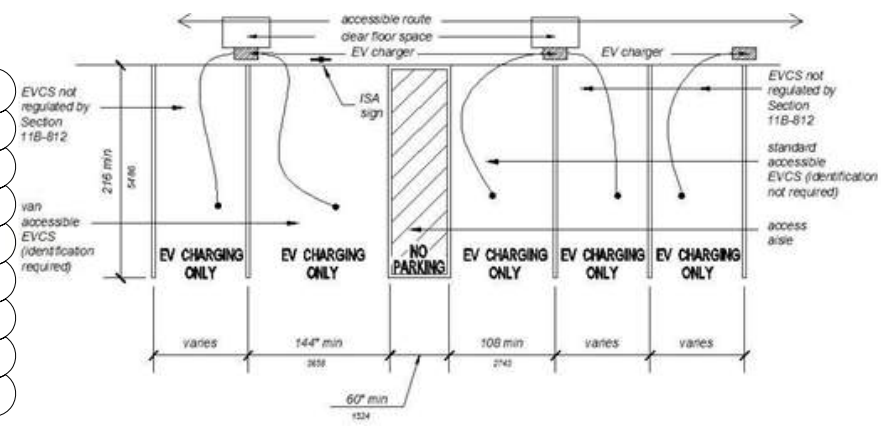
Table with 4 columns: TOTAL # OF EVCS AT A FACILITY, MINIMUM # (BY TYPE) OF EVCS REQUIRED TO COMPLY WITH SECTION 11B-812 (VAN ACCESSIBLE, STANDARD, AMBULATORY). Includes rows for 1 TO 4, 5 TO 25, 26 TO 50, 51 TO 75, 76 TO 100, and 101+.

EV CHARGING STATION CONFIGURATION SAMPLES WITH ACCESSIBLE STALLS

EV CHARGERS WITH (1) VAN ACCESSIBLE STALL

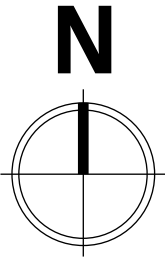
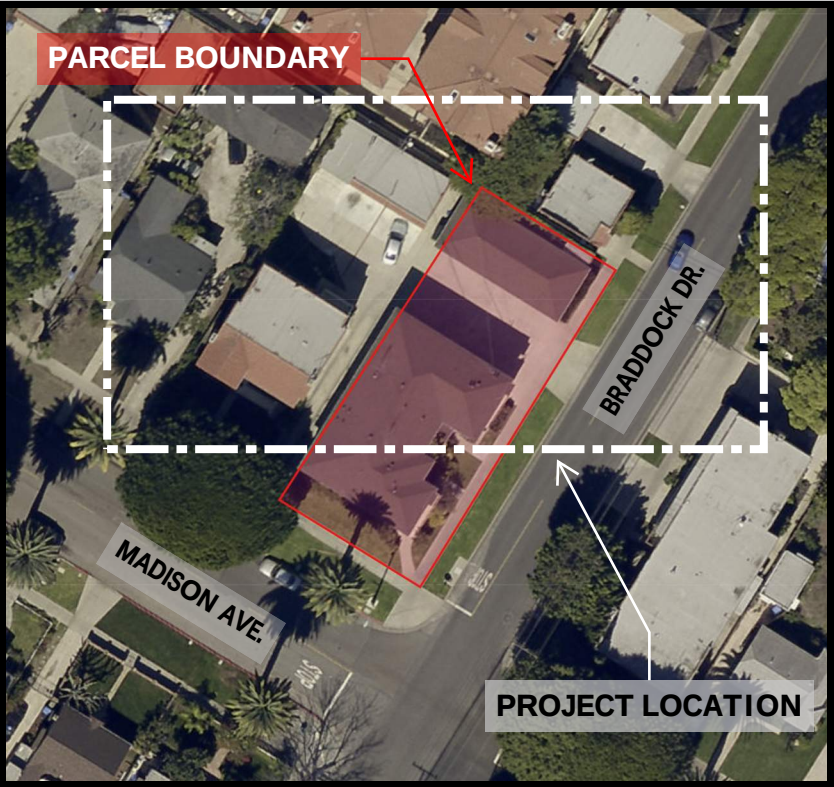


EV CHARGERS WITH (1) VAN ACCESSIBLE AND (1) STANDARD ACCESSIBLE STALL



SCAG EV CHARGER SITE ASSESSMENT - CULVER CITY

MULTI-FAMILY RESIDENTIAL - 4080 MADISON AVENUE



PROJECT SUMMARY	
SITE TYPE / OWNERSHIP	RESIDENTIAL / PRIVATE
RECOMMENDED SCOPE	(6) LEVEL 2 CHARGE PORTS
ESTIMATED PROJECT COST	\$87,089
AMMENITIES	HOUSING



LEGEND	
	STANDARD EV CHARING STALL, 9' TYP
	CONCRETE EQUIPMENT PAD, METERED ELECTRICAL SERVICE SWITCHBOARD, TRANSFORMATION, AND DISTRIBUTION
	DUAL PORT LEVEL 2 EV CHARGING STATION
	PROTECTIVE BOLLARD, 4" DIAMETER STEEL TYP
	UTILITY SERVICE
	POWER POLE, AVAILABILITY NOT VERIFIED WITH UTILITY

SCAG EV CHARGER SITE ASSESSMENT - CULVER CITY
MULTI-FAMILY RESIDENTIAL - 4080 MADISON AVENUE



SHEET: 2 OF 2

Table with 2 columns: Field and Value. Rows include Site Details (City, Name, Address, Hours, Contact, Land Use, Parking, Existing Spaces, Electrical, DAC) and Charger Design Details (EVSE/Charge Ports, EVSE Type, Max Power, ADA Charging Stall Requirement, Planning-Level Cost Estimate, Site Description).

Table with 5 columns: Criteria, Detail, Yes, No, TBD. Rows include Proximity to Utility Power Source, Space Available for Electrical Infrastructure, Can the site accept the quantity of proposed chargers?, Do EVSE ADA accessibility requirements apply per 11B?, Nearby accessible stalls or path of travel, Is parking area paved?, Is parking area level?, Does the proposed quantity of charge ports meet the minimum requirement for SCE charge ready criteria?, Is the project located in an area to maximize visibility?, Is there easy ingress/egress from traffic?, Is lighting available after dark to create a safe environment?, Are there nearby services/amenities?

DETERMINATION OF QTY. OF EV CHARGE PORTS

THE RECOMMENDED QUANTITY OF CHARGER PORTS IS BASED ON THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE:

"The number of required EV spaces shall be based on the total number of parking spaces provided for all types of parking facilities in accordance with Tables 5.106.5.3.3 (Non-Residential) or 4.106.4.3.1 (Residential). Calculations for required number of EV spaces shall be rounded up to the nearest whole number."

Table with 4 columns: Proposed Quantity of Chargers Exceeds Residential Mandatory Measures, Residential Mandatory Measures Table 4.106.4.3.1, Total # of Parking Spaces, # of Required EV Charging Spaces. Includes rows for 0-9, 10-25, 26-50, 51-75, 76-100, 101-150, 151-200, 201+.

DETERMINATION OF QTY. OF DC FAST PORTS

WHEN DC FAST CHARGE PORTS ARE PROPOSED, ONE (1) DC FAST CHARGE PORT WILL SUPPLEMENT FIVE (5) LEVEL 2 CHARGE PORTS AS IDENTIFIED IN TABLES 5.106.5.3.3 AND 4.106.4.3.1, PER THE 2022 CALIFORNIA GREEN BUILDING CODE

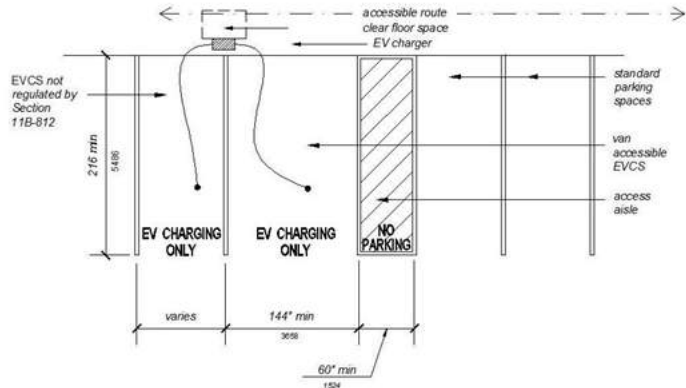
DETERMINATION OF QTY. AND TYPE OF ACCESSIBLE CHARGERS

THE REQUIRED QUANTITY AND TYPE OF ACCESSIBLE CHARGING SPACES IS BASED ON THE CALIFORNIA BUILDING CODE SECTION 11B-812

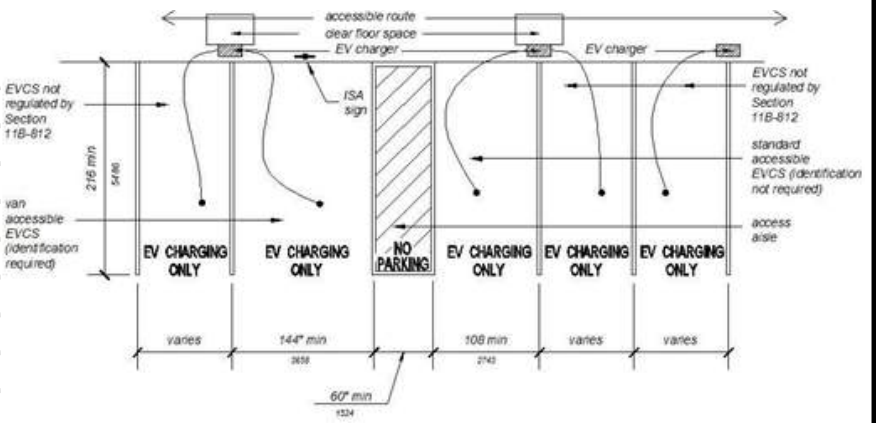
Table with 4 columns: Total # of EVCS at a Facility, Minimum # (by type) of EVCS required to comply with Section 11B-812 (Van Accessible, Standard, Ambulatory). Includes rows for 1 to 4, 5 to 25, 26 to 50, 51 to 75, 76 to 100, and 101+.

EV CHARGING STATION CONFIGURATION SAMPLES WITH ACCESSIBLE STALLS

EV CHARGERS WITH (1) VAN ACCESSIBLE STALL



EV CHARGERS WITH (1) VAN ACCESSIBLE AND (1) STANDARD ACCESSIBLE STALL



CITY	NAME	ADDRESS	SITE DESCRIPTION	PARKING CONFIGURATION	RECOMMENDED CHARGER TYPE	RECOMMENDED CHARGER QUANTITY per CBC	SITE TYPE/OWNERSHIP	CONTACT INFO
Culver City	Condominiums	9900 CULVER BLVD	Condos with private parking	Parking Structure	Level 2	12	Condos/Private	
Culver City	Apartment Building	4140 BALDWIN AVE	Apartment Bulding w/assigned parking	Surface	Level 2	5	Apartments/Private	
Culver City	Apartment Building	4023 LINCOLN AVE	Apartment Bulding w/assigned parking	Surface	Level 2	4	Apartments/Private	
Culver City	Multi-Unit Dwelling	4060 MADISON AVE	Apartment Bulding w/assigned parking	Surface	Level 2	4	Apartments/Private	
Culver City	Multi-Unit Dwelling	4125 DUQUESNE AVE	Apartment Bulding w/assigned parking	Surface	Level 2	5	Apartments/Private	

ATTACHMENT 3 – EV EDUCATIONAL GUIDES AND BROCHURES

LET YOUR NEXT VEHICLE BE AN ELECTRIC VEHICLE (EV)

**\$800/year
in fuel
cost savings**

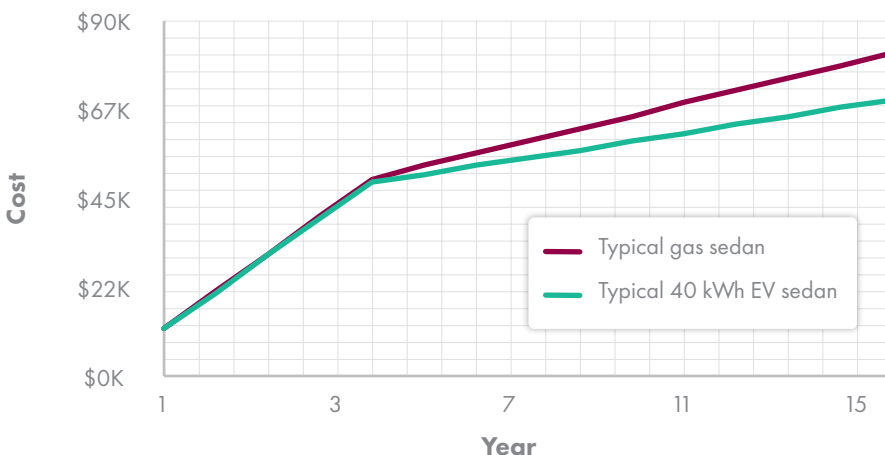
**\$700/year on
maintenance
cost savings**

**Up to
8-year/
100k-mile
battery
warranty**

**New EVs
starting under
\$35k
(before incentives)**

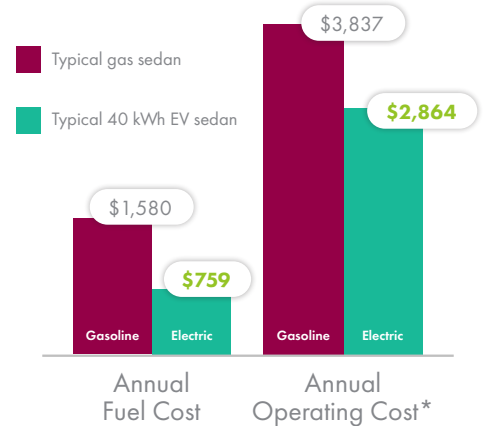
See available EVs at <https://afdc.energy.gov/vehicles/search/>

LIFETIME COST OF OWNERSHIP



Average savings calculated using the Alternative Fuels Data Center Vehicle Cost Calculator (<https://afdc.energy.gov/calc/>)

SAMPLE ANNUAL VEHICLE OWNERSHIP COSTS



*Includes fuel, tires, maintenance, registration, license, and insurance

Average savings calculated using the Alternative Fuels Data Center Vehicle Cost Calculator (<https://afdc.energy.gov/calc/>)

EV DRIVING BENEFITS

- > Quiet ride
- > Fun to drive
- > Smooth operation
- > Better handling
- > Increased reliability

EV ENVIRONMENTAL BENEFITS

- > No tailpipe emissions
- > Cleaner air
- > Greenhouse Gas emission reduction
- > Improved community health and air quality

ALL THE WAYS TO CHARGE

Level 1 Charger



Level 1 Charger

Uses a standard 110-V household outlet. Very low cost and ideal for overnight residential charging. Recharges 3.5-6.5 miles of range per hour.

J1772



Level 2 Charger

Ideal for overnight residential, workplace, and commercial charging. Low-mid cost and recharges 14-35 miles of range per hour. All EVs can use Level 2 chargers.

CHAdeMO



CCS-1



Tesla



Level 3 DC Fast Charger

Ideal for short stops along major travel corridors. High cost but can recharge up to 80% in under 30 minutes. Different EV brands are compatible with different chargers.



Charge at home, at work, or on the road



20,000 charging stations in Los Angeles County with another 40,000 being added by the end of 2025

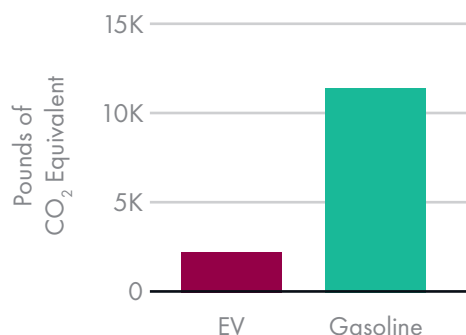


If you rent, ask your landlord about installation

To find the location of your nearest EV charging station, visit: www.plugshare.com

BECAUSE CALIFORNIA USES A LOT OF CLEAN ENERGY, THE EMISSIONS FROM DRIVING AN EV ARE SIGNIFICANTLY LESS THAN A GASOLINE VEHICLE.

Emissions Savings (Annual) EV vs. Gasoline



Emissions for California calculated using the Alternative Fuels Data Center Emissions Calculator (https://afdc.energy.gov/vehicles/electric_emissions.html)

TIME-OF-USE RATES

Save money by charging your EV during off-peak times in the middle of the day when there is extra solar power, or overnight when demand is low. With smart meters you can charge your EV when there is extra renewable energy available. In the future, vehicle-to-grid technology can allow the EV to power the grid and YOU will get paid for it!

Cost of Electricity During the Day



Save Even More with Federal, State, Local, and Utility Incentives for EVs and Chargers *

Federal	California State	Southern California Local	California Utility
Federal Tax Credit for Electric Vehicles: \$7,500 (max incentive, varies by manufacturer)	California Clean Vehicle Rebate Project for New EVs: \$2,000 – \$4,500 (income-eligible)	South Coast Air Quality Management District – Replace Your Ride: \$9,500 for New EVs (income-eligible)	All – Special time-of-use rates to reduce the cost of EV charging
	California Clean Fuel Reward for New EVs: \$750	South Coast Air Quality Management District – Residential EV Charging Incentive Pilot Program: \$500	LADWP – Charge Up LA!: Used EVs - \$1,500 Chargers - \$750
			Southern California Edison Pre-Owned EV Rebate: \$1,000 – \$4,000 (income-eligible)

*As of February 2022, to see a list of all available incentives in your area visit <https://afdc.energy.gov/laws>

DEJA QUE TU PRÓXIMO VEHÍCULO SEA UN VEHÍCULO ELÉCTRICO (EV)

Ahorros de \$800/año en gasolina

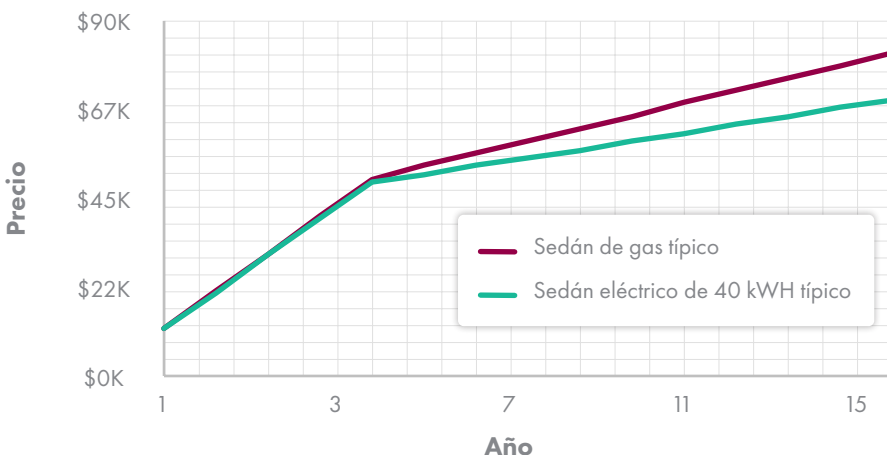
Ahorros de \$700/año en mantenimiento

Garantía de las baterías hasta 8-años/100k millas

Vehículos eléctricos nuevos empezando desde \$35k (antes de incentivos)

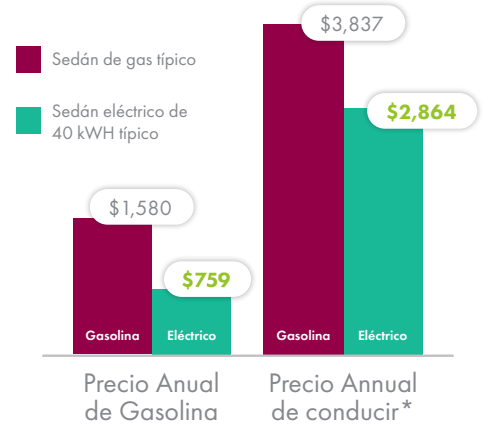
Para ver vehículos eléctricos en el mercado visite <https://afdc.energy.gov/vehicles/search/>

COSTO DE POR VIDA DE LA PROPIEDAD DEL VEHÍCULO



El promedio de ahorros fue calculado utilizando la calculadora de costos de vehículos creado por El Centro de Datos de Combustibles Alternativos (<https://afdc.energy.gov/calc/>)

EJEMPLO DE COSTOS ANUALES DEL VEHÍCULO



*Incluye gasolina, llantas, mantenimiento, registraci3n, licenciatura, y p3liza de segura

El promedio de ahorros fue calculado utilizando la calculadora de costos de veh3culos creado por El Centro de Datos de Combustibles Alternativos (<https://afdc.energy.gov/calc/>)

BENEFICIOS DE CONDUCIR UN VEHÍCULO ELÉCTRICO

- > Cabina Silenciosa
- > Divertido de Conducir
- > Tablero Sencillo
- > Mejor Manejo
- > Mayor confiabilidad

BENEFICIOS AMBIENTALES DE UN VEHÍCULO ELÉCTRICO

- > Cero emisiones
- > Aire m3s limpio
- > Reducci3n de las emisiones de gases de efecto invernadero
- > Mejora la salud de la comunidad y la calidad de aire

TODAS LAS FORMAS DE CARGAR

Cargador de Nivel 1



Cargador de Nivel 1

Utiliza un enchufe doméstico de 110-V. Bajo en precio y ideal para carga en casa durante la noche. Recarga 3.5-6.5 millas de alcance por hora.

J1772



Cargador de Nivel 2

Ideal para carga en casa durante la noche, en los trabajos, y en negocios comerciales. De precio bajo o medio y recarga 14-35 millas de alcance por hora. Todos los vehículos eléctricos pueden usar cargadores de nivel 2.

CHAdeMO



CCS-1



Tesla



Cargador Rápido de CC de Nivel 3

Ideal para paradas cortas a lo largo de carreteras principales. De precio Alto pero puede recargar hasta un 80% en menos de 30 minutos. Las diferentes marcas de vehículos eléctricos son compatibles con diferentes cargadores.



Carga en casa, en el trabajo, o el camino



Hay 20,000 estaciones de carga en el Condado de Los Angeles, con planes de agregar otras 40,000 estaciones para finales de 2025.

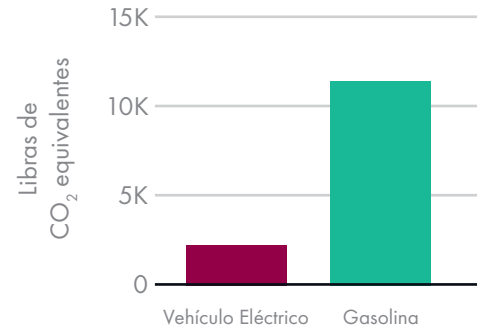


Si eres alquiler, pregúntale a el dueño de la propiedad sobre la instalación

Para encontrar la estación de carga más cercana, visite: www.plugshare.com

CALIFORNIA UTILIZA MUCHA ENERGÍA LIMPIA, ENTONCES LAS EMISIONES DE CONDUCIR UN VEHÍCULO ELÉCTRICO SON SIGNIFICATIVAMENTE MENORES QUE LAS DE UN VEHÍCULO DE GASOLINA

Ahorro de Emisiones (Anual) Vehículo Eléctrico vs. Gasolina

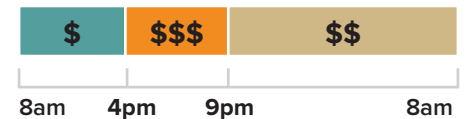


Emisiones para California fueron calculadas utilizando la calculadora de emisiones creada por El Centro de Datos de Combustibles Alternativos (<https://afdc.energy.gov/vehicles/electric-emissions.html>)

TARIFAS DE TIEMPO DE USO

Ahorra dinero cargando su vehículo eléctrico durante las horas de precio bajo uso a medio día cuando hay energía solar adicional, o durante la noche cuando la demanda es baja. Con los medidores inteligentes puede cargar su vehículo eléctrico cuando haya adicional energía renovable disponible. En un futuro, la tecnología de vehículo a la red eléctrica podrá permitir que su vehículo eléctrico apoye a la red, ¡y a usted se le pagara por su ayuda!

Precio de la Electricidad Durante el Día



Ahorre Más con incentivos Federales, Del Estado, Locales, y de Servicios Públicos para Vehículos Eléctricos y Cargadores *

Federal	Estado de California	Local del Sur de California	Servicios Públicos de California
Credito en impuestos federal para Vehículos Nuevos Eléctricos e Híbridos Enchufables: \$7,500 (incentivo máximo, según la marca del vehículo)	California Clean Vehicle Rebate Project para Vehículos Eléctricos nuevos: \$2,000-\$4,500 (según sus ingresos)	AQMD de La Costa Sur – Replace Your Ride: \$9,500 para Vehículos Eléctricos Nuevos (según sus ingresos)	Todos los Servicios Públicos – Ofrecen tarifas de tiempo de uso especiales para reducir el costo de cargar un vehículo eléctrico
	California Clean Fuel Reward para Vehículos Eléctricos Nuevos: \$750	AQMD de La Costa Sur – Programa de Incentivo de cargador de Vehículos Eléctricos Residenciales: \$500	LADWP – ¡Energízate Los Ángeles!: Vehículos Eléctricos Usados - \$1,500 Estaciones de Carga - \$750
			Southern California Edison – Programa de Reembolso de Vehículos Eléctricos Usados: \$1,000-\$4,000 (según sus ingresos)

*A partir de Febrero de 2022, para ver una lista de todos los incentivos disponibles en su área visite <https://afdc.energy.gov/laws>

SCAG EV Charging Station Study

EV Charging Station Guide For Property Managers

Revised and Approved October 2022

SCAG EV Charging Station Guide for Property Managers

Publish Date October 2022

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ABOUT SCAG

SCAG is the nation’s largest metropolitan planning organization (MPO), representing six counties, 191 cities and more than 19 million residents. SCAG undertakes a variety of planning and policy initiatives to encourage a more sustainable Southern California now and in the future.

VISION

Southern California’s Catalyst for a Brighter Future

MISSION

To foster innovative regional solutions that improve the lives of Southern Californians through inclusive collaboration, visionary planning, regional advocacy, information sharing, and promoting best practices.

EXECUTIVE SUMMARY

This guide was developed to assist commercial, retail, and multiunit dwelling (MUD) property owners and managers within the SCAG region understand the benefits and considerations of installing EV charging stations (EVCS) at their facilities.

Property managers should familiarize themselves with EV charging basics, including the types of chargers, appropriate use cases, and typical costs so the correct charging solution can be identified early in the planning process. Site design will vary on a case-by-case basis, but projects should consider key variables such as access to electrical power, ADA requirements, and ease of accessibility to drivers and tenants. Site hosts will need to familiarize themselves with local permitting requirements and may need to work closely with private and public sector partners for a smooth project installation.

As EV adoption grows, property managers have an incentive to provide this service to attract and retain customers, patrons, and tenants who will have a greater need for charging. EVCS can provide direct revenue through the sale of electricity, and supplemental revenue through increased retail sales or higher rents. When funding is limited, property managers can explore alternate ownership structures to reduce upfront costs to project implementation.

Benefits of EVCS

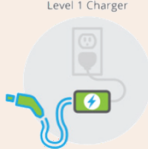
- > Direct revenue generation from electricity sales
- > Indirect revenue generation from higher rents or retail sales
- > Differentiate from competition
- > Align with sustainability goals

EV CHARGING BASICS

CHARGER TYPES AND TYPICAL UPFRONT COSTS

EVCS are categorized into three different levels depending on their power output (Table 1). Product and installation costs generally increase with power output because increased loads are more likely to require electrical upgrades. After installation there are two primary ongoing costs: networking costs and maintenance costs. Most Level 2 and Level 3 EVCS are networked charging stations, where they connect to a cloud platform and allow the EVCS owner to monitor utilization and set prices. Charger maintenance responsibility, while typically minimal, generally falls on the EVCS owner. Most charger issues are software related and can be resolved by rebooting the EVCS. EVCS owners can choose to maintain the stations in-house or contract this service out to the charging manufacturer or another 3rd party through a service agreement. These agreements; however, may not cover damage from improper use or vandalism.

TABLE 1: OVERVIEW OF CHARGING TYPES

Charger Level	Plug Type and Power Output	Recommended Use Case	Typical Installation Costs (\$/port)	Typical Ongoing Cost (\$/port/yr)	Image
Level 1	Standard household outlet, 1.9kW @ 110V	Overnight residential charging. Optional low-cost charging option in MUDs. Can use pre-existing outlets. Recharges 3.5-6.5 miles per hour.	\$1,000-\$2,000	Networking: N/A. Maintenance: minimal	 A diagram of a Level 1 EV charging station. It shows a green charging cable with a blue connector plugged into a standard household electrical outlet. The text 'Level 1 Charger' is written above the diagram.

Charger Level	Plug Type and Power Output	Recommended Use Case	Typical Installation Costs (\$/port)	Typical Ongoing Cost (\$/port/yr)	Image
Level 2	Standard SAE J1772; 1.9kW-19.2kW. Typical 7.2kW @ 240V.	Overnight residential, workplace, and commercial charging (2-4+hrs). Recharges 14-35 miles of range per hour.	\$10,000-\$50,000	Networking: \$120-\$360. Maintenance: \$150-\$1,000	J1772 
Level 3 Direct Current Fast Charger (DCFC)	Multiple types CCS1, CHAdeMO, Tesla; 25kW-350kW+ @ 480V 3 Phase	Short stops along major corridors and commercial charging (<1hr). The typical EV can expect to recharge from 20% up to 80% in under 30 minutes.	\$50,000-\$100,000+	Networking: \$120-\$360. Maintenance: \$1,000+	CHAdeMO CCS Tesla 

SITE SELECTION & INSTALLATION GUIDELINES

Designing an EVCS project and placement requires thought and planning to be cost effective and beneficial to EV drivers and site hosts. In the earliest deployments vendors and other third parties dictated site selection and charger placement. While that may have worked reasonably well to date with the limited number of charging stations installed, a lack of knowledge about where to site charger stations is still a significant barrier to expansion of an EV charging network. Additionally, sites need guidance on how to choose what type of charging (Level 2 or DCFC) to install at various locations. SCAG hosts a [PEV ATLAS](#) which includes a variety of suitability results throughout the region to help property managers understand if their site has a high need for charging infrastructure. Cities and project developers can use the tool to help identify areas charging stations are most needed in an area. Other resources related to EV charging can be found online at [SCAG's Alternative Fuels & Vehicles Projects](#).

PRIMARY SITE DEVELOPMENT CONSIDERATIONS

As property managers evaluate their own properties, highly visible and/or highly trafficked sites such as large employment centers, commercial plazas, schools and colleges, hotels, and other popular destinations make for good options to add EVCS. These sites tend to have long dwell times and are well suited for Level 2 charging stations. Multifamily residential locations can consider adding Level 2 EVCS in shared parking areas. If multifamily residential properties want to provide charging infrastructure to every tenant, they may consider Level 1 charging or circuit sharing Level 2 charging technology to reduce electrical upgrade costs. Sites near major travel corridors or sites with high parking turnover may be appropriate for DCFC.

As sites are evaluated, the site host should think about where the EVCS are placed in reference to the site as a whole. Placing EVCS closer to site amenities can act as a perk for EV drivers, though that needs to be balanced with ADA and access to power considerations. It is common for EVCS projects to require a new electrical service, so locating EVCS near utility transformers, power poles, or vaults can reduce overall installation costs. In some cases, buildings may have spare electrical capacity the EVCS can tie into. Networked EVCS require access to the internet or cellular signal. Sites with poor signal, such as underground parking garages, may need cellular repeaters or consider EVCS products

EVCS Site Selection Best Practices

- > High vehicle traffic
- > Easy for drivers to see
- > Close to power source
- > ADA compliant
- > Near amenities

with integrated cellular or Wi-Fi capabilities. Some cities may have additional aesthetic requirements that need to be factored into the final EVCS project design. In some cases, these design considerations line up well with each other and result in a cost-effective project. In other cases, the final design may need to balance between opposing considerations if for example utility power is far away from a building entrance. Site hosts may need to decide how to prioritize different factors in the final design.

DETERMINING QUANTITY OF STANDARD AND ADA EVCS

Once a site has been selected for an EVCS project, the site host or project developer must determine how many charging stations to install. California Building Code (CBC) has minimum requirements for EVCS infrastructure for new construction or major modification projects. Adding EVCS to existing sites typically does not trigger CBC requirements; but these minimum requirements can be a useful reference for determining how many EVCS to install at commercial sites. 2019 and 2022 Non-Residential mandatory measures are summarized in Table 2. The 2022 building adds trigger requirements to existing MUDs. If parking stalls are added or altered, or the lighting or other electron systems are altered such that an electrical permit is required, 10% of the affected stalls must be EV capable.

TABLE 2: CALIFORNIA BUILDING CODE NON-RESIDENTIAL MANDATORY MEASURES

Total number of Actual Parking Spaces	Number of Required EV Charging Spaces (2019 Code)	Number of Required EV Charging Spaces (2022 Code)
0-9	0	0
10-25	2	4
26-50	4	8
51-75	7	13
76-100	9	17
101-150	13	25
151-200	18	35
201 and over	10% of total	20% of total

Additionally, any time EVCS are installed at a publicly accessible location, California requires a minimum number of chargers to be ADA compliant (Table 3). EVCS in common areas at multifamily properties would be subject to ADA requirements but would be exempt if EVCS are assigned to specific tenants. ADA compliance can introduce design constraints as these standard and van accessible stalls must have access aisles with truncated domes at the curb, paths of travel, and be graded less than 2%. Sample ADA compliant layouts are shown in Figure 2 and Figure 1. Installing EVCS for dedicated stalls at MUDs may be exempt from ADA requirements.

TABLE 3: PUBLICALLY ACCESSIBLE EVCS ADA REQUIREMENTS

Number of EVCS at a Facility	Van Accessible	Standard Accessible	Ambulatory
1-4	1	0	0
4-25	1	1	0
26-50	1	1	1
51-75	1	2	2
76-100	1	3	3
101+	1, Plus 1 for each 300 or fraction thereof, over 100	3, Plus 1 for each 60 or fraction thereof, over 100	3, Plus 1 for each 50 or fraction thereof, over 100

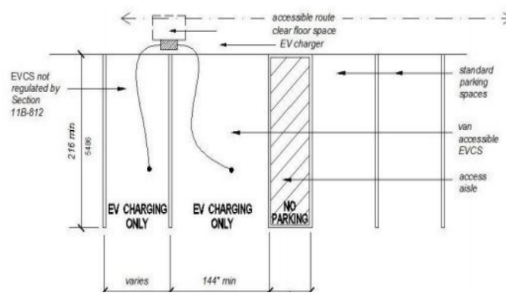


Figure 2. Sample layout with 2 EV Chargers and 1 Van Accessible Stall

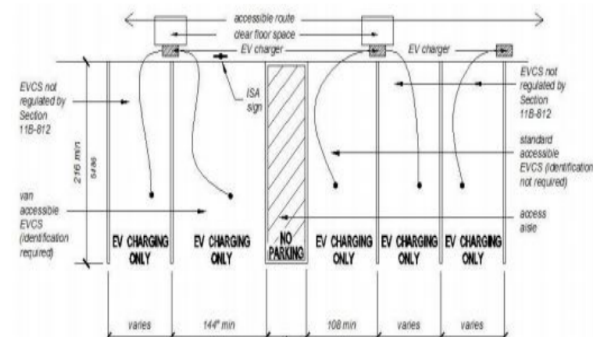


Figure 1. Sample layout with 5 EV Chargers, 1 Van Accessible Stall, and 1 Standard Accessible Stall

UTILITY COORDINATION

Coordination with utilities is critical for larger EVCS buildouts, or for projects that include DCFC, as it is likely that significant site and utility infrastructure upgrades may be required. Site owners should contact their utility representative early in the planning process to check if there is sufficient electrical capacity to accommodate the new loads. If significant utility upgrades are needed, it can take up to 12-18 before there is sufficient electrical capacity available. If there is a need for chargers sooner, utility representatives may be able to support the site design, provide recommendations on charger placement, and connect the site to available incentives or programs.

PARKING AND SIGNAGE CONSIDERATIONS

Most EVs still require 30 minutes, or longer, to charge; therefore, clear signage will help ensure a positive and safe user experience. It is generally considered best practice that EVs only park in an EV charging stall while the vehicle is actively charging to increase availability for other EV drivers. In commercial areas, placing time limits for vehicle charging can increase EVCS availability, generally up to 4 hours for Level 2 EVCS. Increasing the cost of charging past established time limits can help keep EVCS open. Non-EVs have been noted to occasionally park in EV charging stalls. As EV ownership increases, the need for consistent signage and enforcement of parking policies may increase. Site hosts can issue warnings on windshields and coordinate with local governments to enforce parking restrictions by ticketing or towing vehicles that do not abide by EVCS parking rules. This should be considered as a last resort for repeat offenders or reserved until EVs have become widely adopted and the drivers become aware of EVCS etiquette.



PERMITTING AND INSPECTIONS

Adding EVCS to existing facilities typically requires a building or electrical permit. While specific permitting requirements vary by City, a plan check is typically required for commercial EVCS which can result in lengthy review periods and occasionally multiple iterations of corrections. Site hosts and project developers should review City permit requirements early in the planning process. Starting January 1, 2023, all California cities will have established deadlines to review and approve EVCS permits. After installation project developers typically need to schedule a final inspection before EVCS can be operated.

BUSINESS OPPORTUNITY FOR EVCS

Commercial property and multifamily property owners have multiple ways to benefit from installing EVCS at their sites. Networked EVCS owners can set rates and charge users for the electricity dispensed and can markup electricity costs to generate a profit. In California, EVCS owners can generate additional revenue by generating and selling low carbon fuel standard credits, though this may only be viable with larger buildouts or if aggregated among multiple properties. Some charging stations have large displays which can be used for advertisement space (if allowed by the City), providing a secondary revenue stream. There are indirect benefits to installing EVCS including increasing the dwell time of business patrons, and thus increased retail sales, and promoting corporate branding to attract new customers, tenants, or employees¹. Sites can realize these benefits, even if they decide not to charge users for the electricity.

Overall profitability and return on investment of EVCS will depend on how the site chooses to monetize the station. Sites may elect to not charge users for the electricity and derive value strictly through increased retail sales, rents, or branding. For sites that do want to charge for electricity, public charging rates generally fall between \$0.20/kWh and \$0.60/kWh, with the lower range generally resulting in breaking even and the higher range resulting in net profit over the life of the charger.

PAYMENT MECHANISMS

Site hosts should consider how EV drivers will pay for the electricity they consume. Most networked EVCS come with their own cloud platform where EV drivers can pay through a mobile application or RFID card for certain workplace or tenant charging situations. EV drivers tend to have multiple apps given the variety of charging station vendors they may use. While it may be irrelevant to the site host, this can be cumbersome for users and limits access to those that have a smartphone. As a way to increase access to more EV drivers, site hosts should consider adding credit card readers to charging stations. This is required in California for new Level 2 EVCS as of January 2021, and DCFCs as of January 2023². If a multifamily property intends to electrify all tenant spaces with low cost Level 1 charging or non-networked level 2 charging, it may be simpler to recover costs through increased monthly parking fees or rents. Lastly, the EV industry is currently working on new “plug and charge” protocols, where the charging station automatically identifies the vehicle plugged in and bills the owner at the end of the charging session³. This is similar to how the Tesla network already operates, but in an open ecosystem.

FUNDING AND FINANCING OPPORTUNITIES

DIRECT INCENTIVES AND REBATES

There are currently multiple funding sources available to offset the upfront and ongoing costs of EV charging stations. Table 4 summarizes currently available (as of July 2022) incentives and rebate programs available in the SCAG region. An up-to date list of EVCS funding and incentive programs can be viewed at [AFDC Laws and Incentives](#) webpage. Some funding programs may be in high demand and funds can be exhaust

¹ <https://atlaspolicy.com/wp-content/uploads/2020/04/Public-EV-Charging-Business-Models-for-Retail-Site-Hosts.pdf>

² https://calevip.org/sites/default/files/docs/calevip/California_EVCS_Regulations_Guide.pdf

³ <https://www.caranddriver.com/news/a35044132/plug-and-charge-ev-charging-mustang-mach-e/>

ed quickly. It is recommended to identify available funding sources, eligibility, and availability requirements early in the planning process to increase the chance of securing funds.

TABLE 4: EVCS REBATE PROGRAMS – JULY 2022

Entity	Program Name	Summary	Other Notes
Southern California Edison	Charge Ready	No-cost infrastructure up to charger stub out and incentives on eligible charging stations.	4 charging port minimum (10+ recommended). Preference for multifamily and DACs
Los Angeles Department of Water and Power	Charge Up LA!	Rebates on qualifying L2 and DCFCs, varies by power output and site type	Maximum incentives vary by charger type and site type. Open Enrollments during specified times
Burbank Water and Power	Lead The Charge	Rebates on qualifying L2 and DCFCs, varies by power output and site type	MUDs may qualify for Level 1 chargers in common areas. Rebates can be applied for before or after construction
Glendale Water and Power	Charging Station Rebate	Rebates on qualifying L2 and DCFCs, varies by power output and site type	Rebate application submitted after installation
Pasadena Water and Power	Commercial Charger Incentive Program	Rebates on qualifying L2 and DCFCs	Applies to stations installed after August 2018, until funds are exhausted
California Energy Commission	CAleVIP	Rebates on qualifying L2 and DCFCs for qualifying site types	Funding must be reserved before installation. Funding allocated by region and may be exhausted quickly.
California Air Resources Board	Low Carbon Fuel Standard	Generates low carbon credits from the electricity dispensed to vehicles which can be sold each quarter.	Credit prices are market driven and vary over time. Chargers must be registered with CARB, may need to work with broker to facilitate reporting and credit sale

EV INFRASTRUCTURE OWNERSHIP MODELS

While California will likely continue to provide funding for EV infrastructure, it remains highly competitive. Exploring alternative financing and ownership models (Table 5) can help reduce upfront financial barriers. Site hosts can purchase, own, and operate the chargers themselves but are then responsible for networking fees and maintenance. For this reason, its generally recommended to charge users for the electricity to at least break even on ongoing costs. On the other end of the spectrum, sites may be able to lease parking spaces to third parties and the vendor retains sole ownership of the charging stations and is responsible for maintaining them. Other successful ownership models include charging as a service (CaaS), where the site host pays little to no money upfront and pays the vendor over time via a subscription model, typically on a per kWh basis. Lastly, shared ownership and revenue models may be possible. These ownership models may not be viable for all projects, so site hosts should work closely with project developers to determine the best ownership model for the specific project.

TABLE 5: SAMPLE EV OWNERSHIP MODELS

Line Item	Host Owned	Charging as a Service (CaaS)	Hybrid Host-Vendor Owned	Vendor Owned
Service Model	Host own and operate	Vendor own and operate via subscription	Shared ownership	Vendor own and operate
Ideal for:	Pilot projects, site desire to control charging revenue	Large fleet electrification projects	Sites that want limited control on charger O&M	Sites with very high expected EVCS utilization
Equipment Ownership	Host	Vendor	Host or Vendor	Vendor
Installation Costs	Host	Vendor	Host or Vendor	Vendor
Electricity Costs	Host	Vendor	Vendor	Vendor
Support & Maintenance Costs	Host	Vendor	Vendor	Vendor
Charging Revenue	Goes to Host	Varies	Split with Vendor	Majority Percentage to Vendor
Pricing Controls	Host	Vendor	Vendor	Vendor
Contract Term	Contract Typically Not Required	Contract Typically Required	Contract Typically Required	Contract Typically Required
Network Fees	Yes	No	Yes	Yes
Monthly Subscription Fee	No	Yes	No	No

CONCLUSION

The private sector stands to realize multiple benefits by installing EV infrastructure, from additional revenue generation, attracting and retaining new customers or tenants, differentiating themselves from competition, and furthering applicable sustainability goals. To best realize these benefits, property managers should work closely with experienced project developers that can design projects most appropriate for the site type and expected use case.



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SCAG EV Charging Station Study

EV Charging Station Guide For Culver City

Revised and Approved
September 26, 2022



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SCAG EV Charging Station Guide for Culver City

Publish Date: September 26, 2022

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ABOUT SCAG

SCAG is the nation's largest metropolitan planning organization (MPO), representing six counties, 191 cities and more than 19 million residents. SCAG undertakes a variety of planning and policy initiatives to encourage a more sustainable Southern California now and in the future.

VISION

Southern California's Catalyst for a Brighter Future

MISSION

To foster innovative regional solutions that improve the lives of Southern Californians through inclusive collaboration, visionary planning, regional advocacy, information sharing, and promoting best practices.

EXECUTIVE SUMMARY

This guide was developed to assist the City of Culver City to continue along its Electric Vehicle (EV) journey and expand its EV charging network into harder to reach areas to continue fostering EV adoption. This guide includes an overview of general EV charging basics, funding EV infrastructure, state requirements and design considerations, coordinating with utilities, local EV policy and procedures, and guidelines for successfully implementing electric vehicle charging stations (EVCS). Culver City has multiple roles to play in fostering EV adoption including educating the public, coordinating with the private sector, and converting city-owned fossil-fuel powered fleets to electric to demonstrate their capabilities.

Culver City staff should familiarize themselves with EV charging basics, including the types of chargers, their appropriate use cases, and typical costs so the correct charging solution can be identified early in the planning process. Site design will vary on a case-by-case basis, but projects should consider a few key variables such as access to electrical power, ADA requirements, and visibility of stations to drivers. As EVCS infrastructure grows, Culver City needs to consider enforcing EVCS parking space use regulations, so chargers remain accessible to drivers. Culver City can also work closely with the private sector to facilitate installing EVCS at commercial and MUD properties by connecting them to resources such as funding opportunities, providing EV property owner guidelines, pre-approved contractors, and posting clear permitting and design requirements to minimize permit processing times.

Culver City has already done a great job at installing EVCS in highly trafficked public sites. Culver City has taken some great first steps in electrifying its City-owned fleet, showcasing to the community that they are viable alternatives. While California has multiple funding programs, they remain highly competitive. When funding is limited, cities can explore alternative ownership structures to reduce upfront costs to foster project implementation. This hands-on project experience will help cities better educate the public and coordinate with private sector partners.

EVCS Project Considerations for Cities

- > Pick an appropriate site
- > Determine ideal charger quantity, type, and placement
- > Plan for ongoing operation and maintenance
- > Determine ownership structure
- > Apply for available funding

PUBLIC AWARENESS

Overall public awareness around EV charging stations is still low including the different types, use cases, costs, and best practices surrounding their installation. While 71% of drivers expect to charge at home, a majority of residents in MUDs expect to charge their EV using publicly available charging stations ¹. This presents a clear need for potential site hosts to understand the different types of charging stations, which type is appropriate for their site, how much they cost, installation best practices, and making the overall business case and communicating other potential benefits. Cities have a key role to play in educating stakeholders in their community on this subject.

EV CHARGING BASICS

CHARGER TYPES AND TYPICAL COSTS

EV chargers are categorized into three different levels depending on the amount of power they output to an EV. Product and installation costs generally increase as power output increases because increased loads are more likely to trigger costly electrical infrastructure upgrades. Product costs for chargers may decrease over time as manufacturers achieve economies of scale, particularly for Level 3 Direct Current Fast Chargers (DCFC); however, their installation costs are not likely to decrease over time as electrical equipment is a mature industry and labor costs are expected to increase over time.

After charging stations are installed, there are two primary ongoing costs: networking costs and maintenance/repair costs. Most Level 2 EVCS and DCFCs are networked charging stations; they connect to a cloud platform and allow the charging stations owner to monitor utilization and set charging rates. EVCS may have a cloud platform hosted by the charging manufacturer (i.e ChargePoint) or a 3rd party (i.e Shell RechargePlus). Charger maintenance responsibility, while typically minimal, generally falls on the charging station owner. Most charger issues are software related and can be resolved by rebooting the charging station. Typical hardware maintenance items include worn out or broken ports, damaged or removed cables, and cracked screens. It is recommended to inspect charging stations 1-2 times per year. Charging station owners can choose to maintain the stations in-house or contracted this service out to the charging manufacturer or other 3rd party through a service level agreement (SLA). Table 1 summarizes the key differences, use cases, and typical costs per port.

TABLE 1: OVERVIEW OF CHARGING TYPES AND TYPICAL COSTS

CHARGER LEVEL	Plug Type and Power Output	Recommended Use Case	Typical Installation Costs (\$/port)	Typical Ongoing Costs (\$/port/yr)	Image
Level 1	Standard household outlet, 1.9kW @ 110V	Overnight residential charging. Optional low-cost charging option in MUDs. Can use pre-existing outlets. Recharges 3.5-6.5 miles per hour.	\$1,000-\$2,000	Networking: N/A. Maintenance: minimal	

¹ Consumer Reports. December 2020. Consumer Interest and Knowledge of Electric Vehicles, 2020 Survey Results.

CHARGER LEVEL	Plug Type and Power Output	Recommended Use Case	Typical Installation Costs (\$/port)	Typical Ongoing Costs (\$/port/yr)	Image
Level 2	Standard SAE J1722; 1.9kW-19.2kW. Typical 7.2kW @ 240V.	Overnight residential, workplace, and commercial charging (2-4+hrs). Recharges 14-35 miles of range per hour.	\$10,000-\$50,000	Networking: \$120-\$360. Maintenance: \$150-\$1,000	J1722 
Level 3 (DCFC)	Multiple types CCS1, CHAdeMO, Tesla; 25kW-350kW+ @ 480V 3 Phase	Short stops along major corridors and commercial charging (<1hr). The typical EV can expect to recharge from 20% up to 80% in under 30 minutes with a DCFC.	\$50,000-100,000+	Networking: \$120-\$360. Maintenance: \$1,000+	CHAdeMO CCS Tesla 

SITE SELECTION & INSTALLATION GUIDELINES

Developing an EVCS project requires thought and planning to be cost effective and beneficial to EV drivers. In the earliest deployments vendors and other third parties dictated site selection and charger placement. While that may have worked reasonably well to date with the limited number of charging stations installed, a lack of knowledge about where to site charger stations is still a significant barrier to expansion of an EV charging network within cities that have thus far been overlooked by the private sector. Furthermore, without a guiding criterion in place, cities may not be able to direct the expansion of their EV Charging network in a way which meets their specific goals such as equitable access to EV Charging or as a key component of economic development. Additionally, sites need guidance on how to choose what type of charging (Level 2, Level 3/DCFC) to install at various locations. SCAG hosts a [PEV ATLAS](#) which includes a variety of suitability results throughout the region. Cities and project developers can use the tool to help identify areas charging stations are most needed in an area. Other resources related to EV charging can be found online at [SCAG's Alternative Fuels & Vehicles Projects](#).

SITE TYPE CONSIDERATIONS

Culver City has already started building out charging infrastructure at City-owned properties for staff and public use including City Hall, parking structures, the Senior Center and the Veteran's Memorial building. These sites are highly visible within the community and receive high vehicle traffic. Culver City should continue to expand EVCS infrastructure curbside and at any remaining publicly owned sites. Culver City can also work with community stakeholders and property managers of private locations or other highly visible and high traffic areas such as large employment centers, commercial plazas, shopping centers, schools, hotels, and other popular destinations. Lastly, identifying sites near major travel corridors or sites with high parking turnover may be appropriate for DCFC.

EVCS Site Selection Best Practices

- > High vehicle traffic
- > Easy for drivers to see
- > Close to power source
- > ADA compliant
- > Near amenities

As sites are being considered, the site host should think about where the EVCS are located in reference to the site as a whole. Placing EVCs closer to site amenities can act as a perk for EV drivers, though that needs to be balanced with the ADA regulations and access to power considerations. In some cases, these

design considerations line up well with each other and result in a cost-effective project. In other cases, the final design may need to be a balance between opposing considerations if for example utility power is far away from parking or a building entrance. Site hosts may need to decide how to prioritize different factors when preparing their final design.

DETERMINING QUANTITY OF STANDARD AND ADA EVCS

Once a site had been selected for an EVCS project, the site host or project developer must determine how many charging stations to install and where to place them within the site. California Building Code (CBC) has minimum requirements for EVCS infrastructure for new construction or major modification projects. Adding EVCS to existing sites typically does not trigger CBC requirements; but these minimum requirements can be a useful reference to determine how many EVCS to install at a site. The 2022 Non-Residential mandatory measures are summarized in Table 2.

TABLE 2: CALIFORNIA BUILDING CODE NON-RESIDENTIAL MANDATORY MEASURES

Total number of Actual Parking Spaces	Number of Required EV Charging Spaces (2022 Code)
0-9	0
10-25	4
26-50	8
51-75	13
76-100	17
101-150	25
151-200	35
201 and over	20% of total

Additionally, any time EVCS are installed at a publicly accessible location, California requires a certain minimum number of chargers be ADA compliant. Specific requirements are summarized in Table 3. ADA accessibility can introduce design constraints as these standard and van accessible stalls must have access aisles with truncated domes at the curb, paths of travel, and be graded less than 2%. Sample ADA compliant layouts are shown in Figure 2 and Figure 1.

TABLE 3: EVCS ADA REQUIREMENTS

Number of EVCS at a Facility	Van Accessible	Standard Accessible	Ambulatory
1-4	1	0	0
4-25	1	1	0
26-50	1	1	1
51-75	1	2	2
76-100	1	3	3
101+	1, Plus 1 for each 300 or fraction thereof, over 100	3, Plus 1 for each 60 or fraction thereof, over 100	3, Plus 1 for each 50 or fraction thereof, over 100

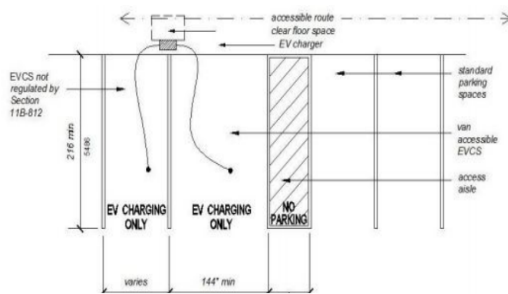


Figure 2. Sample layout with 2 EV Chargers and 1 Van Accessible Stall

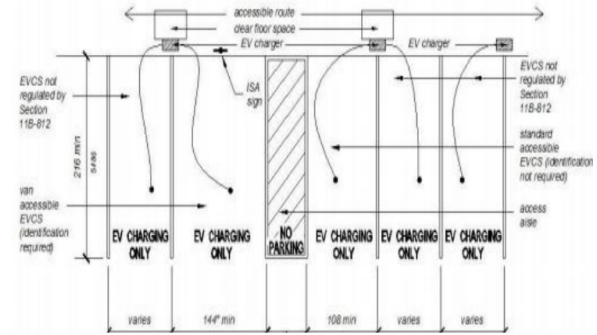


Figure 1. Sample layout with 5 EV Chargers, 1 Van Accessible Stall, and 1 Standard Accessible Stall

OTHER FACTORS TO CONSIDER

After ADA considerations, access to electrical power should be considered. It is common for EVCS projects to require new electrical service, so locating EVCS near utility transformers, power poles, or vaults can reduce trenching, conduit, and overall installation costs. In some cases, buildings may have spare electrical capacity the EVCS can tie into. In these situations, EVCS can be located closer to the buildings. Networked EVCS require hard-wired access to the internet or a wireless cellular signal. If the wireless signal is weak at a site such as those located in an underground parking garage, cellular repeaters may be needed, or the project may need to consider equipment options that have integrated cellular or Wi-Fi capabilities.

UTILITY COORDINATION

Coordination with electric utilities is critical for larger EVCS buildouts, or for projects that include DCFC, as it is likely that significant site and utility infrastructure upgrades may be required. Site owners should contact their electric utility representative early in the planning process to check if there is sufficient electrical capacity to accommodate the new loads. If significant utility upgrades are needed, it can take 12-18 months in some cases before there is sufficient electrical capacity available. Electric utility representatives can also support the site design, providing recommendations on charger placement, and connect the site to available incentives and related programs. Culver City primarily resides in SCE territory and can leverage the [Charge Ready](#) program which launched on July 12, 2021. Under this program, SCE will complete the engineering design and pay for utility side infrastructure and behind the meter infrastructure for EV charger installations that have at least four level 2 charging ports. This program has internal cost per port effectiveness criteria so not all sites may qualify. Increasing the number of charging stations to 10 or more is a strategy to increase the likelihood of being selected into the program as infrastructure upgrade costs are spread among more charging ports. The program has a focus on MUDs so fewer chargers may be needed to qualify at those sites. The program also prioritizes disadvantaged communities under CalEnviroScreen; however, Culver City does not have any disadvantaged communities within its jurisdiction. The program fast-tracks any needed infrastructure upgrades and offers rebates on qualified charging stations. SCE customers who purchase their electricity from the Clean Power Alliance may qualify to participate in the [Alliance's incentive program](#). For LADWP customers located in Culver City, they should consider participating in their [Charge Up LA! Program, which provides incentives on qualifying Level 2 and DCFS chargers](#).

PARKING AND SIGNAGE CONSIDERATIONS

Most EVs still require at least 30 minutes to charge, even with DCFCs; therefore, clear signage that directs EV drivers where to park and charge will help ensure a positive and safe user experience. It is generally considered best practice that an EV can only park in an EV charging stall if the vehicle is actively charging to increase availability for other EV drivers. Other best practices include placing time limits for vehicle charging, generally up to 4 hours for Level 2 EVCS and 1 hour for DCFS. One strategy to encourage drivers to not charge beyond stated time limits is to increase the cost of charging past established time limits. While not common, non-EVs have been noted to occasionally park in EV charging stalls. As EV ownership increases, the need for consistent signage and enforcement of parking policies may increase. Cities reserve the right to issue warnings, citations or tow vehicles that do not abide by EVCS parking rules. This should be considered as a last resort for repeat offenders or reserved until EVs have become widely adopted and drivers become aware of EVCS etiquette. Culver City can reference the California Plug in Vehicle Collaborative which provides sample EV parking and charging signage². The California Manual of Uniform Traffic Control Devices contains up to date directions and guidance for EV related signage placed on public streets³.



PAYMENT MECHANISMS

In most cases EV drivers will need to pay for the electricity dispensed to their vehicle. Traditionally each charging vendor had its own payment mechanism through a mobile application, or RFID card for workplace charging. This requires users to have multiple apps given the variety of charging station vendors. This is cumbersome for users and limits access to those with a smartphone. As of January 2021, California requires new Level 2 EVCS to include credit card readers, and the same for new DCFCs in January 2023⁴. The intent is to increase access to charging stations to EV drivers that may not have a mobile phone and to simplify payment mechanisms. Lastly, the EV industry is currently working on new “plug and charge” protocols, where the charging station automatically identifies the vehicle plugged in and bills the owner at the end of the charging session⁵. This is similar to how the Tesla network already operates, but in an open ecosystem. Culver City should continue to track the development of this protocol and coordinate with manufactures to update City-owned EVCS when the protocol has been finalized.

SUPPORTING THE PRIVATE SECTOR AND INFLUENCING EV ADOPTION

Culver City can go beyond educating the public on EVCSs and support the private sector to rapidly deploy EVCS. The City can help educate commercial property and multifamily property owners on the benefits of installing EVCS, connect site hosts to resources, and streamline permitting processes. In traditional energy efficiency programs, some municipalities have been known to pre-vet and create a list of qualified contractors to hire to build trust in the community. The City can take similar approaches with EVCS

² https://www.calbo.org/sites/main/files/file-attachments/ca_accessibility_for_ev_charging.pdf

³ <https://dot.ca.gov/-/media/dot-media/programs/traffic-operations/documents/f0018447-13-01-a11y.pdf>

⁴ https://calevip.org/sites/default/files/docs/calevip/California_EVCS_Regulations_Guide.pdf

⁵ <https://www.caranddriver.com/news/a35044132/plug-and-charge-ev-charging-mustang-mach-e/>

vendors, either building their own list of pre-qualified contractors or directing interested site hosts to other reputable sources such as SCE's Trade Pro list⁶.

BUSINESS OPPORTUNITY FOR EVCS

Commercial, multifamily, and mixed-use property owners can benefit in multiple ways by installing EVCS at their sites. Networked EVCS owners can set rates and charge users for the electricity dispensed and can markup electricity costs for a profit. In California, EVCS owners can generate additional revenue by generating and selling low carbon fuel standard credits, though this may only be viable with larger buildouts or if aggregated among multiple properties. Some charging stations have large displays which can be used for advertisement space to generate a secondary revenue stream, if located on private property. There are indirect benefits to installing EVCS including increasing the dwell time of business patrons and promoting corporate branding to attract new customers, tenants, or employees⁷. Sites can realize these benefits, even if they decide not to charge users for the cost of electricity.

Overall profitability and return on investment of EVCS will depend on how the site chooses to monetize the station. Sites may elect to not charge users for the electricity and derive value strictly through increased retail sales, rents, or branding. For sites that do want to charge for electricity, public charging rates generally fall between \$0.20/kWh and \$0.60/kWh, with the lower range generally resulting in breaking even and the higher range resulting in net profit over the life of the charger.

PERMITTING AND INSPECTIONS

One area that Culver City can directly support the private sector to deploy EVCS is to streamline the permitting processes, particularly for non-residential applications. Culver City has a dedicated webpage with clear guidance and a permit checklist for residential and commercial EVCS permit applications online. This is expected to reduce revisions needed during plan checks for commercial permit applications. Culver City expedites EVCS permit applications and is expected to meet AB 970 permit processing deadlines, when they go into effect on January 1, 2023. When commercial projects are subject to the approval of multiple departments including engineering, building and safety, and planning department, these reviews should be coordinated to minimize processing time. If Culver City would like to further streamline this process, the City of Los Angeles provides a useful example of issuing permits directly online through their [Express Permits | LADBS](#). Los Angeles's express permits instantly issues permit for a variety of project types including EVCS projects up to a 400-amp service, enough for 10 standard Level 2 charging ports. An inspection is required after the permits are issued and the equipment has been installed.

VOLUNTARY BUILDING CODE REQUIREMENTS

As previously mentioned, California's 2019 Green Building Code has requirements for EV Infrastructure as part of new construction projects. The 2022 Building code, effective January 1, 2023, significantly increases minimum EV infrastructure requirements. Given Culver City's focus on EVCS, it is recommended to adopt at a minimum Tier II voluntary measures to significantly increase charging infrastructure as part of new construction projects. Culver City may also want to adopt more stringent EVCS reach codes that go beyond building code requirements such as those developed by [Bay Area Reach Codes](#).

⁶ <https://sce-chargeready.force.com/s/trade-professional-resources>

⁷ <https://atlaspolicy.com/wp-content/uploads/2020/04/Public-EV-Charging-Business-Models-for-Retail-Site-Hosts.pdf>

While building codes address new construction and major modifications to existing buildings, CEC's assessment of EV charging infrastructure finds that new construction building codes alone may not be enough to meet EVCS demand in 2030⁸. It may be cost prohibitive to include EV infrastructure in building retrofits; therefore, technology options such as mobile charging or sharing multiple chargers on a circuit should be allowed as options to meet local requirements. Culver City has focused on adding curbside charging options to further increase EVCS availability. While curbside chargers can be more challenging and expensive to install, they can help supplement more traditional EVCS locations, as shown in Figure 3.

CITY OWNED INFRASTRUCTURE AND FLEETS

Culver City has already taken great steps towards electrifying its publicly owned vehicle fleet including public transit and public works services.

This helps increase visibility and demonstrates the viability of EVs in the community and provides additional benefits of improving local air quality, since Culver City purchases 100% renewable, carbon-free electricity to recharge their fleet's batteries. Installing EVCS infrastructure and fleet conversions can be capital intensive, and outside funding or creative ownership structures may be needed to supplement internal funding sources. The City should consider employee/fleet vehicle shared use of the EVCS infrastructure the City installs. In this scenario, when the EVCS is not being used by a fleet vehicle, it would become available for use employees.



Figure 3. Sample Curbside EVCS

STATE FLEET CONVERSION REQUIREMENTS

Specific CARB requirements applicable to City-owned fleets includes the Innovative Clean Transit (ICT), Advanced Clean Trucks (ACT), Advanced Clean Fleets (ACF), and California Governor Newsom's Executive Order N-79-20. The ICT requires all transit vehicles to be zero emission by 2040; and starting in 2029 only zero emission transit buses may be purchased. The ACT does not directly impact fleets, as it imposes purchasing requirements upon manufacturers to sell minimum percentages of medium and heavy duty zero emission vehicles. It is expected that vehicle manufacturers will rely on fleet sales to meet these requirements. The ACF is the compliment to the ACT. While still being finalized and barring certain vehicle exemptions for public fleets it is expected to require 50% of new medium and heavy-duty vehicle purchases to be zero emission in 2024 and 100% of new medium and heavy-duty vehicle purchases to be zero emission in 2027. Lastly California is requiring all new light duty vehicle sales to be zero emission by 2035.

FUNDING OPPORTUNITIES

The following funding opportunities may be used by the public sector to reduce the cost of EV infrastructure or electric vehicles for municipal fleets. Several of these funding sources are available to the private sector too. Culver City should consider providing information related to available incentives towards EV purchases, EVCS purchases, and EVSE infrastructure on their EV landing page within the City's

⁸ Crisostomo, Noel, Wendell Krell, Jeffrey Lu, and Raja Ramesh. January 2021. Assembly Bill 2127 Electric Vehicle Charging Infrastructure Assessment: Analyzing Charging Needs to Support Zero-Emission Vehicles in 2030. California Energy Commission. Publication Number: CEC-600-2021-001

website. In several instances funding is prioritized for Disadvantaged Communities (DACs). While Culver City has small DAC districts, making the information readily available can support EVCS deployment in these areas.

DIRECT INCENTIVES AND REBATES

There are currently multiple funding sources available to offset the upfront and ongoing costs of EV charging stations. **Error! Not a valid bookmark self-reference.** summarizes common incentives and rebate programs available within the SCAG region (as of July 2022). An up-to date list of EVCS funding and incentive programs can be viewed at the [AFDC Laws and Incentives](#) webpage. Some funding programs may be in high demand and funds can be exhausted quickly. It is recommended to identify available funding sources, eligibility, and other requirements early in the planning process to increase the chance of securing funds.

TABLE 4: EVCS REBATE PROGRAMS – JULY 2022

Entity	Program Name	Summary	Other Notes
Southern California Edison	Charge Ready Charge Ready Transport CAleVIP	No-cost infrastructure up to charger stub out and incentives on eligible charging stations.	4 charging port minimum (10+ recommended). Preference for multifamily and DACs
California Energy Commission		Rebates on qualifying L2 and DCFCs for qualifying site types	Funding must be reserved before installation. Funding allocated by region and may be exhausted quickly.
California Air Resources Board	Clean Vehicle Rebate Project	Rebates for qualifying low or zero emission light duty vehicle purchases.	Rebates vary on technology type and are limited to vehicles under certain price thresholds
California Air Resources Board	Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project	Voucher for qualifying low or zero emission medium and heavy duty vehicle purchases.	Voucher issued at point of sale through qualified vendors and manufacturers. Value vary by vehicle and technology type
Clean Power Alliance	County of LA	Rebates on qualifying L2 and DCFCs for qualifying site types	Funding must be reserved before installation
Los Angeles Department of Water and Power	Charge Up LA!	Rebates on qualifying L2 and DCFCs for qualifying site types	Funding must be reserved before installation

LOW CARBON FUEL STANDARD

Under AB32, in 2009 California created the low carbon fuel standard (LCFS) to reduce GHG emissions from the transportation sector. The goal is to decrease the carbon intensity of the CA transportation fuel pool by 20% by 2030, and to provide incentives for low carbon alternative fuel sources⁹. Fuel providers can generate credits for producing low carbon fuels, including dispensed electricity from EVCS. After charging stations are installed, the site host should reach out to brokerages that specialize in the sale of LCFS c

⁹ <https://ww2.arb.ca.gov/our-work/programs/low-carbon-fuel-standard/about>

redits. Fuel data and metered energy usage must be reported quarterly to CARB. Site hosts should coordinate with the EVCS manufacturer so that energy usage is automatically sent to brokers who can facilitate the sale of credits generated each quarter. The total number and value of credits generated will be impacted by the carbon intensity of the electricity used, the amount of electricity dispensed from the chargers, and the overall supply and demand of credits in the market. Credit values have fluctuated over time, at one point peaking at \$200/credit. As of July 2022, credit prices have fallen to under \$100/credit¹⁰. Site hosts can use this LCFS revenue to offset EVSE infrastructure, equipment and hardware costs, and operating costs (maintenance, networking fees, etc.) not recovered by selling electricity.

OTHER SOURCES

Over \$1 billion in Carl Moyer Funds has been allocated since 1998 to reduce air pollution in the state. Typically issued by local air quality management districts, these funds can be used for various projects that reduce Nitrogen Oxides (NOx), particulate matter (PM10) and reactive organic gases (ROG) from heavy-duty vehicles. The South Coast Air Quality Management District (SCAQMD) runs a new solicitation for projects each year and intends to award funds for infrastructure projects, on-road heavy duty vehicles, and off-road equipment¹¹ and public and private sector entities may apply.

The Mobile Source Air Pollution Reduction Review Committee (MSRC) has invested more than \$400 million in clean transportation projects in Southern California since 1990. The organization includes most of Southern California and contains the SCAQMD, SCAG, San Bernardino County Transportation Authority (SBCTA), Los Angeles County Metropolitan Transportation Authority (Metro), Orange County Transportation Authority (OCTA), Riverside County Transportation Commission (RCTC), and California Air Resource Board (CARB) as member agencies. Recently MSRC has funded new EV purchases and EVCS installation projects at Costa Mesa, Brea, Los Angeles, Rialto, Hemet, and Highland. MSRC regularly posts requests for proposals for cities or the private sector to apply for funding to implement specific clean transportation projects¹².

SUPPORTING PUBLIC PRIVATE PARTNERSHIPS

EV INFRASTRUCTURE OWNERSHIP MODELS

While California will likely continue to provide funding for EVSE infrastructure, it remains highly competitive. Forming public-private partnerships and exploring alternative financing models can help reduce financial barriers. Cities or site hosts can purchase, own, and operate the chargers themselves but that typically comes with networking fees and the responsibility of maintaining the chargers. For this reason, it is generally recommended to charge users for the electricity they use to recover ongoing costs. For highly utilized sites, cities may be able to provide an easement or lease parking spaces to third parties where the vendor retains sole ownership of the charging stations and is responsible for maintaining them. Other successful ownership models include charging as a service (CaaS), where the site host pays little to no money upfront and pays the vendor over time via a subscription model, typically on a per kWh basis. Lastly, shared ownership and revenue models are available. These ownership models, summarized in Table 5, may not be viable for all projects, so site hosts should work closely with project developers and the charging vendors to determine the best ownership model for the specific project. For third party owned

¹⁰ <https://www.neste.com/investors/market-data/lcfs-credit-price>

¹¹ <http://www.aqmd.gov/home/programs/business/business-detail?title=heavy-duty-engines>

¹² <http://www.cleantransportationfunding.org/current-rfps-solicitations>

rship models, cities should work closely with project partners to ensure sites meet local design requirements and goals such as multiple payment mechanisms and open-access plug types.

TABLE 5: SAMPLE EV OWNERSHIP MODELS

Line Item	Host Owned	Charging as a Service (CaaS)	Hybrid Host-Vendor Owned	Vendor Owned
Service Model	Host own and operate	Vendor own and operate via subscription	Shared ownership	Vendor own and operate
Ideal for:	Pilot projects, site desire to control charging revenue	Large fleet electrification projects	When sites want limited control on charger O&M	Sites with very high expected utilization
Equipment Ownership	Host	Vendor	Host or Vendor	Vendor
Installation Costs	Host	Vendor	Host or Vendor	Vendor
Electricity Costs	Host	Vendor	Vendor	Vendor
Support & Maintenance Costs	Host	Vendor	Vendor	Vendor
Charging Revenue	Goes to Host	Varies	Split with Vendor	Majority Percentage to Vendor
Pricing Controls	Host	Vendor	Vendor	Vendor
Contract Term	Contract Typically Not Required	Contract Typically Required	Contract Typically Required	Contract Typically Required
Network Fees	Yes	No	Yes	Yes
Monthly Subscription Fee	No	Yes	No	No

CONCLUSION

The public sector has multiple roles to play in fostering EV adoption including educating the general public, partnering with the private sector and converting city-owned fleets to demonstrate EV capabilities. Culver City can continue to be a leader for smaller cities in Southern California like Santa Monica, and support EV adoption through multiple pathways. Culver City has done a great job with deploying EV infrastructure at publicly owned sites, electrifying its own fleet, and making EV information readily accessible on the City website. As Culver City continues to expand its EV infrastructure, it should look to make partnerships with EVSE vendors and project developers to expand EV infrastructure into privately owned sites that might not otherwise be addressed.



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ATTACHMENT 4 – EV FUNDING GUIDE

SCAG EV Charging Station Study

EV Charging Station Funding Guide

Revised and Approved February 28, 2023

SCAG EV Charging Station Funding Guide

Publish Date February 28, 2023

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ABOUT SCAG

SCAG is the nation’s largest metropolitan planning organization (MPO), representing six counties, 191 cities and more than 19 million residents. SCAG undertakes a variety of planning and policy initiatives to encourage a more sustainable Southern California now and in the future.

VISION

Southern California’s Catalyst for a Brighter Future

MISSION

To foster innovative regional solutions that improve the lives of Southern Californians through inclusive collaboration, visionary planning, regional advocacy, information sharing, and promoting best practices.

INTRODUCTION

California has passed multiple pieces of legislation to increase electric vehicle (EV) adoption. In August 2022, California Air Resources Board (CARB) passed the Advanced Clean Cars II (ACC II) rule to help the State achieve its goal of having 8 million EVs on the road by 2030 by requiring vehicle manufactures to sell an increasingly higher percentage of zero-emission vehicles (ZEVs). The California Energy Commission (CEC) estimates that 1.2 million EV charging stations (EVCS) will be needed to support the State's 8 million EV goal. Installing 1.2 million EVCS will be a very capital-intensive endeavor and project developers will need to leverage outside funding sources or have creative ownership and financing structures to deploy the EVCS by 2030. There are a variety of federal, state, and local funding sources available to offset the upfront and/or ongoing costs of EVCS. Some funding programs may be in high demand and funds can be exhausted quickly. It is recommended to identify available funding sources, eligibility, and availability requirements early in the planning process to increase the chance of securing funds.

FUNDING AND FINANCING OPPORTUNITIES

The following funding opportunities may be used by the public or private sector to reduce the cost of EV infrastructure or EVs for municipal and commercial fleets. Cities should consider providing information related to available incentives towards EV purchases and EVCS installation on an EV landing page on the City's website. In several instances funding is prioritized for disadvantaged communities (DACs) or low-income communities (LICs) and should be highlighted on the City's website.

DIRECT INCENTIVES AND REBATES

There are currently multiple funding sources available to offset the upfront and ongoing costs of EV charging stations. Table 1 **Error! Reference source not found.** summarizes available incentives and rebate programs available in within the SCAG Region (as of December 2022). Some funding programs may be in high demand and funds can be exhausted quickly. It is recommended to identify available funding sources, eligibility, and availability requirements early in the planning process to increase the chance of securing funds. Some of these funding sources are explained in further detail in this section.

TABLE 1 – EVCS FUNDING OPPORTUNITIES – DECEMBER 2022

Entity	Program Name	Summary	Other Notes
California Energy Commission (CEC)	National Electric Vehicle Infrastructure Program (NEVI)	Funding from Infrastructure Investment and Jobs Act (IIJA) for DCFC along Alternative Fuel Corridors (AFCs)	Will be issued as competitive grants by region. Only private sector entities may apply. 4 150kW port minimum
Varies/TBD	Inflation Reduction Act (IRA)	Includes tax credits for multiple clean energy measures including electric vehicles and chargers	Starting in 2024 public sector entities may be able to take advantage of tax credits as direct payments. Pending final guidance.
Southern California Edison (SCE)	Charge Ready	No-cost infrastructure up to charger stub out and incentives on eligible charging stations. Waitlist for new applications effective September 1, 2022.	4 charging port minimum (10+ recommended). Preference for multifamily and DACs

Entity	Program Name	Summary	Other Notes
Los Angeles Department of Water and Power	Charge Up LA!	Rebates on qualifying L2 and DCFCs for qualifying site types	Funding must be reserved before installation
Anaheim Public Utility (APU)	Public Access EV Charger Rebates	Rebates for Level 2 or higher plug-in chargers installed at commercial, schools, industrial, or municipal properties	Subject to funding availability. Funds need to be reserved before installation. Rebate issued after installation is complete
California Energy Commission	CAeVIP	Starting in 2023, only DCFC projects will be eligible for this rebate	Funding must be reserved before installation. Funding allocated by region and may be exhausted quickly.
California Air Resources Board	Clean Vehicle Rebate Project	Rebates for qualifying low or zero emission light duty vehicle purchases.	Rebates vary on technology type and are limited to vehicles under certain price thresholds. Income limits.
California Air Resources Board	Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project	Voucher for qualifying low or zero emission medium and heavy-duty vehicle purchases.	Voucher issued at point of sale through qualified vendors and manufacturers. Value vary by vehicle and technology type
California Air Resources Board	Low Carbon Fuel Standard	Program that issues credits for low carbon fuels. Credits can be generated from the electricity dispensed from EVCS.	Credits can be banked or sold up to once per quarter. Credit values fluctuate based on market conditions.
Department of Energy	Energy Efficiency and Conservation Block Grant Program	As part of the IIJA, block grants for capital investments or financing energy efficiency, renewable energy, and zero-emission transportation (and associated infrastructure), projects	Issued as formula funds directly to Cities that may be used for energy projects at their discretion.

LOW CARBON FUEL STANDARD

Under AB32, in 2009 California created the low carbon fuel standard (LCFS) to reduce GHG emissions from the transportation sector. The goal is to decrease the carbon intensity of the CA transportation fuel pool, 20% by 2030, and provide financial incentives for low carbon alternative fuel sources¹. Fuel providers can generate credits for producing low carbon fuels, including dispensed electricity from EVCS. After charging stations are installed, the site host should reach out to brokerages that specialize in the sale of LCFS c²

¹ <https://ww2.arb.ca.gov/our-work/programs/low-carbon-fuel-standard/about>

² <https://www.neste.com/investors/market-data/lcfs-credit-price>

redits. Fuel data and metered energy usage must be reported quarterly to CARB. Site hosts should coordinate with the EVCS manufacturer so that energy usage is automatically sent to brokers who can facilitate the sale of credits generated each quarter. The total number of and value of the credits generated will be impacted by the carbon intensity of the electricity used, the amount of electricity dispensed from the chargers, and the overall supply and demand of credits in the market. Credit values have fluctuated over time, at one point peaking at \$200/credit. As of January 2023, credit prices have fallen to a low of \$60-70/credit. Public and private sector EVCS owners can use this LCFS revenue to offset EVS infrastructure costs, hardware costs, and other ongoing costs (maintenance, networking fees, etc.) not recovered by selling electricity.

NEVI

The 2021 Infrastructure Investment and Jobs Act (IIJA) included \$7.5B in to support a national electric vehicle infrastructure (NEVI) program. Of the \$7.5B, \$5B is allocated specifically for DCFCs along Alternative Fuel Corridors (AFCs) to support long distance travel and reduce range anxiety for EV drivers. This funding will be issued as formula funds to states over five years. California is set to receive \$384M. The CEC will issue this funding as competitive grants and in September 2022 released preliminary guidance on eligible projects and how funds will be issued³. Some elements of this guidance, current proposals, and how this Study aligns with them are summarized below:

- Projects must have a minimum of four (4) 150kW ports where each port can simultaneously output a maximum of 150kW.
 - This is an IIJA requirement, but California will require infrastructure to support up to five (5) 350kW ports long term.
- Projects must be within 1 mile of an AFC exit and no more than 50 miles apart. This is set from the IIJA.
 - The suitability analysis weighted sites close to highways and major travel corridors higher, though not all highways and major travel corridors are AFCs.
- The projects must include a 5-year networking and maintenance agreement, with a 97% uptime guarantee. Chargers must be available 24/7/365.
- California has evaluated AFCs in the state and broken up the highway system into corridors (Figure 1). The CEC is expected to release solicitations every 6 months; each solicitation will only be for a select number of corridors.
 - Depending on the corridor, project applicants may need to contribute 50% in match share funding. Some corridors will only require 20% match share funding– in line with typical federal funding requirements.
- Only private sector entities will be able to apply for funds. Cities and other public agencies cannot be the lead applicant, though they may be a partner on project applications.
- At least 50% of EVCS must be in a DAC or Low-Income Community (LIC). At least 40% of chargers must benefit Justice 40 communities.
 - The suitability analysis prioritized DACs and areas with lower income (though LIC designations were not used).

CEC's final approach to issuing funds may change based on stakeholder's feedback. During the CEC's September 2022 workshop, the CEC anticipated the first round of solicitations being related in Q1 2023,

³ [National Electric Vehicle Infrastructure Program \(NEVI\) | California Energy Commission](#)

and future solicitations every six months thereafter. At the time of this Study, the first solicitation has not been announced.

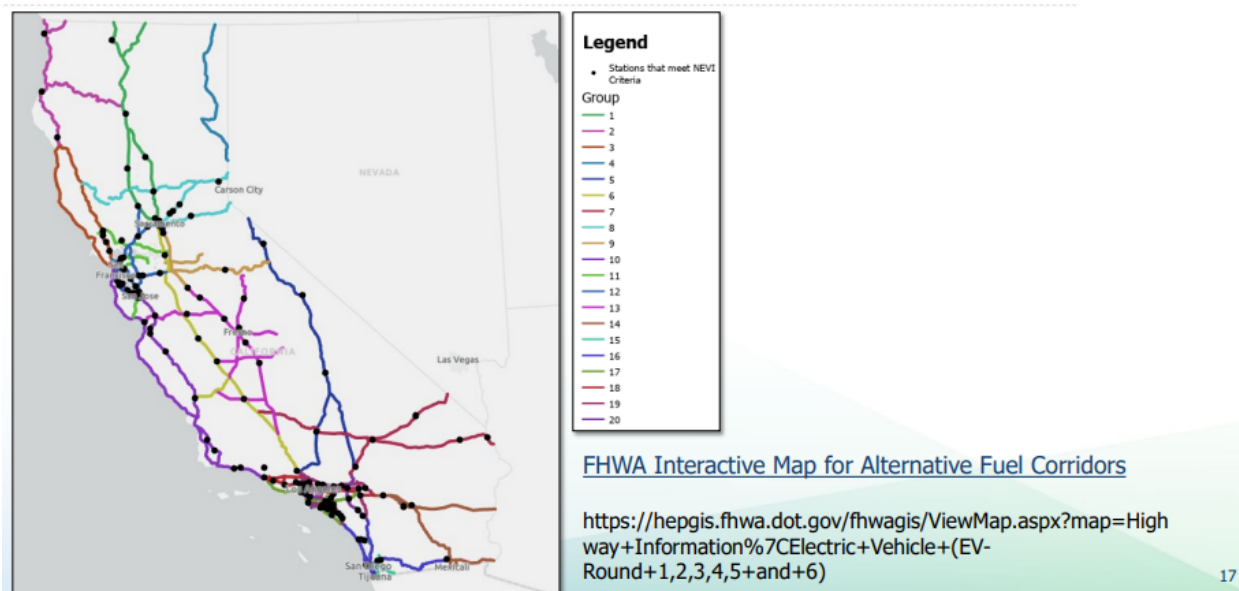


FIGURE 1. CEC'S PROPOSED NEVI CORRIDORS GROUP

While, SCAG or its member cities cannot directly apply for NEVI funds, they can partner with a private sector developer on project applications. If public owned sites are eligible for NEVI, public sector site hosts can help influence the final project design, contribute towards match funding, and/or expedited the permitting review and approval. SCAG can build on the work completed in this project to narrow down the suitability analysis to just sites that may qualify for NEVI, filtering for sites within one mile from AFCs, and exist within priority populations including DACs, LICs, or Justice 40 census tracts. This can help project developers target the most suitable or prioritized sites for EVCS. SCAG can form partnerships with project developers to further investigate highly ranked sites or provide a list of qualified contractors to member cities.

INFLATION REDUCTION ACT (IRA)

The Inflation Reduction Act (IRA) passed in 2022 provides funding for EVs and charging stations in the form of tax credits. Individuals and commercial/public entities are eligible for different credits with different conditions.

For individuals, the IRA extends the previous \$7,500 tax credit for EV purchases and removes the previous sales volume cap but instituted several other eligibility requirements including⁴:

- U.S. has a free trade agreement or use critical minerals that were recycled in North America.
- Only vehicles assembled in North America will be eligible.
- Only cars under \$55,000 or SUVs, vans, and pickup trucks under \$80,000 are eligible for the credit.
- On the consumer side, the income cap to be eligible for the credit is \$150,000 for single filers, \$225,000 for head of household and \$300,000 for joint filers.

⁴ [Inflation Reduction Act \(IRA\) EV Incentives, Explained - \(pluginamerica.org\)](https://www.pluginamerica.org/inflation-reduction-act-ira-ev-incentives-explained)

- Starting in 2024 individuals can transfer the tax credit to the car dealer to receive the value of the tax credit at the point of sale.
- Starting in 2023 the tax credit will be broken up into two portions, though the following requirements are waived until final guidance is issued.
 - A vehicle is eligible for one-half of the total credit (\$3,750) if the vehicle has battery components that are manufactured or assembled in North America. The percentage of battery components will increase up to 80% starting January 1, 2027.
 - To be eligible for the other \$3,750, a vehicle must have critical minerals that were extracted or processed in the U.S. or countries with a free trade agreement with the U.S. The percentage of battery components will increase up to 80% starting January 1, 2027.

The IRA also establishes new tax credits for used EVs that goes into effect January 1, 2023. The used EV tax credit is for \$4,000 or up to 30% of the vehicle price (whichever is lower.) The used EV tax credit has a few requirements:

- The vehicle must be under \$25,000.
- The vehicle model year must be at least 2 years old (based on when the consumer is purchasing the used vehicle.)
- In order to be eligible, the vehicle must be sold by a dealer.
- The income cap to be eligible for the used EV credit is \$75,000 for single filers, \$112,500 for head of household and \$150,000 for joint filers.
- The credit can only be applied once per vehicle.

The EV charger credit, formally known as the alternative fuel refueling station credit, has been extended through 2032. The credit is available for both individual and commercial uses to help cover the cost of charging stations.

- For individual/residential uses, the tax credit covers 30% (up to \$1,000 per unit) of the cost of the equipment
- For commercial uses, the tax credit covers 6% (up to \$100,000 per unit) of the cost of the equipment
- Bidirectional charging equipment is eligible
- Starting January 1, 2023, equipment must be placed in a low-income community or non-urban area to qualify

EV tax credits will be available for commercial and public entities as well, with fewer eligibility restrictions. EVs with a gross vehicle weight rating (GVWR) under 14,000 pounds will be eligible for a \$7,500 tax credit without the aforementioned assembly or sourcing requirements. EVs with a GVWR over 14,000 pounds will be eligible for a \$40,000 tax credit. In both cases the tax credit is capped at up to 30% of the vehicle cost and cannot exceed the incremental cost difference of a comparable internal combustion engine vehicle.

Public agencies have previously not been able to take advantage of tax credits directly, because they are tax exempt. Starting in 2024 public agencies will be able to receive the tax credits as a direct payment, though final guidance on how this will be issued is still pending.

SCE CHARGE READY

Cities within Southern California Edison (SCE) territory may apply for the utility's Charge Ready program which opened on July 12, 2021. This program covers utility side infrastructure and behind the meter infrastructure for EV charger installations that have at least four level 2 charging ports and provides rebates to qualified EV chargers, though due to cost effectiveness criteria SCE is required to meet,

SCE Charge Ready on Hold

Due to an abundance of applications, SCE created a waitlist for new Charge Ready applications starting September 1, 2022. As of February 2023, additional waitlist applications may only be submitted by the sites in DACs.

typically projects must contain at least 10 charging points to get approved. The program has a focus on MUDs and sites located within DACs. SCE has additional Charge Ready Programs to turnkey EVCS in MUDs within DACs, new construction rebate program, and Charge Ready Transport for medium and heavy-duty fleets. The program will help make EVSE installation projects more economically viable. Due to an abundance of applications, SCE has stopped accepting new applications as of September 1, 2022, for public Level 2 EVCS rebates and MUD turnkey application projects⁵. Between September 2022 and January 2023, new applications for these programs were placed on a waitlist. As of February 2023, only sites in DACs may apply for the waitlist for those programs. New construction rebates and Charge Ready Transport project applications are still being accepted.

CALEVIP 1.0 AND 2.0

CALEVIP is a state rebate program that provides rebate funding for Level 2 EVCS and DCFCs. The previous (CALEVIP 1.0) project allocated funding by county and was issued on a first come-first serve basis. At the time of this plan, Ventura and Imperial Counties still have funding available for Level 2 charging station projects. All other SCAG counties have exhausted their CALeVIP 1.0 funds.

Starting in 2023, the CALeVIP program will be rebranded as the Golden State Priority Project ([CALEVIP 2.0](#)) and focus exclusively on DCFC projects that have a minimum power output of 150kW. Eligible applicants can qualify for rebates up to \$100,000 per port or up to 50% of their project's total approved costs, capped at \$100,000 per port. Funding is only available for sites located in DAC or low-income community (LIC) census tracts. The suitability analysis prioritized DACs and areas with lower income (though LIC designations were not used).

Funding will be issued regionally, but instead of issuing funds on a first come first serve basis, funding will be prioritized based on how shovel-ready the project is. This will encourage some initial development so that only the projects with the highest likelihood of getting completed are funded. The first application window will be open from January 24, 2023 through March 10, 2023 and cover eastern and central California including Ventura, San Bernardino, Riverside, and Imperial Counties (Figure 2). After the application window closes, sites will be categorized based on how shovel-ready they are and then funding will be reserved for the most shovel-ready projects.



FIGURE 2. CALEVIP 2.0 INITIAL FUNDING REGIONS

ALTERNATIVE FUELS DATA CENTER

The Study provides a snapshot of some of the most common EV and EVCS funding opportunities available at the time of this Study. The list is far from comprehensive; new funding sources may be available; and funding sources may be exhausted and not renewed. The Department of Energy (DOE) Alternative Fuels Data Center (AFDC) maintains a comprehensive, up-to-date database of federal, state,

DOE AFDC Database

The Department of Energy Alternative Fuels Data Center maintains a comprehensive, up-to-date database of funding and financing opportunities for EVs and EVCS.

⁵ [Charging Infrastructure and Rebate Program \(sce.com\)](#)

utility, or local funding and financing opportunities for EVs and EVCS ([AFDC Laws and Incentives](#)). Cities are encouraged to review this database regularly and include links to the AFDC on City websites. SCAG, Cities, and EVCS project stakeholders should review the AFDC website early in project development to determine what funding sources may be available or appropriate for the given project. Users can search for incentives, rebates, financing, or policies for a variety of fuel types, end users (Figure 3).

Search Federal and State Laws and Incentives

Search incentives and laws related to alternative fuels and advanced vehicles. You can search by keyword, category, or both.

Keyword Search

Note: You can search by title, description, or public law number.

Category Search

Jurisdiction	Technology/Fuel	Incentive/Regulation	User
☐ All ☐ Federal ☐ Alabama ☐ Alaska ☐ Arizona ☐ Arkansas ☐ California	☐ All ☐ Biodiesel ☐ Ethanol ☐ Natural Gas ☐ Propane (LPG) ☐ Hydrogen Fuel Cells ☐ EVs	☐ All ☐ Grants ☐ Tax Incentives ☐ Loans and Leases ☐ Rebates ☐ Exemptions ☐ Time-of-Use Rate	☐ All ☐ Commercial ☐ Government Entity ☐ Tribal Government ☐ Personal Vehicle Owner or Driver ☐ Alternative Fuel

FIGURE 3. AFDC EV INCENTIVE SEARCH AND FILTER FEATURE

EV INFRASTRUCTURE OWNERSHIP MODELS

While California will likely continue to provide funding for EV infrastructure, it remains highly competitive. Forming public-private partnerships and exploring alternative financing or ownership models can help reduce financial barriers. Cities or site hosts can purchase, own, and operate the chargers themselves but that typically comes with networking fees and the responsibility of maintaining the chargers. For this reason, it's generally recommended for site hosts to charge users for the electricity to recover ongoing costs. In some cases, the site hosts such as employers or MUD owners may choose to not charge for dispensed electricity and instead consider EVCS a differentiator and a perk for their employees or tenants. For highly utilized sites, Cities may be able to provide an easement or lease parking spaces to third parties where the vendor retains sole ownership of the charging stations and is responsible for maintaining them. Other successful ownership models include charging as a service (CaaS), where the site host pays little to no money upfront and pays the vendor over time via a subscription model, typically on a per kWh basis. Lastly, shared ownership and revenue models may be possible. These ownership models, summarized in Table 2 may not be viable for all projects, so site hosts should work closely with project developers and the charging vendors to determine the best ownership model for the specific project. For third party ownership models, Cities should work closely with project partners to ensure sites meet local design requirements and goals such as multiple payment mechanisms and open-access plug types.

TABLE 2 – SAMPLE EV OWNERSHIP MODELS

Line Item	Host Owned	Charging as a Service (CaaS)	Hybrid Host-Vendor Owned	Vendor Owned
Service Model	Host own and operate	Vendor own and operate via subscription	Shared ownership	Vendor own and operate
Ideal for:	Pilot projects, site desire to control charging revenue	Large fleet electrification projects	Sites that want limited control on charger O&M	Sites with very high expected EVCS utilization
Equipment Ownership	Host	Vendor	Host or Vendor	Vendor
Installation Costs	Host	Vendor	Host or Vendor	Vendor
Electricity Costs	Host	Vendor	Vendor	Vendor
Support & Maintenance Costs	Host	Vendor	Vendor	Vendor
Charging Revenue	Goes to Host	Varies	Split with Vendor	Majority Percentage to Vendor
Pricing Controls	Host	Vendor	Vendor	Vendor
Contract Term	Contract Typically Not Required	Contract Typically Required	Contract Typically Required	Contract Typically Required
Network Fees	Yes	No	Yes	Yes
Monthly Subscription Fee	No	Yes	No	No

CONCLUSION

EVCS must be rapidly deployed throughout the SCAG region in order to provide the consumer confidence needed to adopt EVs in line with state goals. There is currently a variety of funding sources available to reduce the upfront and on-going cost of EVCS. While Cities can lead the way by installing EVCS at publicly owned locations, most EV infrastructure is expected to be owned and operated by the private sector. The public sector has a role to play in forming public-private partnerships and connecting the private sector to funding sources to encourage EVCS installation.



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Riverside, CA 92501
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City Council

Meeting Date: September 3, 2024

Meeting Time: 6:00 PM

Agenda Item No: 9.e

Item Description: 2024.150 Approval for Eastern Fire/EMS Station Land Transfer Agreement

Submitted By: Lawrence D. Best, Fire Chief

Supporting Information/Documentation:

2024.150 City Council Order for Eastern Fire EMS Substation Real Estate Agreement 09-03-2024, 08082024 Real Estate Transfer Agreement (UNE - City of Biddeford) - FINAL 8-29-24

Key Terms:

Executive Summary:

Consider authorizing the City Manager to enter into a Real Estate Agreement with the University of New England (UNE) for the Eastern Fire/EMS Substation.

Detailed Review:

The need for an Eastern Fire/EMS Substation is a project that was worked on by the Eastern Fire/EMS Substation Committee through April 2023. Councilor Emhiser, the Chair of the Committee, presented the group's findings at the April 18, 2023, City Council meeting. The committee identified the best geographical location for the Eastern Fire/EMS Substation is Pool Street in the area of UNE/Newtown Road. Since that time, staff has worked on identifying and reviewing potential property sites that would meet the needs of the station. During this process, #16 Old Pool Road was identified as the preferred property site. This location was selected as the preferred site given the frontage and quick access to Pool Street, which helps with response times and travel routes.

UNE has offered to convey a parcel of land along Route 9 (Pool Street) on the UNE Biddeford Campus adjacent to the existing UNE Facilities building for the purpose of locating a much-needed Eastern Fire/EMS Substation.

Funding Source:

No funds are being requested

Staff Recommendation:

Recommendation to approve this request, so the City can move forward with the next steps for the Eastern Fire/EMS Substation which will begin to address lengthy response times in this area of the City.

City of Biddeford

The seal of the City of Biddeford, Maine, is circular. It features a central illustration of a building, likely a city hall or government building, with a flag flying in front. The words "CITY OF BIDDEFORD" are inscribed around the top inner edge of the seal, and "MAINE" is at the bottom.

2024.150

IN BOARD OF CITY COUNCIL... September 3, 2024

BE IT ORDERED, that the City Manager be authorized to enter into a Real Estate Agreement with the University of New England to convey property to the City located at #16 Old Pool Road for the Eastern Fire/EMS Substation.

Attest by: _____

REAL ESTATE TRANSFER AGREEMENT

This REAL ESTATE TRANSFER AGREEMENT (this “Agreement”) is made as of _____, 2024 (the “Effective Date”), by and between the **City of Biddeford**, a Maine corporation (“City”) and the **University of New England**, a Maine non-profit corporation (“UNE,” and together with the City, each a “Party” and collectively the “Parties”).

WITNESSETH:

WHEREAS, The City and UNE executed a certain nonbinding LOI/Term Sheet dated April 2, 2024, a copy of which is attached hereto as Exhibit A made a part hereof (the “Term Sheet”).

WHEREAS, the City and UNE desire to enter into a binding agreement with respect to the “Proposed Transaction” set forth in the Term Sheet.

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration paid, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. TRANSFER OF REAL ESTATE.

- A. UNE agrees to transfer to the City, on the terms and conditions hereinafter set forth, a certain land located on State Route 9 in the City of Biddeford, County of York, Maine, consisting of an approximately 300’ by 300’ (2.066 acre) parcel generally in the location and configuration depicted in the attached Exhibit B made a part hereof (the “Substation Property”). The Parties agree to cooperate in good faith to determine appropriate definitive metes and bounds to permit the inclusion of an accurate and complete description of the parcel on a deed from UNE to the City, which would then be recorded in the York County Registry of Deeds.

The Substation Property will be conveyed by UNE to the City subject to: (i) a right of reversion in favor of UNE providing that if an emergency services substation is not constructed within _____ (____) years following the Closing, the Substation Property shall automatically revert to UNE (the “Reverter”); and (ii) an easement and right of way (the “Access Easement”) over a portion of the Substation Property sufficient to allow UNE ingress and egress between Route 9 and UNE’s remaining property located adjacent to the Substation Property, which Access Easement shall be included in the Deed (as defined below) approximately in the area depicted on Exhibit A attached hereto (the “Access Easement Area”). The area of the Access Easement shall be across the entirety of the Substation Property until the New Substation is constructed, at which time the area of the Access Easement shall be across the Substation Property on the public side of the New Substation (as defined below) in an area designated by the City, subject to UNE’s approval in its reasonable discretion. The Access Easement shall be appurtenant to the land of UNE adjacent to the Substation Property retained by UNE and any other land owned by UNE adjacent thereto.

- B. The City agrees to transfer to UNE, on the terms and conditions hereinafter certain wetland parcels located on State Route 9 in the City of Biddeford, County of York, Maine and depicted on the City of Biddeford Tax Map 9 as Lots: (i) 17 (Newtown Road, PID 1036); (ii) 53-3 (off Pool Street, PID 7325); (iii) 52-1 (off Pool Street, PID 1087); and

(iv) 28-2 (off Pool Street, PID 1062) (collectively, the “Wetlands Parcels,” and together with the Substation Property, the “Property”).

C. The City and UNE agree that there is no cash consideration for the conveyance of the parcels as set forth herein. Consideration is the mutual covenants and agreements.

D. The City will make all efforts in good faith to transfer the “Wetland Parcels” to UNE. However, if the City’s obligations pursuant to 36 M.R.S. §943-C, §949, Code of Ordinances Sec. 2-118 and to comply with any other law, ordinance and/or decision of the Maine Superior Judicial Court or United States Supreme Court, preclude the transfer of title from the City to UNE for the “Wetland Parcels”, the City will grant an easement in perpetuity to UNE to allow UNE to exclusively enter, occupy, use and control the “Wetland Parcels”.

2. TITLE. Each Party shall convey good and marketable title to the Property it is conveying to the other Party at the Closing in fee simple, subject to the Permitted Encumbrances (as defined below), but free and clear of all liens and mortgages, except for liens for real estate taxes not yet due and payable. Within _____ (___) days following the Effective Date (the “Review Period”), each Party shall notify the other Party in writing (a “Title Objection Notice”) of any objections to matters of record at the Registry adversely affecting title to the Property that are objectionable to such Party in the Party’s sole discretion (“Unpermitted Encumbrances”). Each Party shall be deemed to have waived the right to object to any matter affecting title as of the Effective Date, excluding any mortgage, tax lien or mechanics’ lien, judgment lien (for which no title objection is required), if such Party fails to specifically identify such matters in a Title Objection Notice (each matter not objected to being a “Permitted Encumbrance”). A Party receiving a Title Objection Notice may, but shall have no obligation to, eliminate, modify or remove the Unpermitted Encumbrances, if any. A Party receiving a Title Objection Notice shall, within thirty (30) days after receipt of the Title Objection Notice, deliver to the Party delivering such Title Objection Notice written notice (a “Title Cure Notice”) that either (i) the Party will, at its expense, cure or remove each of the items to which objection has been made by the other Party before Closing, or (ii) the Party is unable or unwilling to cure or remove any one or more of said items objected to by the other Party. If a Party is unable or unwilling to eliminate, modify or remove the Unpermitted Encumbrances within said thirty (30) day period (the “Title Response Period”) (or if the Party does not timely respond, it shall be deemed to have refused to take further action), the other Party, as its sole and exclusive remedy, shall have the right to terminate this Agreement by giving written notice of such election before the expiration of the Review Period if no Title Objection Notice is given or before the expiration of the Title Response Period if a Title Objection Notice was given prior to the expiration of the Review Period. If a Party so terminates this Agreement, neither party shall have any further rights, duties or obligations hereunder. If a Party does not so terminate this Agreement, then such Party shall be deemed to have waived its rights to object to the Unpermitted Encumbrances to which the other Party has not expressly agreed to cure in its Title Cure Notice (which will then become Permitted Encumbrances). UNE acknowledges the City’s legal obligations related to the conveyance of tax acquired property and will cooperate with the City to meet any requirements.

3. SCHOLARSHIP PROGRAM. At the Closing, UNE shall establish a scholarship program titled the “City of Biddeford Nor’easter Scholarship” for dependent children of full-time employees of the City of Biddeford and the Biddeford School District (the “Scholarship”). The scholarship will range from 33% to 60% (for students beginning in the Fall of 2024) of the cost of tuition, depending on the individual student’s high school academic performance. The average scholarship for all awarded shall be no more than 50% of the cost of tuition in any one given year. The University shall award up to 20 new scholarships per year, limited only by the lack of qualified eligible applicants as identified within. Should more than 20 eligible students be eligible for the program, additional scholarships will be provided on a space-available basis. The scholarship amount initially awarded is renewable for eight [8] consecutive semesters of full-time UNE undergraduate

study only, and students must maintain a minimum UNE grade point average of 2.5. In addition to this special merit scholarship, students can receive consideration for need-based financial aid by completing the FAFSA (Free Application for Federal Student Aid). Once awarded, the scholarship will remain consistent throughout any given student's eight semesters of study. However, the exact amount of the scholarship (that is, the percentage of tuition covered) may vary slightly for each new cohort of students entering the program. Further information can be obtained through UNE's Office of Undergraduate Student Financial Services at 207-602-2342

4. ROAD DISCONTINUANCE. At the Closing, which will be scheduled as close to, if not the same day as, the City Council's vote, the City shall discontinue the road known as Town Landing (the "Road") affirmatively stating that the road is discontinued without reservation of an easement. The documents affirming the vote to discontinue the Road will be executed and recorded in the York County Registry of Deeds in a form and manner satisfactory to UNE and its title insurer (the "Discontinuation Documents"). The City and UNE agree that the Road has not been maintained by the City, is not visible as a road, and has not been in use by the public for decades.

3. CLOSING. The closing of the transaction contemplated by this Agreement (the "Closing" or "Closing Date") shall take place on or before _____, 2024, unless otherwise agreed in writing signed both the City and UNE.

A. At the Closing, UNE shall execute and deliver to the City the following documents and instruments:

- i. a Quitclaim Deed to the Substation Property, in accordance with the Short Form Deeds Act, 33 M.R.S.A. § 761 et seq., (the "UNE Deed"), which UNE Deed shall include the Reverter and the Access Easement;
- ii. such title affidavits and certificates, including without limitation, an owner's affidavit for removal of standard printed exceptions with respect to mechanic's liens or persons in possession, or as may otherwise be reasonably required by the City's title insurer, but in no event will UNE provide a so-called no-survey affidavit to the City or the title insurer;
- iii. a Certification of Non Foreign Status pursuant to Section 1445 of the Internal Revenue Code that UNE is not a foreign person, foreign corporation, foreign partnership, foreign trust, or foreign estate (as those terms are defined in the Internal Revenue Code and related regulations), and applicable federal and state tax reporting certificates including, without limitation, any required state withholding or non-foreign status certificate;
- iv. evidence of authority of persons executing the UNE Deed and other closing documents reasonably satisfactory to the City;
- v. a resolution of the appropriate governing body of UNE authorizing the transaction contemplated hereby and the execution and delivery of the documents required to be executed and delivered hereunder;
- vi. applicable Maine State REW Forms pursuant to 36 M.R.S.A. Section 5250-A;
- vii. an affidavit regarding the presence of underground storage tanks, a

surface/subsurface waste disposal system certificate (if applicable);

viii. a signed settlement statement reflecting all prorations, adjustments and closing costs for the transfer of the Property; and

ix. any other customary documents reasonably necessary or legally required to evidence the transfer of the Property and/or required to issue the City's title insurance policy.

B. At Closing, the City shall deliver to UNE all of the following:

i. a Municipal Quitclaim Deed to the Wetlands Parcel, in accordance with the Short Form Deeds Act, 33 M.R.S.A. § 761 et seq., (the "City Deed," and together with the UNE Deed, the "Deeds");

ii. evidence of authority of persons executing the City Deed and other closing documents reasonably satisfactory to UNE;

iii. evidence of appropriate municipal action authorizing the transaction contemplated hereby and the execution and delivery of the documents required to be executed and delivered hereunder;

iv. applicable Maine State REW Forms pursuant to 36 M.R.S.A. Section 5250-A;

v. an affidavit regarding the presence of underground storage tanks, a surface/subsurface waste disposal system certificate (if applicable);

vi. The Discontinuation Documents;

vii. a signed settlement statement reflecting all prorations, adjustments and closing costs for the transfer of the Property.

viii. all other documents and instruments referred to herein that are to be provided to UNE by the City; and

ix. any other customary documents reasonably necessary or legally required to evidence the transfer of the Property and/or required to issue the UNE's title insurance policy.

4. PUBLIC ACCESS TO BIDDEFORD CAMPUS. Following the Closing, UNE agrees to continue its current policy of allowing the public to visit its Biddeford campus (the "Campus"), including pedestrian use of campus, free parking in the Campus' visitor parking areas designated by UNE, and water access, including fishing in designated areas and use of the seasonal pier at Jordan Point for launching canoes, kayaks, standup paddle boards and other watercraft consistent with approved use of the pier by UNE students. Notwithstanding the foregoing, no provision of this Agreement shall be deemed in any way to create or confer in or on any member of the public any right to use or enjoy the Campus, or any estate therein, or operate as a dedication or grant of an easement by UNE. This Section shall survive delivery of the deeds and the consummation of the transfer of the Property contemplated by this Agreement

5. EMS CLUB COOPERATION. Following the Closing, the City agrees to continue to work with UNE's EMS Club, as appropriate, to provide services to City Residents. This Section shall survive delivery of the deeds and the consummation of the transfer of the Property contemplated by this Agreement.

6. RISK OF LOSS, DAMAGE AND INSURANCE; CONDEMNATION.

- A. All risk of loss to the Substation Property prior to the Closing by casualty, act of God or any other event shall be borne by UNE.
- B. In the event that, prior to the Closing, the improvements which are part of the Substation Property are destroyed or, in the reasonable opinion of the City, substantially damaged, the City may either (i) terminate this Agreement and receive back the Deposit, or (ii) accept the insurance proceeds payable by reason of such damage or destruction and close this transaction notwithstanding the same. If any part of the Substation Property is damaged by fire or other casualty and the City does not elect to terminate this Agreement pursuant to this Section, then UNE and the City shall perform their respective obligations under this Agreement and in the event of a closing, UNE shall (x) deliver to the City at the Closing any insurance proceeds or condemnation awards received by UNE in respect of or allocable to the Substation Property; (y) assign to the City all of UNE's interest in and to any insurance proceeds and/or condemnation awards allocable to the Substation Property which have not yet been received by UNE on that date; and (z) refrain from accepting or agreeing upon the amount of any payment of any proceeds or awards without the City's prior written consent.
- C. In the event of condemnation or receipt of notice of condemnation of all of the Substation Property, or any portion thereof, prior to Closing, UNE shall give written notice to the City promptly after UNE receives such notice or otherwise learn of such condemnation or conveyance in lieu thereof and the City may, at its option, may elect either (a) to terminate this Agreement effective upon written notice to UNE not later than ten (10) days after receipt of notice from UNE and UNE shall immediately return the Deposit to the City, or (b) not to terminate this Agreement and proceed to Closing. If the City elects not to terminate this Agreement and proceeds to Closing, the City shall be entitled to receive, and UNE shall assign to the City all of UNE's interest in, all of the condemnation proceeds and all interest thereon.

7. POSSESSION.

- A. The Substation Property shall be delivered to the City at the time of the Closing free and clear of any and all tenancies or occupancies by any person or entity.
- B. The Wetlands Parcels shall be delivered to UNE at the time of the Closing free and clear of any and all tenancies or occupancies by any person or entity.

8. CONSTRUCTION OF SUBSTATION. Within _____ (____) years after Closing, the City shall construct an emergency services substation (the "New Substation") on the Substation Property. The City shall submit the proposed plans for the New Substation, including the proposed area for the Access Easement, prior to commencing construction, which plans shall be subject to UNE's prior review and approval, which approval shall not be unreasonably withheld, conditioned or delayed.

9. PROPERTY CONVEYED AS-IS. EACH PARTY ACKNOWLEDGES AND AGREES THAT, EXCEPT AS OTHERWISE EXPRESSLY SET FORTH IN THIS AGREEMENT: (I) THE TRANSFER OF THE PROPERTY SHALL BE ON AN "AS IS", "WHERE IS", "WITH ALL FAULTS"; AND (II) NEITHER PARTY NOR ANY OF ITS PARTNERS, MEMBERS, OFFICERS, DIRECTORS, MANAGERS, EMPLOYEES, ATTORNEYS, ACCOUNTANTS, CONSULTANTS, AGENTS OR REPRESENTATIVES, NOR ANY PERSON PURPORTING TO REPRESENT ANY OF THE FOREGOING, HAS, EXCEPT AS MAY BE EXPRESSLY SET FORTH HEREIN, MADE ANY REPRESENTATION, WARRANTY, GUARANTY, PROMISE, PROJECTION OR PREDICTION WHATSOEVER WITH RESPECT TO THE PROPERTY, AND/OR THEIR OPERATION OR ANY ASPECT THEREOF, WRITTEN OR ORAL, EXPRESS OR IMPLIED, ARISING BY OPERATION OF LAW OR OTHERWISE, INCLUDING, WITHOUT LIMITATION, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, OR ANY REPRESENTATION OR WARRANTY AS TO (A) THE CONDITION, QUANTITY, QUALITY, VALUE, USE, UTILITY, OCCUPANCY OR OPERATION OF THE PROPERTY OR ANY PORTION THEREOF, (B) THE PAST, PRESENT OR FUTURE REVENUES OR EXPENSES WITH RESPECT TO THE PROPERTY, (C) THE COMPLIANCE OF THE PROPERTY OR ANY PORTION THEREOF OR THE OPERATION THEREOF WITH ANY ZONING REQUIREMENTS, BUILDING CODES, ENVIRONMENTAL LAWS OR OTHER APPLICABLE LAW, OR (D) THE ACCURACY OF ANY RECORDS, REPORTS OR OTHER INFORMATION, IF ANY, PROVIDED WHICH WERE PREPARED FOR OR ON BEHALF OF A PARTY. EACH PARTY ACKNOWLEDGES AND AGREES THAT IT IS NOT RELYING ON ANY STATEMENT MADE OR INFORMATION PROVIDED TO SUCH PARTY THE OTHER PARTY, OR ANY OF ITS SHAREHOLDERS, DIRECTORS, PARTNERS, MEMBERS, MANAGERS, OFFICERS, EMPLOYEES, ATTORNEYS, ACCOUNTANTS, CONSULTANTS, AGENTS OR REPRESENTATIVES, OR ANY PERSON PURPORTING TO REPRESENT ANY OF THE FOREGOING, EXCEPT FOR THE REPRESENTATIONS AND WARRANTIES EXPRESSLY MADE BY SUCH PARTY IN THIS AGREEMENT.

10. DEFAULT AND REMEDIES. If a Party shall default in performing its obligations hereunder prior to or at the Closing, and the Party shall have performed or tendered performance of its obligations hereunder, then the non-defaulting Party's sole remedy shall be to either (i) terminate this Agreement by notice of termination to defaulting Party, in which event the Parties shall be relieved of any further liability or obligation hereunder, except with respect to those obligations that are expressly stated herein to survive the termination of this Agreement, or (ii) pursue any available legal or equitable remedies, including but not limited to seek specific performance of this Agreement.

11. BROKERAGE. The City and UNE represent to the other that neither has engaged the services of any broker, agent, finder or commission sales agent in connection with the transfer of the Property. Each party agrees to defend, indemnify and hold the other harmless from and against any and all claims, actions and demands for commissions or fees to be paid by each or claimed by any person or entity to be due in connection herewith.

12. ADJUSTMENTS, PRORATIONS AND CLOSING COSTS.

- A. Real estate taxes, assessments, fuel, oil, and utilities shall be prorated as of the Closing based upon amounts thereof actually paid or received (as the case may be) as of this date.
- B. The Maine real estate transfer tax shall be paid by UNE and the City in accordance with 36 M.R.S.A. § 4641-A.
- C. The recording fee for the City Deed will be paid by UNE.

- D. The recording fee for the UNE Deed will be paid by the City.
- E. All title examination charges and title insurance premiums for the Substation Property shall be paid by the City.
- F. All title examination charges and title insurance premiums for the Wetlands Parcels shall be paid by UNE.
- G. Each party shall otherwise be responsible for its own costs and charges (including, without limitation, legal and other charges).

13. MISCELLANEOUS.

- A. Time. Time is of the essence to this Agreement.
- B. Notices. All notices, demands and other communications hereunder shall be in writing and shall be given either (i) by first class mail, postage prepaid, to UNE at the address set forth below; (ii) by hand delivery to UNE's address set forth below; or (iii) by email to the address indicated below, with evidence of receipt by the primary addressee. All notices shall be deemed to have been duly given if postmarked prior to the expiration date and time specified herein (in the case of mailing) or upon delivery (if hand delivered) or upon time of confirmed receipt in case of emails, except that emails received after 3:00 p.m. shall be deemed effective on the next business day.

TO THE CITY:

James A. Bennett, City Manager
City of Biddeford
205 Main Street
Biddeford, ME 04005
Email: james.bennett@biddefordmaine.org

WITH A COPY TO:

Harry B. Center, II, Esq.
Woodman Edmands, P.A.
P.O. Box 468
Biddeford, ME 04005
Email: hcenter@woodedlaw.com

TO UNE:

The University of New England
Jim Irwin
Senior Vice President of Finance and Administration
11 Hills Beach Road
Biddeford, ME 04005
Email: Jirwin1@une.edu

WITH A COPY TO:

Peter J. Van Hemel, Esq.
Bernstein Shur Sawyer & Nelson
PO Box 9729
Portland, ME 04104-5029
Email: pvanhemel@bernsteinshur.com

Either party may change its address for purposes of this subparagraph by giving the other party notice of the new address in the manner described herein.

- C. Expenses. Each of the parties to this Agreement shall pay its own expenses and costs incurred by it in negotiating, closing and carrying out this Agreement.
- D. Waivers. No waiver of any breach of any representation, warranty, covenant, agreement or undertaking shall be held or construed as a waiver of any other breach of the same or any other representation, warranty, covenant, agreement or undertaking.
- E. Binding Effect/Amendment. This Agreement shall not become a binding contract until signed by both parties and that fact has been communicated to all parties or their agents. This Agreement will inure to the benefit of and bind the respective heirs, successors, personal representatives and assigns of the parties hereto and may be cancelled, modified or amended only by a writing executed by the parties hereto or their legal representatives.
- F. Assignment. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto. Neither the City nor UNE shall have the right to assign its interests under this Agreement without the prior written consent of the other.
- G. Entire Agreement; Construction. This Agreement sets forth the entire agreement between the parties, and there are no other agreements or understandings between them related to the subject matter hereof, and supersedes all prior agreements and understandings with respect thereto. As used in this Agreement, the singular number shall include the plural, the plural the singular, and the use of one gender shall be deemed applicable to all genders. This Agreement shall be governed by and construed in accordance with the laws of Maine. All representations and warranties contained herein made by the City or UNE shall survive the Closing or earlier termination of this Agreement. If any provision of this Agreement is determined to be invalid or unenforceable, it shall not affect the validity or enforcement of the remaining provisions hereof.
- H. Execution. This Agreement may be simultaneously executed in any number of counterparts, each of which when so executed and delivered shall be an original, but such counterparts shall constitute one and the same instrument. This Agreement may be transmitted between the parties by facsimile machine or electronic mail and signatures appearing on faxed or electronically transmitted instruments (e.g. scanned PDF documents) shall be treated as original signatures.
- I. Attorney's Fees. If any legal action (including without limitation, mediation or arbitration) is brought by either party to enforce any provisions of this Agreement, the prevailing party shall be entitled to recover from the other party its reasonable attorneys' and paralegals' fees and court costs.
- J. Effective Date. The Effective Date of this Agreement shall be deemed to be the date first above written herein, provided that if no date is filled in, the Effective Date shall be the last date of the signature of either the City or UNE.
- K. Governing Law/Venue. This Agreement shall be deemed a contract made under and

shall be governed and controlled as to validity, enforcement, interpretation, construction, effect and in all other respects by the laws of the State of Maine. Each party hereto irrevocably submits to the exclusive jurisdiction of the Courts of the State of Maine or the United States District Court having jurisdiction over the location of the Property, in any action, suit or proceeding arising out of or relating to this Agreement, any of the documents referenced in this Agreement or any of the transactions contemplated hereby or thereby; and each party agrees that any such action, suit or proceeding shall be brought only in such a court. Each party hereby irrevocably waives, to the fullest extent permitted by law, any objection that it may now or hereafter have to the laying of the venue of any such action, suit or proceeding brought in such a court, including any claim that any such action, suit or proceeding brought in such a court has been brought in an inconvenient forum.

- L. Saturday, Sunday and Legal Holidays. In the event any date or deadline referred to herein shall fall on a Saturday, Sunday, legal holiday in the State of Maine, then such date or deadline shall be deemed to be extended to the next business day.
- M. No Waiver. No waiver of any breach of any agreement or provision herein contained shall be deemed a waiver of any preceding or succeeding breach thereof or of any other agreement or provision herein contained. No extension of time for performance of any obligations or acts shall be deemed an extension of the time for performance or any other obligations or acts. No failure or delay of either party in the exercise of any right given to such party hereunder shall constitute a waiver hereof unless the time specified herein for exercise of such right has expired, nor shall any single or partial exercise of any right preclude other or further exercise thereof, or of any other right. The waiver of any breach hereunder shall not be deemed to be a waiver of any other or any subsequent breach hereof.
- N. No Recording. This Agreement shall not be recorded or otherwise filed or made a matter of public land or lien records and any attempt to record or file same by the City shall be deemed a default by the City hereunder.
- O. Further Assurances. In addition to the obligations expressly required to be performed hereunder by UNE and the City, each party agrees to cooperate with the other and to perform such other acts and to execute, acknowledge and deliver, prior to and after Closing, such other instruments, documents and materials as a party may reasonably request and as shall be necessary in order to effect the consummation of the transactions contemplated hereby; provided that no such other instrument, document or material shall either extend or enlarge the obligations of the non-requesting party beyond the express undertakings of this Agreement or shall require or could require the non-requesting party to make any payment or expend any funds which are not expressly provided for herein or which the requesting party shall not reimburse. This Section shall survive Closing and any termination of this Agreement.
- P. No Enforcement By Third Parties. No person or entity other than a party to this Agreement or a successor-in-interest or permitted assign of a party hereto shall be entitled to assert any claim arising out of or in connection with this Agreement.
- Q. No Presumption Against Drafter. This Agreement has been freely negotiated by both

parties, each of which has been represented by counsel of its choice. In the event of any controversy, dispute or contest over the meaning, interpretation, validity or enforceability of this Agreement, or any of its terms or conditions, there shall be no inference, presumption or conclusion drawn whatsoever against either party by virtue of that party or its counsel having drafted this Agreement or any portion thereof.

- R. Captions. The captions of the various Sections in this Agreement are for convenience only and do not, and shall not be deemed to, define, limit or construe the contents of such Sections.

[Remainder of Page Intentionally Left Blank; Signatures Follow]

DRAFT

IN WITNESS WHEREOF, UNE and the City have caused this Agreement to be executed under seal by their respective duly authorized representatives as of the date first above written.

WITNESS:

UNE:

University of New England

Name:

By:_____
Name:_____
Title:_____

THE CITY:

City of Biddeford

Name:

By:_____
Name:_____
Title:_____

Exhibit A

Term Sheet

[To be attached]

Exhibit B

Depiction of Substation Property

[To be attached]



City Council

Meeting September 3, 2024

Date:

Meeting 6:00 PM

Time:

Agenda 9.f

Item No:

Item 2024.123 Approve Funds for Eastern Fire/EMS Station Property/Site Conditions

Description: Review and Additional Architectural Work

Submitted Lawrence D. Best, Fire Chief

By:

Supporting Information/Documentation:

2024.123 City Council Order for Eastern Fire EMS Substation Context Architecture Agreement
09-03-2024, Back-up Information Context Architecture Agreement

Key Terms:

Executive Summary:

Consider approval of the funds for additional site conditions review and architectural schematic design of the preferred site/property located at #16 Old Pool Rd (frontage on Pool Street) for the Eastern Fire/EMS station and authorize the City Manager to sign the agreement with Context Architecture.

Detailed Review:

The need for an Eastern Fire/EMS Substation is a project that was worked on by the Eastern Fire/EMS Substation Committee through April 2023. Councilor Emhiser, the Chair of the Committee, presented the group's findings at the April 18, 2023, City Council meeting. The committee identified the best geographical location for the Eastern Fire/EMS Substation is Pool Street in the area of UNE/Newtown Road. Since that time, staff has worked on identifying and reviewing potential property sites that would meet the needs of the station. During this process, #16 Old Pool Road was identified as the preferred property site. This location was selected as the preferred site given the frontage and quick access to Pool Street, which helps with response times and travel routes.

The City has an existing agreement with Context Architecture, which has done some initial schematic design services for the station irrespective of any particular location. At this time, there is a need to conduct site-specific geotechnical and architectural design work on the #16 Old Pool Road property in order to perform due diligence and properly present a realistic cost estimate for the station relative to the site. This additional work is not included in the original scope of work. Below is an outline of the additional expenses:

Additional Architectural SD scope - \$25,000

1. (Included in revised scope) Revised schematic building design
 - Includes reviewing a second story option.
 - Includes multiple schematic design options for the proposed constrained site.
 - Aiding civil engineer in reviewing survey and other documents provided by the City.
2. (Not Included)
 - Site Survey (see added civil scope or provided by the City)
 - Infrastructure review (see added civil scope-item D)
 - Signal design (not needed or provided by the City)
 - Geotechnical design (see added civil scope – item C)
 - Phase 1 environmental
 - Phase 2 environmental
 - Percolation test (see added civil scope)
 - Zoning analysis (civil base scope)

Additional Civil SD and DD scope - \$33,000

- Existing Conditions, Topographic Survey (see note 1): \$6,000
- Wetlands Delineation (see note 2): \$3,500
- Geotechnical Investigation & Report (see note 3): \$10,000
- Licensed Site Evaluator/Septic (Soils and septic design, see note 4): \$4,000
- GP Schematic Design (add to previous SD fee, see note 5): \$3,000
- GP Design Development (add to previous DD fee, see note 6): \$4,000
- GP Supplemental (Permitting, add to previous supp fee, see note 7): \$3,000

Total Additional Civil Fee: \$33,500

Notes:

1. Subconsultant - Survey work does not include boundary survey work or defining new lot boundary lines and setting new pins/monuments.
2. Subconsultant - Wetland delineation work does not include full vernal pool assessment as the window for completing such assessment has passed and will not be able to be completed until spring 2025. The Wetland consultant will be able to provide guidance and approximate delineations of anticipated vernal pools (assume 2), however they will

not be able to provide a determination if they are classified as significant or non-significant.

3. Subconsultant
4. Subconsultant
5. Additional fee includes managing/coordinating with subconsultants and additional time for schematic design based on having more complete base information.
6. Additional fee includes preparing a design for onsite septic system (possible pump station design) and for stormwater design due to shallow bedrock, adjacent wetlands, and tight space constraints. Fee still does not include design of offsite public water main extension to the project site. There are required setbacks between septic and stormwater systems.
7. Given some of the constraints that we see for the site, we have increased our permitting fee to address stormwater design/modeling challenges associated with shallow depth to bedrock, adjacent wetlands, and tight space constraints. Similar to our original proposal, we have not included permitting for Maine DEP Stormwater, Site Law, or NRPA or USACE wetlands. If we determine that any of those permits are necessary, we will submit a supplemental scope and fee for that work. Other assumptions outlined in our original proposal also remain the same.

Total Amendment 1 Fee - \$58,500

Funding Source:

The amount requested is \$58,500 from the Reserve 2024 surplus funds consistent with the original approval, 22003-65000.

Staff Recommendation:

Recommendation to approve this request, so the City can keep moving forward with necessary work to complete appropriate due diligence and properly present a realistic cost estimate for the Eastern Fire/EMS Substation which will begin to address lengthy response times in this area of the City.

City of Biddeford



2024.123 IN BOARD OF CITY COUNCIL... September 3, 2024

BE IT ORDERED, that the City Manager be authorized to enter into an agreement with Context Architecture to conduct site-specific geotechnical and architectural design work on the #16 Old Pool Road property for the Eastern Fire/EMS Substation in the amount of \$58,500.

The amount requested is from the Reserve 2024 surplus funds consistent with the original approval, 22003-65000.

Attest by:_____

July 30, 2024

James Bennett, City Manager
City of Biddeford
205 Main Street, Suite 107
Biddeford, ME 04005

Re: City of Biddeford, Proposed Amendment 1, Revised Schematic Design

Dear Mr. Bennett,

Thank you for selecting my firm and our design team to extend our services for the Eastern Biddeford Fire/EMS Substation project. We are pleased to submit this fee proposal for revised Schematic Design services.

Additional Architectural SD scope - \$25,000

1. (Included in revised scope) Revised schematic building design
 - a) Includes reviewing a second story option
 - b) Includes multiple schematic design options for the proposed constrained site.
 - c) Aiding civil engineer in reviewing survey and other documents provided by the City.
2. (Not Included)
 - a) Site Survey (see added civil scope or provided by the City)
 - b) Infrastructure review (see added civil scope-item D)
 - c) Signal design (not needed or provided by the City)
 - d) Geotechnical design (see added civil scope – item C)
 - e) Phase 1 environmental
 - f) Phase 2 environmental
 - g) Percolation test (see added civil scope)
 - h) Zoning analysis (civil base scope)

Additional Civil SD + DD scope - \$33,500

A) Existing Conditions, Topographic Survey (see note 1)	\$6,000
B) Wetlands Delineation (see note 2)	\$3,500
C) Geotechnical Investigation & Report (see note 3)	\$10,000
D) Licensed Site Evaluator/Septic (Soils and septic design, see note 4)	\$4,000
E) GP Schematic Design (add to previous SD fee, see note 5)	\$3,000
F) GP Design Development (add to previous DD fee, see note 6)	\$4,000
G) GP Supplemental (Permitting, add to previous supp fee, see note 7)	\$3,000
Total Additional Civil Fee	\$33,500

Notes:

1. Subconsultant - Survey work does not include boundary survey work or defining new lot boundary lines and setting new pins/monuments.
2. Subconsultant - Wetland delineation work does not include full vernal pool assessment as the window for completing such assessment has passed and will not be able to be



completed until spring 2025. The Wetland consultant will be able to provide guidance and approximate delineations of anticipated vernal pools (assume 2), however they will not be able to provide a determination if they are classified as significant or non-significant.

- 3. Subconsultant
- 4. Subconsultant
- 5. Additional fee includes managing/coordinating with subconsultants and additional time for schematic design based on having more complete base information.
- 6. Additional fee includes preparing design for onsite septic system (possible pump station design) and for stormwater design due to shallow bedrock, adjacent wetlands, and tight space constraints. Fee still does not include design of offsite public water main extension to the project site. There are required setbacks between septic and stormwater systems.
- 7. Given some of the constraints that we see for the site, we have increased our permitting fee to address stormwater design/modeling challenges associated with shallow depth to bedrock, adjacent wetlands, and tight space constraints. Similar to our original proposal, we have not included permitting for Maine DEP Stormwater, Site Law, or NRPA or USACE wetlands. If we determine that any of those permits are necessary, we will submit a supplemental scope and fee for that work. Other assumptions outlined in our original proposal also remain the same.

Total Amendment 1 Fee - \$58,500.00

Hourly rates are subject to change each year. Our 2024-2025 billing rates are as follows:

	2024	2025
• Principal:	\$350/hour	\$360/hour
• Project Manager:	\$240/hour	\$250/hour
• Project Architect/Coordinator:	\$190/hour	\$200/hour
• Job Captain:	\$175/hour	\$185/hour
• Senior Designer:	\$140/hour	\$150/hour
• Designer:	\$125/hour	\$135/hour

Thank you for the opportunity to submit this proposal.

Sincerely,



Jeff Shaw, AIA, LEED AP BD+C, CPHC, MCPPO
Principal + President, Context Architecture



City Council

Meeting Date: September 3, 2024
Meeting Time: 6:00 PM
Agenda Item No: 9.g
Item Description: 2024.144 Approval/Recycling Center Fees
Submitted By: Jeff Demers, Public Works Director

Supporting Information/Documentation:

Order Recy Fees, Transfer-proposed fee's (4)

Key Terms:

Recycling Center fees

Executive Summary:

The new fees are for the City of Biddefords Recycling Center.

Detailed Review:

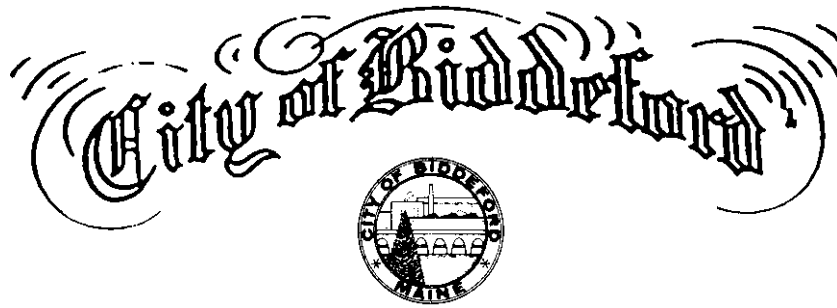
The City manager requested department heads look at all fees being collected within the departments they are responsible for overseeing. Public works looked at all the surrounding public works/solid waste departments and the fees being charged to date. Attached to the spreadsheet are the rates today and the proposed new transfer station rates that are comparable with the surrounding communities. The Recycling and waste management Commission looked into this at their last two meetings and voted 6-0 to move this forward to policy. These adjusted rates will help keep other residents from surrounding communities from dumping in Biddeford.

Funding Source:

No funds are being requested.

Staff Recommendation:

Public Works is requesting the City council accept this request and move forward with new recycling center fees as of October 1, 2024



2024. 144

IN BOARD OF CITY COUNCIL... September 3, 2024

BE IT ORDERED, that the City Council approved the new Fee structure for the Recycling Center proposed by the Public Works Director on September 3, 2024

Attest by: _____

TRANSFER STATION FEES

City/Town	Demo	AC/Fridge	Tires	Couch	TV/Comp	Brush/Grass	Metal	Mattress/Box
Scarboruogh		USE			Riverside			
Wells	\$.08 LBS	\$10	\$5	\$15	> 30" \$5 < 30" \$10	\$.05 per lbs	Per Item	\$10
		W/R \$10						
Sanford	\$25 per YD	\$20	\$5	\$15	> 30"\$5 < 30" \$10	\$5 per yd	Free	\$15
		W/R \$10						
Cape Elizabeth		\$15 Doors Removed	\$5 any size		> 24" \$5 < 24" \$10	1 yard free over \$20		\$10
North Berwick	Per Item	\$15 doors removed	> 15" \$3 < 15" \$5	\$10	> 24" \$5 < 24" \$10	Don't take	Per Item	\$10
Lyman	Per Item	\$15	>16" \$4 <16" \$10		> 19"\$10 < 19" \$20	??	Per Item	\$20 \$20
Waterboro	\$25 per YD	\$15	car \$15 trk \$15	\$10	> 21" \$5 < 21" \$7	\$25 per yd Grass \$6 yd	Free	\$15
Alfred	\$25 per yd	\$10	car \$3 trk \$10		Free		??	\$5
Riverside	\$140 per ton	\$25	\$10 no rim \$15 on rim		\$10	Grss \$30 ton brsh \$58 ton	\$5 per ton	\$40,\$45 \$50
South Portland	\$20 per yd	\$25	\$10 w/o \$15 w/r	\$20	Not Accepted	Res free Con \$10 yd	Free	?
Saco	Res \$15 yd Con \$30	\$15	car \$5 trk \$10	\$15	cpu \$3 Tv's \$5	Res \$6 yd Com \$10 yd	Free	?

TRANSFER STATION FEES

Biddeford	1 yd Free \$20 Yd aftr	\$20	4 free per Cars \$5 Trk \$8	Free	Free	Res free Con \$10 yd	Free	Free
New Price:	No Yard (Free) \$5.00 1st yard \$20 Yard after	No Change	\$3.00 per car tire \$8.00 Truck tire \$5.00 xtra on rim No More (Free)	\$ 10.00	cpu \$5.00 Tv \$5.00	No Change	No Change	\$ 15.00



City Council

Meeting Date: September 3, 2024
Meeting Time: 6:00 PM
Agenda Item No: 9.h
Item Description: 2024.148 Approval/Street Opening fees
Submitted By: Jeff Demers, Public works Director/Waste water

Supporting Information/Documentation:

street opening proposed fee's (2), Order Street opening Fee

Key Terms:

New Street opening Fees

Executive Summary:

The City manager requested department heads look at all fees being collected within the departments they are responsible for overseeing. Public works looked at all the surrounding public works departments and the fees being charged to date. Attached to the spreadsheet are the rates today and the proposed new street opening rates that are comparable with the surrounding communities. The Director looked into this closely before requesting this to go through policy. These adjusted rates will help offset the time and cost it takes City personnel to drive and inspect work prior to backfill and again after completion. These inspections need to happen before lifting the bond that is required to be in place.

Detailed Review:

Funding Source:

No funds being requested.

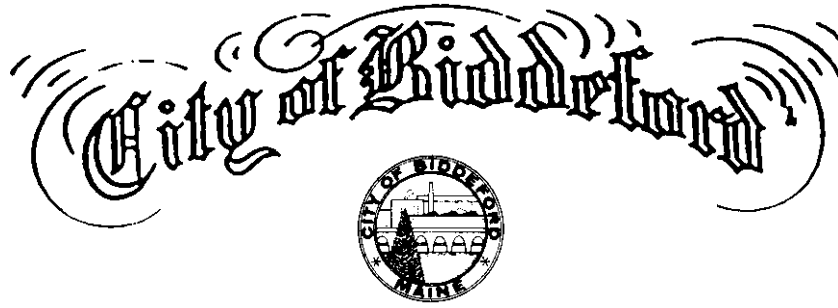
Staff Recommendation:

Public Works is requesting the City council accept this request and move forward with new Street opening fees as of October 1, 2024

City/Town	Street Opening Fee	
Biddeford	\$	30.00
Lewiston	\$	500.00
Portland	\$	450.00
S.Portland	\$	507.00
Scarborough	\$	80.00
Brunswick	11/1 - 3/15 = \$550.00 3/16 - 10/31 = \$150.00	
Saco	\$	30.00
Sanford	\$	25.00
Wells	\$	50.00
Cape Elizabeth	\$	100.00

New street opening fee with inspection = \$425.00

Street openings	2024	16
	2023	71
	2022	93
Total		180
Old fee	\$35	\$6,300
New fee	\$425	\$76,500



2024. 148

IN BOARD OF CITY COUNCIL... September 3, 2024

BE IT ORDERED, that the City Council approved the new fee amount for Street opening permits brought forward to the City council by the Public Works Director on September 3, 2024. This new fee for street opening permits will go into effect starting Oct 1, 2024.

Attest by: _____



City Council

Meeting Date: September 3, 2024
Meeting Time: 6:00 PM
Agenda Item No: 9.i
Item Description: 2024.149 Approval/Recycling Center Vehicle Sticker
Submitted By: Jeff Demers, Director Public works/Waste water

Supporting Information/Documentation:

Sticker Recycle, Order Recycling Center Fees

Key Terms:

Recycling Center Sticker

Executive Summary:

Public Works staff is requesting that the Public Works Department be allowed to adopt a sticker policy.

Detailed Review:

Public Works staff is requesting that the Public Works Department be allowed to adopt a sticker policy. This policy will be required to dump any items at the transfer station as of October 1st, 2024. "All vehicles disposing of any waste at the Transfer Station shall be required to have a current City of Biddeford Transfer Station Sticker attached to the vehicle. Failure to have the sticker attached to your vehicle will result in the inability to dispose of any acceptable waste at the Transfer Station."

Why is this being requested today? The drive in policy and ID has been very tough for city staff to enforce and very time-consuming and aggravating for the residents at times. However, over the past couple of years, the City has seen an increase in nonresident vehicles trying and utilizing the Biddeford Transfer Station. As costs in other communities increase, nonresidents have at times been trying to dispose of their waste at the city of Biddeford's Transfer Station, taking advantage of the City's lower cost and free recycling. The usage of the City's Transfer Station by non-residents is costing residents more money to fund the Transfer Station. In order to ensure that only City of Biddeford residents dispose of their waste at the Transfer Station and keep our costs as low as possible, Public works is requesting the sticker policy. If this policy is adopted by Policy and Council. Public works staff will hand out stickers daily for the next few months to all residents after confirming they are a legal resident of Biddeford. Starting early

next year, the City clerk and Public works director have worked on a plan to give them out as people register their vehicles. The first two stickers will be free. Three or more, there would be a \$5 charge at the recycling center. The Recycling and waste management Commission also looked into this and voted 6-0 to move this forward to policy. The staff understands that many people do not like to have a sticker on their vehicle. Unfortunately, this is a better method than making residents show proof of residency multiple times a year to public works staff and help effectively control who utilizes the Transfer Station.

Funding Source:

\$1800 requested from the solid waste 21164-60502 Printing/copying with a balance of approximately \$4800

Staff Recommendation:

Staff strongly feels this is a better method than making residents show proof of residency multiple times a year to public works staff and help effectively control who utilizes the Transfer Station.

1.5" x 2" Mirror Decals - Design MD8

Select Material and Order Quantity

Select a material and quantity for your permit. For material specs, click on  buttons below. You may take advantage of our **Quantity Discount Program**. This means that if you order more, you'll get better price.



Select Material

Price per Label
(10 Labels/Pack)

Compare Prices at Different Quantities
(Prices are per Label
and rounded to nearest hundredth)

► Non-Reflective (Traditional)

☐ Vinyl Labels

Material Features:

- 3 mil thick vinyl has a protective plastic
- Designed for textured surfaces, such as a
- Once adhesive is cured, labels cannot be

[More Material Details](#)

Mouse over icons for more details:



Minimum order quantity is 5 Packs. There are 10 Labels per Pack. Subsequent quantity should be a multiple of 1 Pack.

Quantity	-	5	+	Packs	Total: 50 Labels
Price / Label					\$2.888
Total Cost					\$144.40

- ☐ Holographic (Permanent)
- ☐ Metallized Mylar (Permanent)
- **Reflective (High Security)**
- ☐ Reflective (Permanent)

	50	100	150	250	500	1000	1500
?	\$2.89	\$1.48	\$1.16	77.6¢	43.2¢	27.2¢	26.2¢
more >							
?	\$3.37	\$1.82	\$1.47	82.5¢	57.8¢	49.2¢	40.8¢
?	\$3.47	\$1.86	\$1.46	\$1.04	56.6¢	33.5¢	31.1¢
	50	100	150	250	500	1000	1500
?	\$2.63	\$1.37	\$1.05	75.2¢	41.5¢	27.4¢	25.8¢

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CATEGORIES

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[Window Decals](#)

[Temporary](#)

[Violation Stickers](#)

[Back](#)

SUPPORT

[Mission](#)

[Privacy](#)

[Specs.](#)

[Products](#)

[Samples](#)

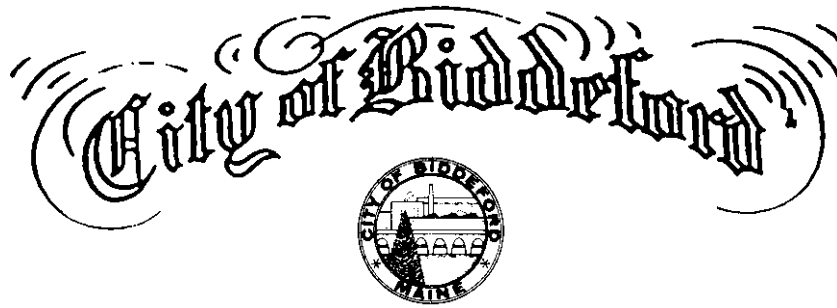
[Terms](#)

[FAQs](#)

[Reviews](#)

[Contact Us](#)

[Handicap Guide](#)



2024. 149

IN BOARD OF CITY COUNCIL... September 3, 2024

BE IT ORDERED, that the City Council approve a new Recycling sticker policy for any resident to use the Recycling center. This new policy will go into effect October 1, 2024 of just after.

Attest by: _____



City Council

Meeting Date: September 3, 2024

Meeting Time: 6:00 PM

Agenda Item No: 9.j

Item 2024.152 Authorize Purchase of 2021 Hyundai Ioniq (Vehicle Coming Off

Description: Lease)

Submitted By: James A. Bennett, City Manager

Supporting Information/Documentation:

vehicle.trade, Vehicles.FY25.JAB.List, Order Ionoc vehicle

Key Terms:

Executive Summary:

The City leased two Hyundai for three years at virtually no cost because of incentives offered.

This vehicle is 100% electric. The Assessing Department has a 2019 Ford Fiesta with 4,139 miles on it. Consistent with the Climate Action Plan, staff has negotiated a trade for one of the leased vehicles (2021 Ioniq; 4,475 miles). The trade in value is \$9,500 towards the buy out of \$19,113.60 plus \$233.00 in fees for a net out of pocket price of \$9,846.60. If the Council desires to make the purchase, funding would be available in the FY25 capital outlay account 21201-CIP

Detailed Review:

Funding Source:

\$419,000 in planned capital vehicle purchases have been approved by the Capital Committee and Council. Pursuant to our usual past process. Some will come in below the estimates, some will come in higher. If the Council decides to proceed, the use of \$9,846.60 for this purchase will be part of that usual process.

Staff Recommendation:

To be consistent with the directive of the Council for Climate Action, the purchase is recommended.

Rowe Westbrook

Stock #:

VIN

Deal#: 0000000

August 28, 2024

Vehicle Not Found CITY OF BIDDEFORD

Phone:

Salesperson: TIMOTHY CARON

Email:

Sale Information

Selling Price	\$19,113.60
Accessories	\$0.00
Rebates	\$0.00
Service Contract	\$0.00
Gap	\$0.00
Net Trade	\$9,500.00
Fees	\$233.00

Trade Information

Trade Allowance	\$9,500.00
Trade Payoff	\$0.00
Net Trade	\$9,500.00

Cash Option

Sales Tax

\$0.00

Balance Due Of

\$9,846.60

Finance Option

Initial Investment

Lease Option

Initial Investment

Please submit this worksheet to management for review. I understand 1) This worksheet is neither an offer nor a contract and is not binding on the customer or the dealership. 2) No offer to purchase any vehicle is binding until accepted in writing by an authorized sales manager and 3) Sales consultants cannot obligate or bind the customer or the dealership.

I hereby authorize the dealership to conduct an investigation of my credit and employment history and release such information to banks, lenders and credit agencies.

Customer signature:

Dealership Approval:

Suggest Vehicle Purchases in FY24

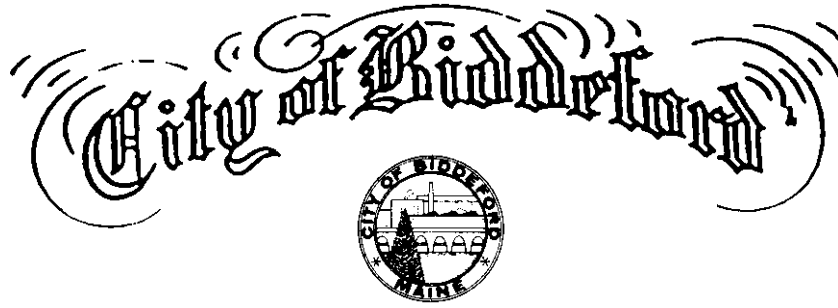
				CM Recommended		<i>Comments</i>
			Requested	Cash	Lease	
Mini excavator			\$ 160,000			Defer
585 Pick-up	\$ 2,012		\$ 58,000	\$ 58,000		
Add Pickup truck for Recreation			\$ 43,000	\$ 43,000		
312 Rescue	\$ 2,016		\$ 390,000			order
320 Fire Brush Truck	\$ 2,008		\$ 100,000			Defer
326 pumper (fire dept.)	\$ 2,008		\$ 810,000			order
302 Car 2 (fire dept)	\$ 2,012		\$ 54,000	\$ 54,000		
121 Animal Controll	\$ 2,013		\$ 33,000	\$ 33,000		
501 Parking Control			\$ 33,000	\$ 33,000		
195 All Wheel drive Plow Truck	\$ 1,983		\$ 280,000	\$ 280,000		
021 Sidewalk tractor	\$ 2,014		\$ 175,000	\$ 175,000		
John Deere zero turn			\$ 16,000	\$ 16,000		
Total			\$ 2,152,000	\$ 692,000		Cash needed
				\$ 577,500		FY24 Capital Funds
				\$ 114,500		Balance (from FY22 surplus)

Suggest Vehicle Purchases in FY25

			CM Recommended		<i>Comments</i>
		Requested	Cash	Lease	
Mini excavator		\$ 175,000			Defer
585 Pick-up	2012	\$ 58,000	\$ 58,000		
Detective vehicle (replacement)	2010	\$ 40,000	\$ 43,000		
312 Rescue	2016	\$ 390,000	\$ 85,000		ordered in FY24; payment on chasis (
320 Fire Brush Truck	2008	\$ 100,000			Defer
326 pumper (fire dept.)	2008	\$ 810,000			ordered in FY24; no payment due un
563 Recreation Bus	2008	\$ 110,000	\$ 110,000		
215 Police Chief Vehicle	2016	\$ 62,000	\$ 62,000		
Service #4 Fire Pickup	2012	\$ 64,000			Defer
46 Trailer Mounted Compressor	2004	\$ 16,000			
554 Small Loader Backhoe Parks	1997	\$ 36,000			
15 Front End Loader	2009	\$ 195,000			
<i>less previously approved</i>		\$ (1,200,000)			
Total		\$ 856,000	\$ 358,000		Cash needed
610 waste water pump truck	2010	\$ 180,000			WWTP budget

due in FY25

ntil FY26



2024. 152

IN BOARD OF CITY COUNCIL... September 3, 2024

BE IT ORDERED, that the City Council approve the purchase of 2021 (1) Ioniq Electric vehicle for the total sum of \$9,846.60, this is to be paid from FY 2025 capital outlay.

Attest by: _____



City Council

Meeting Date: September 3, 2024
Meeting Time: 6:00 PM
Agenda Item No: 9.k
Item Description: 2024.145 Approval Orchard Street Parking
Submitted By: JoAnne W. Fisk, Chief of Police

Supporting Information/Documentation:

2024.145 Order Orchard Street Parking, Orchard Street Pavement Widths

Key Terms:

Executive Summary:

A request from several Orchard Street residents was forwarded to Staff from Council President Liam Lafountain. Residents have requested an elimination of parking on one side of the roadway due to safety concerns. At 25.65 and or 28.65 feet of road width, vehicles parked opposite each other on Orchard Street would not allow for free and unencumbered passage of vehicles traveling in an east/west direction, including that of larger emergency fire vehicles.

Detailed Review:

Orchard Street is a residential street 1069 feet + in length, varying in road width from 25.65 ft on the Elm Street end to 28.65 ft on the May Street end. The current parking restriction under City Ordinance Sec. **42-90(a) No Parking** (a) There shall be no parking on the following streets for the specified distance:

- Orchard Street, northeasterly (even-numbered) side, from Elm Street to a distance of 300 feet
- Orchard Street, odd-numbered side, from Elm Street, a distance of 300 feet, being the crest of the small incline at the driveway entry

Funding Source:

The funding source is DPW signage budget.

Staff Recommendation:

Passage of Limited parking under City Ordinance **42-92(a) Limited Parking: Parking will be limited at the following locations in the specified manner:** Orchard Street parking on the odd-numbered side of the street only, beginning at Elm Street intersection, 1069 ft. $\pm$ westerly to intersection of May Street.

City of Biddeford



2024.145 IN BOARD OF CITY COUNCIL... SEPTEMBER 3, 2024
BE IT ORDERED, BY THE City Council of the City of Biddeford that the
Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV
Specific Street Regulations, **Section 42-90 No Parking**, is amended by
adding or ~~deleting~~ to read as follows:

Orchard Street, even numbered side, from Elm Street to May Street.

Attest by: _____



Pelletier roofing

28.65'

28.20'

26.75'

25.65'

Mcarthur

Cherry Ln

Sisters Immaculate
Heart Mary

Google

JBC WOOD FLOORS



City Council

Meeting September 3, 2024

Date:

Meeting 6:00 PM

Time:

Agenda 9.I

Item No:

Item 2024.146 Amend/ Part II: Code of Ordinances, Chapter 42 Motor Vehicles and

Description: Traffic, Article IV Specific Street Regulations, Sec. 42-90(a) No Parking - Lester B. Orcutt Blvd

Submitted

By:

Supporting Information/Documentation:

2024.146 Ordinance Ch 42 Order

Key Terms:

Executive Summary:

This item reflects a request to add parking restrictions on Lester B. Orcutt Blvd to eliminate parking on the odd-numbered side of the street from the intersection with Ocean Ave westerly to approximately 340 feet before the intersection of First Street. An affirmative vote on this item will advance the amendment to the City Council for review and adoption.

Detailed Review:

Members of the City Council have requested review of parking on Lester B. Orcutt Boulevard in Biddeford Pool. Parking in the area is routinely observed to be congested with multiple complaints per year by residents and visitors related to pedestrian safety. The request is to eliminate parking on the odd-numbered side of the street from the intersection of Ocean Avenue westerly to approximately 340' before the intersection of First Street. See the yellow line marked on the aerial map.



This change, if approved in the form presented, will require an ordinance amendment to Chapter 42-Motor Vehicles and Traffic, Article IV-Specific Street Regulations, Sec. 42-90(a) No Parking.

Funding Source:

N/A

Staff Recommendation:

This is a policy decision. Staff is not opposed to the requested change to eliminate parking on the odd-numbered side of the boulevard as requested. A draft of the Order is attached for review and if this item is approved it will be advanced to City Council for adoption in the form presented.

City of Biddeford



2024.146

IN BOARD OF CITY COUNCIL...SEPTEMBER 3, 2024

BE IT ORDERED, that Part II: Code of Ordinances, Chapter 42 Motor Vehicles and Traffic, Article IV Specific Street Regulations, Sec. 42-90(a) No Parking, be amended by adding or deleting text as follow, Lester B. Orcutt Boulevard, odd numbered side, from the intersection of Ocean Avenue westerly to approximately 340' before the intersection of First Street.

Attest by: _____

City of Biddeford

The seal of the City of Biddeford, Maine, is circular. It features a central illustration of a ship on the water, with a lighthouse on the shore. The words "CITY OF BIDDEFORD" are inscribed around the top inner edge, and "MAINE" is at the bottom. There are small stars on either side of the bottom text.

2024.147 IN BOARD OF CITY COUNCIL... September 3, 2024
BE IT ORDERED, that the City Council of the City of Biddeford does hereby adopt the
Opioid Use Settlement Fund Tracking and Reporting Ordinance, attached.

Attest by: _____

City of Biddeford, Maine
Opioid Use Settlement Fund Tracking and Reporting Ordinance

Article I: Purpose and Title

- 1.1 This Ordinance shall be known as the "Opioid Use Settlement Fund Tracking and Reporting Ordinance"
- 1.2 The purpose of this Ordinance is to establish a transparent and accountable system for the management, tracking, and reporting of all revenues and expenses associated with the Opioid Use Settlement Fund in the City of Biddeford.

Article II: Establishment of a Dedicated Account

- 2.1 The City Manager or appropriate fiscal officer is hereby directed to establish a dedicated account, to be known as the "Opioid Use Settlement Fund."
- 2.2 All revenues received from opioid settlements or related activities shall be deposited directly into this separate account.
- 2.3 Expenses related to the opioid crisis or pursuant to the approved strategic plan as outlined in Article IV will be drawn from this account.

Article III: Use of Funds

- 3.1 All Opioid Use Settlement Funds shall be utilized solely to supplement and strengthen resources for the approved uses described herein. These uses include opioid use disorder prevention, harm reduction, treatment, and recovery.
- 3.2 The expenditure of Opioid Use Settlement Funds is strictly prohibited from being used to offset or supplant any existing or already budgeted expenditures. This includes any attempt to use opioid use settlement funds to replace or reduce funding for programs or services that are currently funded through other sources.

Article IV: Reporting Requirements

- 4.1 The Finance Director or appropriate fiscal officer shall provide a detailed annual report to the City Council on the Opioid Use Settlement Fund by the 1st City Council meeting of September.
- 4.2 Each report shall include, at a minimum:
 - a) Total revenues received since the previous report.
 - b) A categorized list of all expenses made from the Fund since the previous report.
 - c) A summary of the current balance of the Fund.
 - d) Any other relevant information deemed necessary by the City Council.

Article V: Strategic Planning

5.1 The City Council adopt a strategic plan detailing the operational use of the Opioid Use Settlement Fund revenues on a biennial basis, with said adoption to be completed no later than November 30 of the even numbered years. The City Council may direct city staff and/or a designated city committee to develop the strategic plan, which shall then be reviewed and approved by the City Council.

5.2 The strategic plan shall include:

- a) Specific goals and objectives related to the use of the funds.
- b) Detailed budget projections.
- c) Expected outcomes and performance metrics.
- d) Strategies for community engagement and input.

5.3 Any substantial changes or amendments to the strategic plan will require City Council approval.

5.4 Expenditures from the Opioid Use Settlement Fund exceeding \$10,000 or not explicitly permitted in the strategic plan or outside its scope must be approved by the City Council prior to disbursement.

Article VI: Implementation and Review

6.1 This Ordinance shall take effect thirty (30) days after its passage.

6.2 The City Council shall review the effectiveness of this Ordinance and make necessary amendments as deemed appropriate, but at a minimum, every two years coinciding with the strategic planning process.

**MAINE STATE-SUBDIVISION MEMORANDUM OF UNDERSTANDING AND
AGREEMENT REGARDING USE OF SETTLEMENT FUNDS-2023**

Whereas, the people of the State of Maine and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Pharmaceutical Supply Chain; and,

Whereas, the State of Maine, through its Attorney General, and certain Subdivisions, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and,

Whereas, the State of Maine, through its Attorney General, and its Subdivisions share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Maine;

Now therefore, the State and its Subdivisions, subject to completion of formal documents effectuating the Parties' agreements, enter into this Memorandum of Understanding ("MOU") relating to the allocation and use of the proceeds of Settlements described.

This agreement is subject to the requirements of the Subsequent Opioid Settlements, as defined herein, as well as applicable law. Terms used in this MOU have the same meaning as in those used in the Subsequent Opioid Settlements unless otherwise defined herein.

I. DEFINITIONS

A. "2022 State-Subdivision MOU" shall mean the agreement titled 'Maine State-Subdivision Memorandum of Understanding And Agreement Regarding Use of Settlement Funds', dated January 26, 2022 and as amended on June 13, 2022.

B. "Approved Uses" shall mean those uses identified in the List of Opioid Remediation Uses, attached as Exhibit E to the National Opioid Settlement, and those uses identified as "Approved Opioid Abatement Uses" in Schedules A and B to Exhibit G to the Notice of Filing of Eighth Plan Supplement Pursuant to the Fifth Amended Joint Chapter 11 Plan of Reorganization of Purdue Pharma L.P. and its Affiliated Debtors, In re: Purdue Pharma L.P., et al., Case No. 19-23649-RDD, Dkt. 3121 (Bankr. S.D. N.Y. July 8, 2021), and attached as Exhibits I and 2 to the 2022 State-Subdivision MOU and attached hereto as Exhibits 1 and 2.

C. "Direct Share Subdivisions" means a plaintiff subdivision that has filed a complaint against a Pharmaceutical Supply Chain entity and/or a subdivision with a population equal to or greater than 10,000. For the avoidance of doubt, the 39 eligible Direct Share Subdivisions are as identified on Exhibit 3 hereto.

D. "Effective Date" means the first date on which a court of competent jurisdiction,

including any bankruptcy court, enters a Subsequent Opioid Settlement by order or consent decree.

E. The "Maine Recovery Fund" means the fund created by the 2022 State-Subdivision MOU, the funds of which will be used for the purposes of opioid abatement.

F. The "National Opioid Settlement" means the National Distributor and J&J Settlements Agreement, dated as of July 21, 2021, and any revision thereto.

G. "Opioid Funds" means all funds allocated by any Subsequent Opioid Settlement to the State or Direct Share Subdivisions for purposes of opioid abatement activities. Not included are funds made available in any Subsequent Opioid Settlement for the payment of the Parties' litigation expenses or the reimbursement of the United States Government.

H. "Pharmaceutical Supply Chain" shall mean the process and channels through which Controlled Substances are manufactured, marketed, promoted, distributed or dispensed.

I. "Recovery Fund Council" means the Council created in Section III of the 2022 State-Subdivision MOU.

J. "Subsequent Opioid Settlement" means a statewide settlement reached with a non-bankrupt manufacturer of, distributor of, or pharmacy prescribing, opioids subsequent to the National Opioid Settlement pursuant to which certain Maine political subdivisions are eligible to participate and share in funds for opioid abatement ("Opioid Funds") in exchange for releases.

II. DISTRIBUTION OF FUNDS

A. **Applicability of Agreement.** Unless otherwise stated in this Agreement, these terms shall apply to any Subsequent Opioid Settlement.

B. **Approved Uses.** All Opioid Funds, regardless of allocation, shall be utilized for approved uses. The Parties in Section II.C are strongly encouraged to use Opioid Funds solely to supplement and strengthen, rather than supplant, resources for the approved uses described herein including for opioid use disorder prevention, harm reduction, treatment and recovery.

C. **Division of Funds.** All Opioids Funds allocated to the State of Maine and the Subdivisions are to be distributed as follows:

1. **20%** to the State of Maine Attorney General to be used on Approved Uses.
2. **30%** to the Direct Share Subdivisions for spending on Approved Uses to be allocated in accordance with Exhibit 3.
3. **50%** to be placed in the Maine Recovery Fund which are to be spent on Approved Uses as directed by the Recovery Council.

The Direct Share Subdivisions' shares shall be distributed directly to each Direct Share Subdivision by the National Settlement Administrator. Monies in the Maine Recovery Fund shall be distributed by the Treasurer of the State as described below. Any Direct Share Subdivision may form agreements or ventures or otherwise work in collaboration with federal, state, local, tribal or private sector entities in pursuing Opioid Remediation activities funded from their directshare distribution or funded by the Recovery Fund. Because the State did not hire outside counsel, any funds for attorney fees that the State receives from the Supplemental Opioid Settlements will be deposited into the Attorney General's share.

III. THE MAINE RECOVERY COUNCIL

The parties agree that the existing Maine Recovery Council, as established by Section III of the 2022 State-Subdivision MOU, shall administer payments made to the Recovery Fund from any Subsequent Opioid Settlement. Except as otherwise stated in this Agreement, the terms of Section III of the 2022 State-Subdivision MOU shall govern the establishment, existence, and operation of the Recovery Council. In the event the 2022 State-Subdivision MOU is terminated or otherwise ceases to be in effect, the terms of this Section III shall govern the establishment, existence, and operation of the Recovery Council.

A Recovery Fund Council (the "Council") consisting of representatives appointed by the State and subdivisions, shall be created to direct the disbursement of recovery funds for recovery purposes on a statewide basis for the uses allowed by this MOU.

Membership: The Recovery Council shall consist of eleven (11) members, who shall serve in their official capacity only.

Subdivision Members: The Recovery Council shall include at least 4 members from the plaintiff cities or counties to be selected by them.

State Members. Four (4) members shall be appointed by the State as follows:

- a. The Governor shall appoint two members
- b. The Speaker of the House or his designee
- c. The President of the Senate or his designee

Public Members. The Attorney General shall appoint three (3) public members from among the following:

- a. Individuals or family members impacted by the Opioid Crisis
- b. Individuals with substance use disorder and recovery community experience,
- c. Public health experts in treatment and or prevention.

The Legislature may add members to the Council for up to a maximum of fifteen (15).

Terms: The Recovery Council shall be established within ninety (90) days of the Effective Date and initial members appointed. Members may serve no more than two (2) consecutive two-

year terms, for a total of four (4) consecutive years.

Duties: The Recovery Council is primarily responsible for ensuring that the distribution of Recovery Funds complies with the terms of the MOU and the Agreement entitled “Maine School Administrative Units’ Inclusion in Maine’s Recovery Fund”. It shall meet at least twice within each calendar year either in person or via a remote meeting method as allowed by Maine law.

Governance: The Recovery Council shall draft its own bylaws or other governing documents, which must include appropriate conflict of interest provisions, in accordance with this MOU and the following principles:

- a. **Authority:** The Recovery Council does not have any rulemaking authority. The terms of the MOU and Agreement and any Settlement, as entered by a Court of competent jurisdiction control the authority of the Recovery Council and the Recovery Council shall not stray outside the bounds of the authority and power vested by this MOU and any Court approved Settlement.
- b. **Administration:** The Recovery Council is responsible for accounting of all Recovery Funds and for releasing Recovery Funds.

Transparency: The Recovery Council shall operate with all reasonable transparency and in compliance with Maine’s Freedom of Access Law 1 MRS sections 401 et seq.

The Recovery Council shall develop a centralized public dashboard or other repository for publication of expenditure data from any party or Regional Council that receives Recovery Funds. The Council may require outcome related data from any entity that receives Recovery Funds. For purposes of funding the centralized dashboard, the Council shall make every effort to use existing state resources.

Collaboration: The Recovery Council shall facilitate collaboration among the State, subdivisions, Regional Councils and other stakeholders for the purposes of sharing data, outcomes, strategies and other relevant information related to abating the opioid crisis in Maine.

Decision Making: The Recovery Council shall make all decisions by consensus. In the event consensus cannot be achieved, unless otherwise required by this MOU, the Council shall make decisions by 3/5 vote of its members.

Legal Representation: The Attorney General shall provide legal counsel and administrative support to the Recovery Council. The Council may use funds to hire additional administration support if necessary.

Compensation: No member of the Recovery Council shall be compensated for their work related to the Recovery Council.

IV. THE MAINE RECOVERY FUND

A. Fund Established. The parties agree that the existing Maine Recovery Fund, as established by Section IV of the 2022 State-Subdivision MOU, shall receive payments allocated in Section II herein from any Subsequent Opioid Settlement. Except as otherwise stated in this Agreement, the terms of Section IV of the 2022 State-Subdivision MOU shall govern the establishment, existence, and operation of the Recovery Fund. In the event the 2022 State-Subdivision MOU is terminated or otherwise ceases to be in effect, the terms of this Section IV shall govern the establishment, existence, and operation of the Recovery Council.

B. The Maine Recovery Fund is established for the purposes specified in this agreement as a separate and distinct fund for accounting and budgetary reporting purposes.

C. Sources of Fund. The State Controller shall credit to the fund:

1. All money designated to the Maine Recovery Fund for abatement in this agreement from any Subsequent Opioid Settlement;
2. Money from any other source, whether public or private, designated for deposit into or credited to the fund; and
3. Interest earned or other investment income on balances in the fund.

D. Unencumbered Balances. Notwithstanding any provision to the contrary in Section IV.C of the 2022 State-Subdivision MOU, any unencumbered balance remaining at the end of any fiscal year remains part of the Maine Recovery Fund, the account within the Office of the Attorney General established pursuant to this section and may be made available for expenditure by the Recovery Council in the same manner as other money in the Fund.

E. General Fund Limitation. Notwithstanding any provision to the contrary in this section, any program, expansion of a program, expenditure or transfer authorized by the Legislature using the Maine Recovery Fund may not be transferred to the General Fund without specific legislative approval.

F. Restricted Accounts. The State Controller is authorized to establish separate accounts within the fund in order to segregate money received by the fund from any source, whether public or private, that requires as a condition of the contribution to the fund that the use of the money contributed be restricted to approved uses. Money credited to a restricted account established under this subsection may be applied only to the purposes to which the account is restricted.

G. Adjustment to Allocations. For state fiscal years beginning on or after July 1, the State Budget Officer is authorized to adjust allocations if actual revenue collections for the fiscal year are less than the approved legislative allocations. The State Budget Officer shall review the programs receiving funds from the fund and shall adjust the funding in the All Other line category to stay within available resources. These adjustments must be calculated in proportion to each account's allocation in the All Other line category in relation to the total All Other allocation for fund programs. Notwithstanding any other provision of law, the

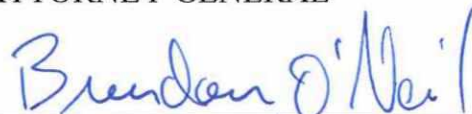
allocation for the identified amounts may be reduced by financial order upon the recommendation of the State Budget Officer and approval of the Governor. The State Budget Officer shall report annually on the allocation adjustments made pursuant to this subsection to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over health and human services matters by May 15th.

H. Separate Accounts; Annual Reporting. A state agency that receives allocations from the fund, and a county, a city, and a contractor or vendor that receives funding allocated from the fund shall maintain that money in a separate account and shall report by September 1st of each year to the Recovery Council providing a description of how those funds for the prior state fiscal year were targeted to the Approved Uses. The Attorney General shall by October 1st of each year compile the reports provided under this subsection and forward the information in a report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over health and human services matters. In addition to the compilation described in this subsection, the report must summarize the activity in any funds or accounts directly related to this section..

I. Legislative Committee Review of Legislation. Whenever a proposal in a resolve or bill before the Legislature, including but not limited to a budget bill, affects the fund, the Recovery Council, upon notice of the proposal from any source, may submit a request through its Chairperson to the joint standing committee of the Legislature having jurisdiction over the proposal, and to the joint standing committee of the Legislature having jurisdiction over health and human services matters, that the committee with jurisdiction over the proposal hold a public hearing and determine the level of support for the proposal among members of the committee. If there is support for the proposal among a majority of the members of the committee, the Recovery Council Chairperson may request that the committee request the joint standing committee of the Legislature having jurisdiction over health and human services matters review and evaluate the proposal as it pertains to the fund. The joint standing committee of the Legislature having jurisdiction over health and human services matters shall conduct the review and report to the committee of jurisdiction, to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, and to the Recovery Council.

The Maine State-Subdivision Memorandum of Understanding and Agreement Regarding Use of Settlement Funds-2023 is signed by:

AARON M. FREY
ATTORNEY GENERAL

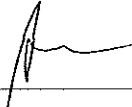


Assistant Attorney General

Date: May 2, 2023

6 State House Station
Augusta, ME 04333
207-626-8800

For the following Subdivision:



Signature

Date: 5/2/2023

Name: Shayna E. Sacks

Title: Partner

On behalf of: _____

Schedule A
Core Strategies

States and Qualifying Block Grantees shall choose from among the abatement strategies listed in Schedule B. However, priority shall be given to the following core abatement strategies (“Core Strategies”).¹

A. NALOXONE OR OTHER FDA-APPROVED DRUG TO REVERSE OPIOID OVERDOSES

1. Expand training for first responders, schools, community support groups and families; and
2. Increase distribution to individuals who are uninsured or whose insurance does not cover the needed service.

B. MEDICATION-ASSISTED TREATMENT (“MAT”) DISTRIBUTION AND OTHER OPIOID-RELATED TREATMENT

1. Increase distribution of MAT to individuals who are uninsured or whose insurance does not cover the needed service;
2. Provide education to school-based and youth-focused programs that discourage or prevent misuse;
3. Provide MAT education and awareness training to healthcare providers, EMTs, law enforcement, and other first responders; and
4. Treatment and Recovery Support Services such as residential and inpatient treatment, intensive outpatient treatment, outpatient therapy or counseling, and recovery housing that allow or integrate medication and with other support services.

C. PREGNANT & POSTPARTUM WOMEN

1. Expand Screening, Brief Intervention, and Referral to Treatment (“SBIRT”) services to non-Medicaid eligible or uninsured pregnant women;
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for women with co-occurring Opioid Use Disorder (“OUD”) and other Substance Use Disorder (“SUD”)/Mental Health disorders for uninsured individuals for up to 12 months postpartum; and

¹ As used in this Schedule A, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs. Priorities will be established through the mechanisms described in the National Opioid Abatement Trust Distribution Procedures.



3. Provide comprehensive wrap-around services to individuals with Opioid Use Disorder (OUD) including housing, transportation, job placement/training, and childcare.

D. EXPANDING TREATMENT FOR NEONATAL ABSTINENCE SYNDROME

1. Expand comprehensive evidence-based and recovery support for NAS babies;
2. Expand services for better continuum of care with infant-need dyad; and
3. Expand long-term treatment and services for medical monitoring of NAS babies and their families.

E. EXPANSION OF WARM HAND-OFF PROGRAMS AND RECOVERY SERVICES

1. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments;
2. Expand warm hand-off services to transition to recovery services;
3. Broaden scope of recovery services to include co-occurring SUD or mental health conditions;
4. Provide comprehensive wrap-around services to individuals in recovery including housing, transportation, job placement/training, and childcare; and
5. Hire additional social workers or other behavioral health workers to facilitate expansions above.

F. TREATMENT FOR INCARCERATED POPULATION

1. Provide evidence-based treatment and recovery support including MAT for persons with OUD and co-occurring SUD/MH disorders within and transitioning out of the criminal justice system; and
2. Increase funding for jails to provide treatment to inmates with OUD.

G. PREVENTION PROGRAMS

1. Funding for media campaigns to prevent opioid use (similar to the FDA's "Real Cost" campaign to prevent youth from misusing tobacco);
2. Funding for evidence-based prevention programs in schools.;
3. Funding for medical provider education and outreach regarding best prescribing practices for opioids consistent with the 2016 CDC guidelines, including providers at hospitals (academic detailing);
4. Funding for community drug disposal programs; and

5. Funding and training for first responders to participate in pre-arrest diversion programs, post-overdose response teams, or similar strategies that connect at-risk individuals to behavioral health services and supports.

H. **EXPANDING SYRINGE SERVICE PROGRAMS**

1. Provide comprehensive syringe services programs with more wrap-around services including linkage to OUD treatment, access to sterile syringes and linkage to care and treatment of infectious diseases.

I. **EVIDENCE-BASED DATA COLLECTION AND RESEARCH ANALYZING THE EFFECTIVENESS OF THE ABATEMENT STRATEGIES WITHIN THE STATE.**

Schedule B
Approved Uses

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

PART ONE: TREATMENT

A. TREAT OPIOID USE DISORDER (OUD)

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following¹:

1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, including all forms of Medication-Assisted Treatment (MAT) approved by the U.S. Food and Drug Administration.
2. Support and reimburse evidence-based services that adhere to the American Society of Addiction Medicine (ASAM) continuum of care for OUD and any co-occurring SUD/MH conditions
3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
4. Improve oversight of Opioid Treatment Programs (OTPs) to assure evidence-based or evidence-informed practices such as adequate methadone dosing and low threshold approaches to treatment.
5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.
6. Treatment of trauma for individuals with OUD (e.g., violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (e.g., surviving family members after an overdose or overdose fatality), and training of health care personnel to identify and address such trauma.
7. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.

¹ As used in this Schedule B, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs. Priorities will be established through the mechanisms described in the National Opioid Abatement Trust Distribution Procedures.

8. Training on MAT for health care providers, first responders, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH conditions.
10. Fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
11. Scholarships and supports for behavioral health practitioners or workers involved in addressing OUD and any co-occurring SUD or mental health conditions, including but not limited to training, scholarships, fellowships, loan repayment programs, or other incentives for providers to work in rural or underserved areas.
12. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 (DATA 2000) to prescribe MAT for OUD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.
13. Dissemination of web-based training curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service-Opioids web-based training curriculum and motivational interviewing.
14. Development and dissemination of new curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service for Medication-Assisted Treatment.

B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY

Support people in recovery from OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Provide comprehensive wrap-around services to individuals with OUD and any co-occurring SUD/MH conditions, including housing, transportation, education, job placement, job training, or childcare.
2. Provide the full continuum of care of treatment and recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, peer support services and counseling, community navigators, case management, and connections to community-based services.
3. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.
4. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance

programs, training for housing providers, or recovery housing programs that allow or integrate FDA-approved medication with other support services.

5. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.
6. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions.
7. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.
8. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.
9. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
10. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.
11. Training and development of procedures for government staff to appropriately interact and provide social and other services to individuals with or in recovery from OUD, including reducing stigma.
12. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.
13. Create or support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions, including new Americans.
14. Create and/or support recovery high schools.
15. Hire or train behavioral health workers to provide or expand any of the services or supports listed above.

C. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED
(CONNECTIONS TO CARE)

Provide connections to care for people who have – or at risk of developing – OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.

2. Fund Screening, Brief Intervention and Referral to Treatment (SBIRT) programs to reduce the transition from use to disorders, including SBIRT services to pregnant women who are uninsured or not eligible for Medicaid.
3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.
4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
5. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments.
6. Training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MAT, recovery case management or support services.
7. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, or persons who have experienced an opioid overdose, into clinically appropriate follow-up care through a bridge clinic or similar approach.
8. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions or persons that have experienced an opioid overdose.
9. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
10. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced an opioid overdose.
11. Expand warm hand-off services to transition to recovery services.
12. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
13. Develop and support best practices on addressing OUD in the workplace.
14. Support assistance programs for health care providers with OUD.
15. Engage non-profits and the faith community as a system to support outreach for treatment.

16. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions.

D. ADDRESS THE NEEDS OF CRIMINAL-JUSTICE-INVOLVED PERSONS

Address the needs of persons with OUD and any co-occurring SUD/MH conditions who are involved in, are at risk of becoming involved in, or are transitioning out of the criminal justice system through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Support pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, including established strategies such as:
 1. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative (PAARI);
 2. Active outreach strategies such as the Drug Abuse Response Team (DART) model;
 3. “Naloxone Plus” strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
 4. Officer prevention strategies, such as the Law Enforcement Assisted Diversion (LEAD) model;
 5. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative; or
 6. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise.
2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions to evidence-informed treatment, including MAT, and related services.
3. Support treatment and recovery courts that provide evidence-based options for persons with OUD and any co-occurring SUD/MH conditions.
4. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are incarcerated in jail or prison.
5. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are leaving jail or prison have recently left jail

or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.

6. Support critical time interventions (CTI), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
7. Provide training on best practices for addressing the needs of criminal-justice-involved persons with OUD and any co-occurring SUD/MH conditions to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, harm reduction, case management, or other services offered in connection with any of the strategies described in this section.

E. ADDRESS THE NEEDS OF PREGNANT OR PARENTING WOMEN AND THEIR FAMILIES, INCLUDING BABIES WITH NEONATAL ABSTINENCE SYNDROME

Address the needs of pregnant or parenting women with OUD and any co-occurring SUD/MH conditions, and the needs of their families, including babies with neonatal abstinence syndrome (NAS), through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Support evidence-based or evidence-informed treatment, including MAT, recovery services and supports, and prevention services for pregnant women – or women who could become pregnant – who have OUD and any co-occurring SUD/MH conditions, and other measures to educate and provide support to families affected by Neonatal Abstinence Syndrome.
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for uninsured women with OUD and any co-occurring SUD/MH conditions for up to 12 months postpartum.
3. Training for obstetricians or other healthcare personnel that work with pregnant women and their families regarding treatment of OUD and any co-occurring SUD/MH conditions.
4. Expand comprehensive evidence-based treatment and recovery support for NAS babies; expand services for better continuum of care with infant-need dyad; expand long-term treatment and services for medical monitoring of NAS babies and their families.
5. Provide training to health care providers who work with pregnant or parenting women on best practices for compliance with federal requirements that children born with Neonatal Abstinence Syndrome get referred to appropriate services and receive a plan of safe care.
6. Child and family supports for parenting women with OUD and any co-occurring SUD/MH conditions.

7. Enhanced family supports and child care services for parents with OUD and any co-occurring SUD/MH conditions.
8. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.
9. Offer home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, including but not limited to parent skills training.
10. Support for Children's Services – Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

PART TWO: PREVENTION

F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Fund medical provider education and outreach regarding best prescribing practices for opioids consistent with the Guidelines for Prescribing Opioids for Chronic Pain from the U.S. Centers for Disease Control and Prevention, including providers at hospitals (academic detailing).
2. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.
3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
4. Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.
5. Support enhancements or improvements to Prescription Drug Monitoring Programs (PDMPs), including but not limited to improvements that:
 1. Increase the number of prescribers using PDMPs;
 2. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs, by improving the interface that prescribers use to access PDMP data, or both; or
 3. Enable states to use PDMP data in support of surveillance or intervention strategies, including MAT referrals and follow-up for individuals identified within PDMP data as likely to experience OUD in a manner that complies with all relevant privacy and security laws and rules.

6. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation's Emergency Medical Technician overdose database in a manner that complies with all relevant privacy and security laws and rules.
7. Increase electronic prescribing to prevent diversion or forgery.
8. Educate Dispensers on appropriate opioid dispensing.

G. PREVENT MISUSE OF OPIOIDS

Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Fund media campaigns to prevent opioid misuse.
2. Corrective advertising or affirmative public education campaigns based on evidence.
3. Public education relating to drug disposal.
4. Drug take-back disposal or destruction programs.
5. Fund community anti-drug coalitions that engage in drug prevention efforts.
6. Support community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction – including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (SAMHSA).
7. Engage non-profits and faith-based communities as systems to support prevention.
8. Fund evidence-based prevention programs in schools or evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
9. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.
10. Create of support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions.
11. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.

12. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses, behavioral health workers or other school staff, to address mental health needs in young people that (when not properly addressed) increase the risk of opioid or another drug misuse.

H. PREVENT OVERDOSE DEATHS AND OTHER HARMS (HARM REDUCTION)

Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Increase availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with OUD and their friends and family members, schools, community navigators and outreach workers, persons being released from jail or prison, or other members of the general public.
2. Public health entities providing free naloxone to anyone in the community.
3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, community support groups, and other members of the general public.
4. Enable school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.
5. Expand, improve, or develop data tracking software and applications for overdoses/naloxone revivals.
6. Public education relating to emergency responses to overdoses.
7. Public education relating to immunity and Good Samaritan laws.
8. Educate first responders regarding the existence and operation of immunity and Good Samaritan laws.
9. Syringe service programs and other evidence-informed programs to reduce harms associated with intravenous drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, connections to care, and the full range of harm reduction and treatment services provided by these programs.
10. Expand access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
11. Support mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions.
12. Provide training in harm reduction strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide

care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions.

13. Support screening for fentanyl in routine clinical toxicology testing.

PART THREE: OTHER STRATEGIES

I. FIRST RESPONDERS

In addition to items in section C, D and H relating to first responders, support the following:

1. Educate law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.
2. Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

J. LEADERSHIP, PLANNING AND COORDINATION

Support efforts to provide leadership, planning, coordination, facilitations, training and technical assistance to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Statewide, regional, local or community regional planning to identify root causes of addiction and overdose, goals for reducing harms related to the opioid epidemic, and areas and populations with the greatest needs for treatment intervention services, and to support training and technical assistance and other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
2. A dashboard to (a) share reports, recommendations, or plans to spend opioid settlement funds; (b) to show how opioid settlement funds have been spent; (c) to report program or strategy outcomes; or (d) to track, share or visualize key opioid- or health-related indicators and supports as identified through collaborative statewide, regional, local or community processes.
3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
4. Provide resources to staff government oversight and management of opioid abatement programs.

K. TRAINING

In addition to the training referred to throughout this document, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.
2. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (e.g., health care, primary care, pharmacies, PDMPs, etc.).

L. RESEARCH

Support opioid abatement research that may include, but is not limited to, the following:

1. Monitoring, surveillance, data collection and evaluation of programs and strategies described in this opioid abatement strategy list.
2. Research non-opioid treatment of chronic pain.
3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.
4. Research on novel harm reduction and prevention efforts such as the provision of fentanyl test strips.
5. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
6. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (e.g. Hawaii HOPE and Dakota 24/7).
7. Epidemiological surveillance of OUD-related behaviors in critical populations including individuals entering the criminal justice system, including but not limited to approaches modeled on the Arrestee Drug Abuse Monitoring (ADAM) system.
8. Qualitative and quantitative research regarding public health risks and harm reduction opportunities within illicit drug markets, including surveys of market participants who sell or distribute illicit opioids.
9. Geospatial analysis of access barriers to MAT and their association with treatment engagement and treatment outcomes.

EXHIBIT E

List of Opioid Remediation Uses

**Schedule A
Core Strategies**

States and Qualifying Block Grantees shall choose from among the abatement strategies listed in Schedule B. However, priority shall be given to the following core abatement strategies ("*Core Strategies*").¹⁴

A. **NALOXONE OR OTHER FDA-APPROVED DRUG TO
REVERSE OPIOID OVERDOSES**

1. Expand training for first responders, schools, community support groups and families; and
2. Increase distribution to individuals who are uninsured or whose insurance does not cover the needed service.

B. **MEDICATION-ASSISTED TREATMENT ("MAT")
DISTRIBUTION AND OTHER OPIOID-RELATED
TREATMENT**

1. Increase distribution of MAT to individuals who are uninsured or whose insurance does not cover the needed service;
2. Provide education to school-based and youth-focused programs that discourage or prevent misuse;
3. Provide MAT education and awareness training to healthcare providers, EMTs, law enforcement, and other first responders; and
4. Provide treatment and recovery support services such as residential and inpatient treatment, intensive outpatient treatment, outpatient therapy or counseling, and recovery housing that allow or integrate medication and with other support services.

¹⁴ As used in this Schedule A, words like "expand," "fund," "provide" or the like shall not indicate a preference for new or existing programs.



C. **PREGNANT & POSTPARTUM WOMEN**

1. Expand Screening, Brief Intervention, and Referral to Treatment (“*SBIRT*”) services to non-Medicaid eligible or uninsured pregnant women;
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for women with co-occurring Opioid Use Disorder (“*OUD*”) and other Substance Use Disorder (“*SUD*”) /Mental Health disorders for uninsured individuals for up to 12 months postpartum; and
3. Provide comprehensive wrap-around services to individuals with OUD, including housing, transportation, job placement/training, and childcare.

D. **EXPANDING TREATMENT FOR NEONATAL ABSTINENCE SYNDROME (“*NAS*”)**

1. Expand comprehensive evidence-based and recovery support for NAS babies;
2. Expand services for better continuum of care with infant-need dyad; and
3. Expand long-term treatment and services for medical monitoring of NAS babies and their families.

E. **EXPANSION OF WARM HAND-OFF PROGRAMS AND RECOVERY SERVICES**

1. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments;
2. Expand warm hand-off services to transition to recovery services;
3. Broaden scope of recovery services to include co-occurring SUD or mental health conditions;
4. Provide comprehensive wrap-around services to individuals in recovery, including housing, transportation, job placement/training, and childcare; and
5. Hire additional social workers or other behavioral health workers to facilitate expansions above.

F. **TREATMENT FOR INCARCERATED POPULATION**

1. Provide evidence-based treatment and recovery support, including MAT for persons with OUD and co-occurring SUD/MH disorders within and transitioning out of the criminal justice system; and
2. Increase funding for jails to provide treatment to inmates with OUD.

G. **PREVENTION PROGRAMS**

1. Funding for media campaigns to prevent opioid use (similar to the FDA's "Real Cost" campaign to prevent youth from misusing tobacco);
2. Funding for evidence-based prevention programs in schools;
3. Funding for medical provider education and outreach regarding best prescribing practices for opioids consistent with the 2016 CDC guidelines, including providers at hospitals (academic detailing);
4. Funding for community drug disposal programs; and
5. Funding and training for first responders to participate in pre-arrest diversion programs, post-overdose response teams, or similar strategies that connect at-risk individuals to behavioral health services and supports.

H. **EXPANDING SYRINGE SERVICE PROGRAMS**

1. Provide comprehensive syringe services programs with more wrap-around services, including linkage to OUD treatment, access to sterile syringes and linkage to care and treatment of infectious diseases.

I. **EVIDENCE-BASED DATA COLLECTION AND RESEARCH ANALYZING THE EFFECTIVENESS OF THE ABATEMENT STRATEGIES WITHIN THE STATE**

Schedule B
Approved Uses

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

PART ONE: TREATMENT

A. TREAT OPIOID USE DISORDER (OUD)

Support treatment of Opioid Use Disorder (“OUD”) and any co-occurring Substance Use Disorder or Mental Health (“SUD/MH”) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:¹⁵

1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, including all forms of Medication-Assisted Treatment (“MAT”) approved by the U.S. Food and Drug Administration.
2. Support and reimburse evidence-based services that adhere to the American Society of Addiction Medicine (“ASAM”) continuum of care for OUD and any co-occurring SUD/MH conditions.
3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
4. Improve oversight of Opioid Treatment Programs (“OTPs”) to assure evidence-based or evidence-informed practices such as adequate methadone dosing and low threshold approaches to treatment.
5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.
6. Provide treatment of trauma for individuals with OUD (*e.g.*, violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (*e.g.*, surviving family members after an overdose or overdose fatality), and training of health care personnel to identify and address such trauma.
7. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.

¹⁵ As used in this Schedule B, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs.

8. Provide training on MAT for health care providers, first responders, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH conditions.
10. Offer fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
11. Offer scholarships and supports for behavioral health practitioners or workers involved in addressing OUD and any co-occurring SUD/MH or mental health conditions, including, but not limited to, training, scholarships, fellowships, loan repayment programs, or other incentives for providers to work in rural or underserved areas.
12. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 ("*DATA 2000*") to prescribe MAT for OUD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.
13. Disseminate of web-based training curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service—Opioids web-based training curriculum and motivational interviewing.
14. Develop and disseminate new curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service for Medication-Assisted Treatment.

B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY

Support people in recovery from OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the programs or strategies that:

1. Provide comprehensive wrap-around services to individuals with OUD and any co-occurring SUD/MH conditions, including housing, transportation, education, job placement, job training, or childcare.
2. Provide the full continuum of care of treatment and recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, peer support services and counseling, community navigators, case management, and connections to community-based services.
3. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.

4. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance programs, training for housing providers, or recovery housing programs that allow or integrate FDA-approved medication with other support services.
5. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.
6. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions.
7. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.
8. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.
9. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
10. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.
11. Provide training and development of procedures for government staff to appropriately interact and provide social and other services to individuals with or in recovery from OUD, including reducing stigma.
12. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.
13. Create or support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions, including new Americans.
14. Create and/or support recovery high schools.
15. Hire or train behavioral health workers to provide or expand any of the services or supports listed above.

C. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED
(CONNECTIONS TO CARE)

Provide connections to care for people who have—or are at risk of developing—OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.
2. Fund SBIRT programs to reduce the transition from use to disorders, including SBIRT services to pregnant women who are uninsured or not eligible for Medicaid.
3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.
4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
5. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments.
6. Provide training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MAT, recovery case management or support services.
7. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, or persons who have experienced an opioid overdose, into clinically appropriate follow-up care through a bridge clinic or similar approach.
8. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions or persons that have experienced an opioid overdose.
9. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
10. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced an opioid overdose.
11. Expand warm hand-off services to transition to recovery services.
12. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
13. Develop and support best practices on addressing OUD in the workplace.

14. Support assistance programs for health care providers with OUD.
15. Engage non-profits and the faith community as a system to support outreach for treatment.
16. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions.

D. ADDRESS THE NEEDS OF CRIMINAL JUSTICE-INVOLVED PERSONS

Address the needs of persons with OUD and any co-occurring SUD/MH conditions who are involved in, are at risk of becoming involved in, or are transitioning out of the criminal justice system through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Support pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, including established strategies such as:
 1. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative (“*PAARF*”);
 2. Active outreach strategies such as the Drug Abuse Response Team (“*DART*”) model;
 3. “Naloxone Plus” strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
 4. Officer prevention strategies, such as the Law Enforcement Assisted Diversion (“*LEAD*”) model;
 5. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative; or
 6. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise.
2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions to evidence-informed treatment, including MAT, and related services.
3. Support treatment and recovery courts that provide evidence-based options for persons with OUD and any co-occurring SUD/MH conditions.

4. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are incarcerated in jail or prison.
5. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are leaving jail or prison or have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
6. Support critical time interventions (“CTP”), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
7. Provide training on best practices for addressing the needs of criminal justice-involved persons with OUD and any co-occurring SUD/MH conditions to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, harm reduction, case management, or other services offered in connection with any of the strategies described in this section.

E. ADDRESS THE NEEDS OF PREGNANT OR PARENTING WOMEN AND THEIR FAMILIES, INCLUDING BABIES WITH NEONATAL ABSTINENCE SYNDROME

Address the needs of pregnant or parenting women with OUD and any co-occurring SUD/MH conditions, and the needs of their families, including babies with neonatal abstinence syndrome (“NAS”), through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Support evidence-based or evidence-informed treatment, including MAT, recovery services and supports, and prevention services for pregnant women—or women who could become pregnant—who have OUD and any co-occurring SUD/MH conditions, and other measures to educate and provide support to families affected by Neonatal Abstinence Syndrome.
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for uninsured women with OUD and any co-occurring SUD/MH conditions for up to 12 months postpartum.
3. Provide training for obstetricians or other healthcare personnel who work with pregnant women and their families regarding treatment of OUD and any co-occurring SUD/MH conditions.
4. Expand comprehensive evidence-based treatment and recovery support for NAS babies; expand services for better continuum of care with infant-need dyad; and expand long-term treatment and services for medical monitoring of NAS babies and their families.

5. Provide training to health care providers who work with pregnant or parenting women on best practices for compliance with federal requirements that children born with NAS get referred to appropriate services and receive a plan of safe care.
6. Provide child and family supports for parenting women with OUD and any co-occurring SUD/MH conditions.
7. Provide enhanced family support and child care services for parents with OUD and any co-occurring SUD/MH conditions.
8. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.
9. Offer home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, including, but not limited to, parent skills training.
10. Provide support for Children's Services—Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

PART TWO: PREVENTION

F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Funding medical provider education and outreach regarding best prescribing practices for opioids consistent with the Guidelines for Prescribing Opioids for Chronic Pain from the U.S. Centers for Disease Control and Prevention, including providers at hospitals (academic detailing).
2. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.
3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
4. Providing Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.
5. Supporting enhancements or improvements to Prescription Drug Monitoring Programs ("PDMPs"), including, but not limited to, improvements that:

1. Increase the number of prescribers using PDMPs;
2. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs, by improving the interface that prescribers use to access PDMP data, or both; or
3. Enable states to use PDMP data in support of surveillance or intervention strategies, including MAT referrals and follow-up for individuals identified within PDMP data as likely to experience OUD in a manner that complies with all relevant privacy and security laws and rules.
6. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation's Emergency Medical Technician overdose database in a manner that complies with all relevant privacy and security laws and rules.
7. Increasing electronic prescribing to prevent diversion or forgery.
8. Educating dispensers on appropriate opioid dispensing.

G. PREVENT MISUSE OF OPIOIDS

Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Funding media campaigns to prevent opioid misuse.
2. Corrective advertising or affirmative public education campaigns based on evidence.
3. Public education relating to drug disposal.
4. Drug take-back disposal or destruction programs.
5. Funding community anti-drug coalitions that engage in drug prevention efforts.
6. Supporting community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction—including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (“SAMHSA”).
7. Engaging non-profits and faith-based communities as systems to support prevention.

8. Funding evidence-based prevention programs in schools or evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
9. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.
10. Create or support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions.
11. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.
12. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses, behavioral health workers or other school staff, to address mental health needs in young people that (when not properly addressed) increase the risk of opioid or another drug misuse.

H. PREVENT OVERDOSE DEATHS AND OTHER HARMS (HARM REDUCTION)

Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Increased availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with OUD and their friends and family members, schools, community navigators and outreach workers, persons being released from jail or prison, or other members of the general public.
2. Public health entities providing free naloxone to anyone in the community.
3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, community support groups, and other members of the general public.
4. Enabling school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.
5. Expanding, improving, or developing data tracking software and applications for overdoses/naloxone revivals.
6. Public education relating to emergency responses to overdoses.

7. Public education relating to immunity and Good Samaritan laws.
8. Educating first responders regarding the existence and operation of immunity and Good Samaritan laws.
9. Syringe service programs and other evidence-informed programs to reduce harms associated with intravenous drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, connections to care, and the full range of harm reduction and treatment services provided by these programs.
10. Expanding access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
11. Supporting mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions.
12. Providing training in harm reduction strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions.
13. Supporting screening for fentanyl in routine clinical toxicology testing.

PART THREE: OTHER STRATEGIES

I. FIRST RESPONDERS

In addition to items in section C, D and H relating to first responders, support the following:

1. Education of law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.
2. Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

J. LEADERSHIP, PLANNING AND COORDINATION

Support efforts to provide leadership, planning, coordination, facilitations, training and technical assistance to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Statewide, regional, local or community regional planning to identify root causes of addiction and overdose, goals for reducing harms related to the opioid epidemic, and areas and populations with the greatest needs for treatment

intervention services, and to support training and technical assistance and other strategies to abate the opioid epidemic described in this opioid abatement strategy list.

2. A dashboard to (a) share reports, recommendations, or plans to spend opioid settlement funds; (b) to show how opioid settlement funds have been spent; (c) to report program or strategy outcomes; or (d) to track, share or visualize key opioid- or health-related indicators and supports as identified through collaborative statewide, regional, local or community processes.
3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
4. Provide resources to staff government oversight and management of opioid abatement programs.

K. TRAINING

In addition to the training referred to throughout this document, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, those that:

1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.
2. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (*e.g.*, health care, primary care, pharmacies, PDMPs, etc.).

L. RESEARCH

Support opioid abatement research that may include, but is not limited to, the following:

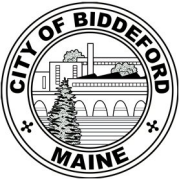
1. Monitoring, surveillance, data collection and evaluation of programs and strategies described in this opioid abatement strategy list.
2. Research non-opioid treatment of chronic pain.
3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.

4. Research on novel harm reduction and prevention efforts such as the provision of fentanyl test strips.
5. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
6. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (*e.g.*, Hawaii HOPE and Dakota 24/7).
7. Epidemiological surveillance of OUD-related behaviors in critical populations, including individuals entering the criminal justice system, including, but not limited to approaches modeled on the Arrestee Drug Abuse Monitoring (“ADAM”) system.
8. Qualitative and quantitative research regarding public health risks and harm reduction opportunities within illicit drug markets, including surveys of market participants who sell or distribute illicit opioids.
9. Geospatial analysis of access barriers to MAT and their association with treatment engagement and treatment outcomes.

Subdivisions with Consolidated Allocations - Qualified Subdivisions Only

State	County	City	Consolidated State Allocation
ME	ANDROSCOGGIN COUNTY		1.6799535986%
ME	ANDROSCOGGIN COUNTY	Lewiston city	4.3451006968%
ME	ANDROSCOGGIN COUNTY	Auburn city	2.6283332826%
ME	AROOSTOOK COUNTY		4.0537116218%
ME	CUMBERLAND COUNTY		3.5025701951%
ME	CUMBERLAND COUNTY	Portland city	7.2016026249%
ME	CUMBERLAND COUNTY	South Portland city	2.2275994495%
ME	CUMBERLAND COUNTY	SCARBOROUGH TOWN	1.8363769930%
ME	CUMBERLAND COUNTY	BRUNSWICK TOWN	1.6113929261%
ME	CUMBERLAND COUNTY	Westbrook city	1.5416150467%
ME	CUMBERLAND COUNTY	GORHAM TOWN	1.4582940317%
ME	CUMBERLAND COUNTY	FALMOUTH TOWN	1.2353278939%
ME	CUMBERLAND COUNTY	WINDHAM TOWN	0.1935482073%
ME	CUMBERLAND COUNTY	STANDISH TOWN	0.0664145731%
ME	FRANKLIN COUNTY		1.9717572454%
ME	HANCOCK COUNTY		3.8494340111%
ME	KENNEBEC COUNTY		4.9959268385%
ME	KENNEBEC COUNTY	Augusta city	3.6779545807%
ME	KENNEBEC COUNTY	Waterville city	2.8132809688%
ME	KNOX COUNTY		2.1010369789%
ME	KNOX COUNTY	Rockland city	0.6184398003%
ME	LINCOLN COUNTY		2.1621727981%
ME	OXFORD COUNTY		3.8454418782%
ME	PENOBSCOT COUNTY		6.7801027597%
ME	PENOBSCOT COUNTY	Bangor city	5.2042873123%
ME	PENOBSCOT COUNTY	ORONO TOWN	0.2094180830%
ME	PISCATAQUIS COUNTY		1.2760851978%
ME	SAGadahoc COUNTY		1.9708146889%
ME	SOMERSET COUNTY		3.6977198467%
ME	WALDO COUNTY		2.4723925078%
ME	WASHINGTON COUNTY		2.6998574469%
ME	WASHINGTON COUNTY	Calais city	0.8369049504%
ME	YORK COUNTY		6.7950503019%
ME	YORK COUNTY	Biddeford city	2.7393997300%
ME	YORK COUNTY	Sanford city	2.6908215844%
ME	YORK COUNTY	YORK TOWN	2.1005084476%
ME	YORK COUNTY	Saco city	0.4366518238%
ME	YORK COUNTY	WELLS TOWN	0.2541311729%
ME	YORK COUNTY	KENNEBUNK TOWN	0.2185679049%





City Council

Meeting Date: April 2, 2024

Meeting Time: 6:00 pm

Agenda Item No: 8.e. 2024.43

Item Description: Approval/Opioid Use Settlement Funds refer to Policy Committee

Submitted by:

Supporting Information/Documentation:

- Opioid Use Settlement Fund Draft Ordinance
- Maine Memorandum of Understanding Regarding Opioid Settlement Funds
- Maine Opioid Settlement Payments-Estimated-by Entity 2024.3.11
- Maine Opioid Settlement Payments-Actual-by Entity 2024.3.11

Key Terms:

- Opioid Crisis: A nationwide public health emergency concerning the excessive use of and addiction to opioids, including prescription pain relievers, heroin, and synthetic opioids.
- Opioid Settlement: A series of legal agreements involving multiple states, mandating major pharmaceutical companies to pay reparations to states, counties, and municipalities with populations exceeding 10,000, due to their role in the opioid epidemic.
- Opioid Use Settlement Fund: A dedicated account proposed for the management, tracking, and reporting of revenues and expenses linked to the opioid settlement.

Executive Summary:

The City of Biddeford, like many other U.S cities, has been deeply affected by the opioid crisis. As part of the opioid settlement, the city is projected to receive approximately \$1,818,254 by 2038, averaging \$106,956 annually. To ensure these funds are allocated transparently and effectively, the "Opioid Use Settlement Fund Tracking and Reporting Ordinance" has been formulated.

Detailed Review:

The Opioid Use Settlement Fund Tracking and Reporting Ordinance mandates:

- The establishment of a dedicated "Opioid Use Settlement Fund" account.
- Annual reporting to the City Council on the fund's status.
- Approval of a strategic plan every two years by the City Council, detailing the goals and pre-approved operational use of these funds.

These mandates have been proposed to help guide the allocation of settlement funds towards addressing the multifaceted challenges of the opioid epidemic. This process underscores the City's dedication to transparency, accountability, and a strategic vision in managing these funds. Considering the past and present impact of the opioid epidemic on the community, it is recommended to have structured mechanisms in place to facilitate the effective channeling of settlement funds to benefit the most impacted members of our city and support recovery efforts.

Funding Source:

Opioid Use Settlement. An estimated total of \$1,818,254 is projected to be received by 2038, with an average annual allocation of \$106,956. These allocations are front-loaded, experiencing a significant decrease starting in 2032.

Staff Recommendation:

Neutral

SUBJECT: Revisions to the Opioid Use Settlement Fund Ordinance Based on Policy Committee Feedback

Item Description: Creation and Management of Opioid Use Settlement Fund

Supporting Information/Documentation:

- Revised Opioid Use Settlement Fund Ordinance
- May 20th Opioid Use Settlement Policy Memo
- Maine Memorandum of Understanding Regarding Opioid Settlement Funds

Key Terms:

- Opioid Use Settlement Fund: A dedicated account proposed for the management, tracking, and reporting of revenues and expenses linked to the opioid settlement.

Executive Summary:

Following the Policy Committee's meeting on May 20th, several revisions were made to the proposed Opioid Use Settlement Fund Ordinance to enhance its clarity, flexibility, and effectiveness. This memo outlines the specific changes implemented based on the Committee's feedback.

Detailed Review:

1. Explicit Date/Time of Year for Annual Financial Review and Strategic Planning Process/Approval (*Article IV & V*):

Change:

The ordinance now mandates that the annual financial report on the Opioid Use Settlement Fund shall be submitted to the City Council by the first City Council meeting in September. Furthermore, the ordinance now clarifies that the strategic plan for the operational use of the Opioid Use Settlement Fund must be adopted by the second City Council meeting of November every two years.

Rationale:

This change ensures a consistent and predictable timeline for the financial review and strategic planning process providing clear deadlines for action. This date aligns with the City's required reporting to the state under the Maine State-Subdivision Memorandum of Understanding, which mandates a report by September 1st each year to the Recovery Council detailing the use of funds for Approved Uses.

2. Flexibility in Developing the Strategic Plan (*Article IV*):

Change:

The ordinance has been revised to allow the strategic plan to be developed by city staff and/or a designated committee. The City Council retains the authority

to approve the plan but is no longer required to be directly involved in its development.

Rationale:

This adjustment provides greater flexibility in the strategic planning process, enabling the City to leverage the expertise of staff and committees while streamlining the Council's role. This allows for a more efficient process without compromising the Council's oversight and approval responsibilities.

3. Explicit Guidelines on the Approved and Banned Uses of the Funds (Article III):

Change:

The ordinance now includes explicit language that defines:

- **Approved Uses:** Funds must be used solely for opioid use disorder prevention, harm reduction, treatment, and recovery.
- **Banned Uses:** The ordinance explicitly prohibits the use of these funds to supplant any existing budgeted expenditures. The funds must not be used to offset or replace funding for programs or services that are currently financed through other sources.

Rationale:

These clarifications ensure that the funds are used to enhance and supplement existing resources, rather than replacing them, thereby maximizing their impact on addressing the opioid crisis. The focus on prevention, harm reduction, treatment, and recovery aligns the ordinance with the intended purposes of the settlement funds.

Conclusion:

The revisions to the Opioid Use Settlement Fund Ordinance incorporate the changes requested by the Policy Committee at their May 20th meeting. These changes attempt to align with the Committee's direction and strengthen the ordinance's ability to effectively achieve its intended purpose.

Funding Source:

Opioid Settlement. Expected total of \$1,818,549 by 2038 with an annual average allocation of \$106,956.

Staff Recommendation: