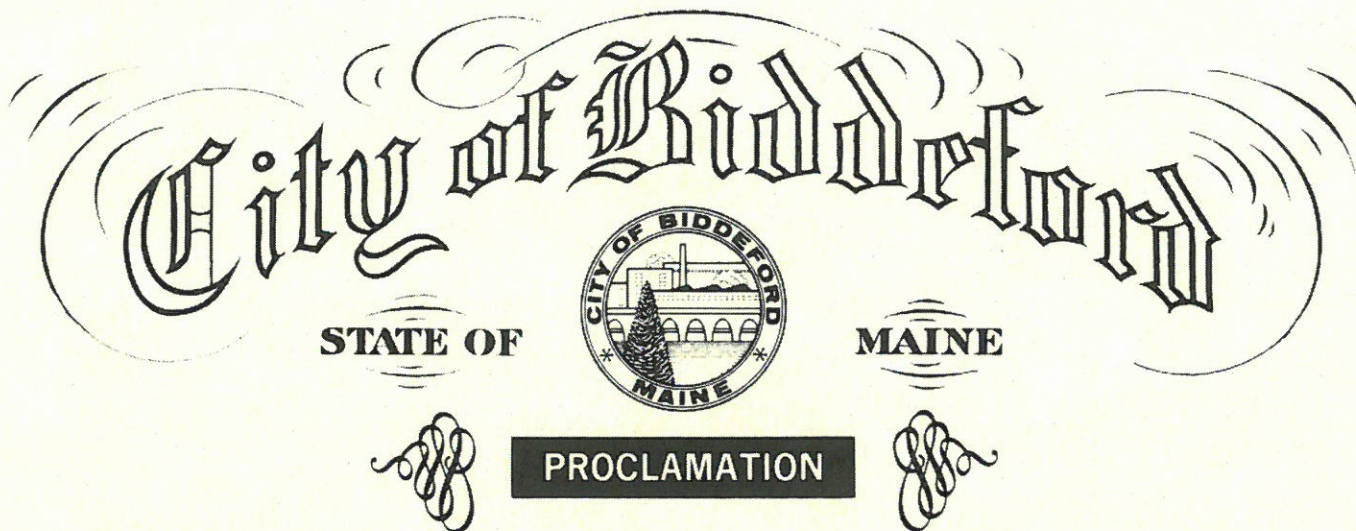


City of Biddeford
City Council
May 07, 2019 6:00 PM Council Chambers

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda - *Remove: Order 2019.41***
 - 3.a. Remove: Order 2019.41
- 4. Presentation:**
 - 4.a. University of New England Student Volunteer of the Year
- 5. Proclamation:**
 - 5.a. Police Week - May 12th to 18th, 2019
[5-07-2019 Proc-Police Week-PDF.pdf](#)
 - 5.b. Kids to Park Day - May 18, 2019
[5-07-2019 Proc-Kids to Park Day-PDF.pdf](#)
- 6. Public Hearing**
 - 6.a. 9th Amendment to the Rte 111-Mill Redevelopment Municipal Development & Tax Increment Financing (TIF) District
[5-07-2019 Riverdam TIF-Public Hearing Newspaper Notice.docx](#)
 - 6.b. Riverdam Municipal Development & Tax Increment Financing (TIF) District
[5-07-2019 Riverdam TIF-Public Hearing Newspaper Notice.docx](#)
 - 6.c. Liquor License: Lorne Wine
[5-07-2019 Lorne Wine Liquor Lic Application.pdf](#)
- 7. Liquor License Consideration**
 - 7.a. Lorne Wine (61 Main Street)
[5-07-2019 Lorne Wine Liquor Lic Application.pdf](#)
- 8. Consideration of Minutes:**
 - 8.a. April 16, 2019 Council Meeting Minutes
[4-16-2019 Council Meeting Minutes.docx](#)
 - 8.b. April 25, 2019 Special Council Meeting Minutes
[4-25-2019 Special Council Meeting Minutes.docx](#)
- 9. Orders of the Day:**
 - 9.a. 2019.37) Approval/Community Development Block Grant (CDBG) Year 2 Action Plan
[5-07-2019 CDBG Year 2 Action Plan -ORDER.doc](#)
[5-07-2019 CDBG Year 2 Action Plan-MEMO.doc](#)
[5-07-2019 CDBG Year 2 Action Plan 2019.doc](#)
 - 9.b. 2019.38) Authorization/Interlocal Agreement for PSAP Services with Town of Hollis
[5-07-2019 Interlocal PSAP Agreement with Hollis-ORDER.doc](#)
[5-07-2019 Interlocal PSAP Agreement with Hollis.pdf](#)
 - 9.c. 2019.39) Authorization/Sealed Bid Auction of Surplus City Equipment
[5-07-2019 Surplus Equipment - ORDER.docx](#)

- [5-07-2019 Surplus Equipment-MEMO.docx](#)
 - [5-07-2019 Surplus Equipment - Bid Form.docx](#)
 - 9.d. 2019.40) Approval/Contract with Poirier Guidelines/Line Striping
 - [5-07-2019 Line Striping Contract-ORDER.docx](#)
 - [5-07-2019 Line Striping Contract - backup docs.pdf](#)
 - 9.e. REMOVED FROM AGENDA: 2019.41) Approval/Expenditure for the Reconfiguration of the Green Parking Lot
 - 9.f. 2019.42) Approval/List of Streets for Additional Paving in FY19 (\$40,000)
 - [5-07-2019 Additional Paving Expenditure-Streets - ORDER.doc](#)
 - 9.g. 2019.43) Approval/9th Amendment to the Rte 111-Mill Redevelopment Municipal Development & TIF District; and Riverdam Municipal Development & TIF District
 - [5-07-2019 Riverdam-Rte 111-Mill District TIF - ORDER.docx](#)
 - [5-07-2019 Rte 111 Mill TIF Application.pdf](#)
 - [5-07-2019 Riverdam TIF Application.pdf](#)
 - [5-07-2019 Riverdam District Certificat-Assessors Cert of Original Assessed Value.pdf](#)
 - [5-07-2019 Riverdam TIF-Public Hearing Newspaper Notice.docx](#)
 - 9.h. 2019.44) Authorization/Riverdam Joint Development Agreement
 - [5-07-2019 Riverdam Mill Building JDA-ORDER.docx](#)
 - [5-07-2019 Riverdam JDA - Agreement.pdf](#)
 - 9.i. 2019.45) Authorization/Acceptance of Land Gift - Granite Street from Mary Brown
 - [5-07-2019 Land Gift-Granite Street by Mary Brown-ORDER.docx](#)
 - [5-07-2019 Land Gift-Granite Street by Mary Brown - MEMO.pdf](#)
 - 9.j. 2019.46) Approval/LaKermesse Franco-Americaine Festival/Revised Field Layout
 - [5-07-2019 LaKermesse Revised Field Layout-ORDER.doc](#)
 - [5-07-2019 LaKermese Memo to City Mgr April 30-2019.pdf](#)
 - [5-07-2019 LaKermesse Map 2019.pdf](#)
 - 9.k. 2019.47) Amendment/Ch. 46, Parks and Recreation/Sec. 46-11-Alcoholic beverages, fires, use of closed areas/Add Camping and erection of structures
 - [5-07-2019 Ch 46, Camping in Parks.docx](#)
 - 9.l. 2019.48) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-1-Definitions; and Sec. 42-7-General Parking Prohibitions/Add Hammerhead Turn Around
 - [5-07-2019 No Parking Dead Ends or Hammerheads.docx](#)
 - 9.m. 2019.49) Amendment/Ch. 2, Administration/Art. IV-Boards, Committees, Commissions/Division 6-Downtown Development Commission/Various Amendments
 - [5-07-2019 Ch2-Downtown Development Comm Various Revisions.pdf](#)
- 10. Public Addressing the Council..(5 minute limit per speaker; 30 minute total time limit)**
- 11. City Manager Report**
- 12. Other Business**
- 13. Council President Addressing the Council**
- 14. Mayor Addressing the Council**
- 15. Executive Session**
 - 15.a. 1 MRSA 405(6)(D)...Labor Contract Negotiations - Fire Department

16. Adjourn



Whereas National Police Week has been designated to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, the Congress and President of the United States have designated May 15th as Peace Officers Memorial Day, and the week in which it falls as Police Week;

WHEREAS, the International Association of Chiefs of Police has declared law enforcement officer safety and wellness a top priority, and the IACP's Center for Officer Safety and Wellness promotes the importance of individual, agency, family, and community safety and wellness awareness; and

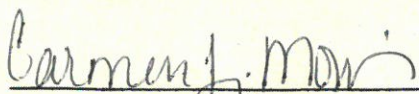
WHEREAS, as members of the law enforcement agency of Biddeford, Maine play an essential role in safeguarding the rights of freedoms of its citizens; and

WHEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

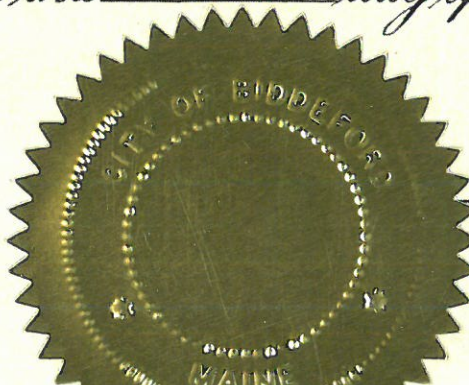
WHEREAS, the police department of the City of Biddeford has grown to be a modern and scientific law enforcement agency which unceasingly provides a vital public service;

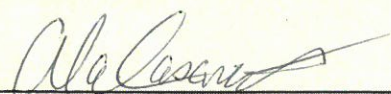
NOW, THEREFORE, I, Mayor Alan M. Casavant call upon all citizens of Biddeford, Maine and upon all patriotic, civil and educational organizations to observe the week of **May 12 – May 18, 2019, as Police Week** with appropriate ceremonies in which all of our people may join in commemorating police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

*In Witness Whereof, We, the undersigned have herewith
affixed our signatures this 7th day of May 2019*

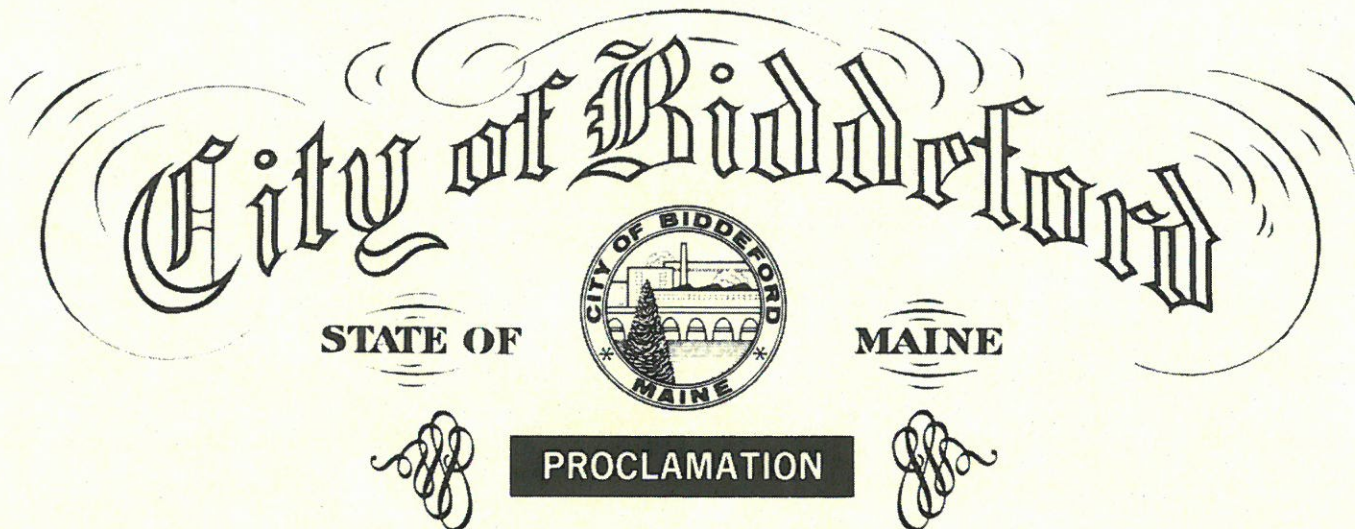


City Clerk





Mayor



Whereas May 18th, 2019 is the ninth Kids to Parks Day organized and launched by the National Park Trust, held annually on the third Saturday of May; and

WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit America's parks; and

WHEREAS, it is important to introduce a new generation to our nation's parks; and

WHEREAS, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes, mellitus, hypertension and hypercholesterolemia; and

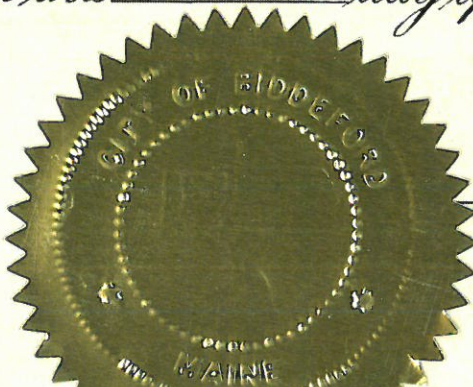
WHEREAS, Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants; and

WHEREAS, Kids to Parks Day will broaden children's appreciation for nature and outdoors; and

NOW THEREFORE, we, the Mayor and Council of the City of Biddeford, do hereby proclaim to participate in **Kids to Parks Day**. We urge residents of Biddeford to make time May 18th, 2019 to take the children in their lives to a neighborhood, state or national park.

*In Witness Whereof, We, the undersigned have herewith
affixed our signatures this 7th day of May 2019*

Carmen J. Morris
City Clerk



Al Aron
Mayor

**NOTICE OF PUBLIC HEARINGS
City of Biddeford**

regarding

**An Amendment to the Municipal Development and Tax Increment Financing District
Known As The “Rte 111-Mill Redevelopment Municipal Development and Tax Increment
Financing District”**

And

**The Designation Of A Municipal Development and Tax Increment Financing District to Be
Known As “Riverdam Municipal Development and Tax Increment Financing District”
And the Adoption Of A Development Program, therefore:**

Notice is hereby by given that the City of Biddeford will hold two public hearings on

May 7, 2019

at 6:00 PM at

City Hall at 205 Main Street in the Council Chambers on the second floor.

The purpose of one of the public hearings is to receive public comments on the amendment of the existing Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District removing a portion of that district located at Building 3 and Building 4 of the Riverdam Mill in order to make the area available to designate a new Municipal Development and Tax Increment Financing District, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The purpose of the other public hearing is to receive public comments on the designation of a new district called the Riverdam Municipal Development and Tax Increment Financing District, located at Building 3 and Building 4 of the Riverdam Mill, and the adoption of a development program therefor, all in accordance with Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended. Such development program will include authorizing a credit enhancement agreement with the developer, Tom Watson & Company, LLC.

A copy of the proposed Development Program will be on file with the City’s Economic Development Office during normal business hours of 8:00 am – 5:00 pm. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

**NOTICE OF PUBLIC HEARINGS
City of Biddeford**

regarding

**An Amendment to the Municipal Development and Tax Increment Financing District
Known As The “Rte 111-Mill Redevelopment Municipal Development and Tax Increment
Financing District”**

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New Business

pd. \$160.00 - 4/3/19

\$10.00 application fee is applicable to all NEW businesses

\$60.00 advertising fee for new liquor license applications is an up-front charge

Ch A 5056

City of Biddeford
BUSINESS LICENSE APPLICATION

BUSINESS NAME: LORNE WINE

Business Address: 61 MAIN STREET, BIDDEFORD, ME 04005 Map 39 Lot 77

Mailing Address: 65 MAIN STREET, BIDDEFORD, ME 04005

Business Telephone Number: (646) 752-8424

Email Address: erin@lornewine.com

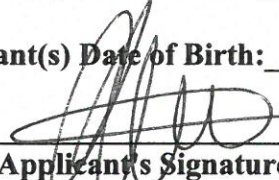
OWNER/OPERATOR: Sheehan James LLC

Home Physical Address: 121 SOUTH SHOPE ROAD, NORTH HAVEN, ME 04853

Home Mailing Address: PO BOX 1423, BIDDEFORD, ME 04005

Home Telephone Number: (646) 752-8424

Applicant(s) Date of Birth: Erin Sheehan (12/18/1974) Carson James (11/20/1981)


Applicant's Signature

04/03/19

Date

Any information provided in this application, which is found to be false, will result in the denial or revocation of this license - per 1 M.R.S.A. 17-A §453.

TYPES OF ENTERTAINMENT:

\$150.00 (single/multiple events)

- ☐ Concert
- ☐ Exhibitions (live performances)
- ☐ Circus/Carnival

☐ Playhouse/Play

- ☐ Indoor Skating Rink
- ☐ Bowling Lanes
- ☐ Theater/Movie House
(plus \$25.00 per screen)
- ☐ Billiard Room(s)

\$150.00 (annual)

- ☐ Public Firing Range
- ☐ Bottle Club

AUTOMOBILE REPAIR AND/OR GRAVEYARD:

- ☐ Automobile Repair Garage for maintenance
- ☐ Automobile Graveyard

\$75.00

\$200.00

PLACES/DEALERS IN PRODUCTS:

\$200.00

- ☐ Secondhand Dealers
- ☐ Dealers in gold jewelry, etc.
- ☐ Antique Dealer

- ☐ Flea Market (for 20 tables; \$5 per add'l table)
- ☐ Junk Dealer/Recycling

*\$10.00 application fee is applicable to all NEW businesses
\$60.00 advertising fee for new liquor license applications is an up-front charge*

PAWNBROKER: **\$200.00**

VENDOR ON A PUBLIC PLACE: **\$50.00**

ICE CREAM TRUCK VENDOR **\$75.00**

(need to show proof of at least \$500,000 liability insurance)

VENDING ON WATERWAYS **\$100.00**

OPERATING LICENSE:

- ☐ Victualer (no alcohol)-State Cert. Required **\$75.00**
- ☒ Victualer serving beer and/or wine-State Cert. Required **\$100.00**
- ☐ Victualer serving beer, wine and/or liquor **\$150.00**
State Cert. Required
- ☐ Taxicab, motorbus, public automobile **\$50.00**
(plus \$20.00 per vehicle)
- ☐ Massage Establishment/Therapist **\$100.00**
- ☐ Combined Massage Establishment/Massage Therapist **\$150.00**
- ☐ Adult Business **\$2,000.00**
- ☐ Sludge Disposal **\$50.00**

MISCELLANEOUS:

- ☒ Advertising (for liquor licenses) **\$60.00**
- ☐ Newspaper Vending Machines (per machine) **\$10.00**
- ☐ Video Game Devices (up to a max of \$50.00) **\$10.00 (each machine)**

New Business License Application Disclosure: By submitting, signing and paying the applicable \$10.00 application fee (and \$60.00 advertising, when applicable), the issuance of business license in the City of Biddeford is not guaranteed. You will be required to pay the full business license fee(s) once departmental reviews have been completed and an Occupancy Permit has been issued by the Code Enforcement Office.

CITY COUNCIL APPROVAL DATE (if applicable): _____

CODE ENFORCEMENT APPROVAL:
(Occupancy Permit Issued)

Signature **LIFE Safety Insp**

CITY CLERK ISSUED: _____ **DATE:** _____

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008 (Regular Mail)
10 WATER STREET, HALLOWELL, ME 04347 (Overnight Mail)
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	
Good SOS & DBA: YES ☐ NO ☐	

PRESENT LICENSE EXPIRES: _____

NEW application: ☒ Yes ☐ No

If business is NEW or under new ownership, indicate starting date: 06/01/19

Requested inspection (New Licensees/ Ownership Changes Only) Date : _____ Business hours: 12pm-11pm

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☐ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- ☒ RESTAURANT (Class I,II,III,IV) ☐ RESTAURANT/LOUNGE (Class XI) ☐ CLASS A LOUNGE (Class X)
☐ HOTEL (Class I,II,III,IV) ☐ HOTEL, FOOD OPTIONAL (Class I-A) ☐ BED & BREAKFAST (Class V)
☐ GOLF COURSE (Class I,II,III,IV) ☐ TAVERN (Class IV) ☐ QUALIFIED CATERING
☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: Sheehan James LLC			Business Name (D/B/A) Lorne Wine		
APPLICANT(S) –(Sole Proprietor) DOB:			Physical Location: 61 Main Street		
DOB:			City/Town Biddeford	State ME	Zip Code 04005
Address 55 Main Street			Mailing Address 55 Main Street		
City/Town Biddeford	State ME	Zip Code 04853	City/Town Biddeford	State ME	Zip Code 04005
Telephone Number (646) 752-8424		Fax Number	Business Telephone Number (646) 752-8424		Fax Number
Federal I.D. # 83-1383886			Seller Certificate #: or Sales Tax #:		
Email Address: Please Print info@lornewine.com			Website: www.lornewine.com		

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: n/a

2. State amount of gross income from period of last license:

ROOMS \$ n/a FOOD \$ n/a LIQUOR \$ n/a

3. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If Yes, please complete the Corporate Information required for Business Entities who are licensees.

4. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

5. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No (Use an additional sheet(s) if necessary.) If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

License # _____ Name of Business _____

Physical Location _____ City / Town _____

6. If manager is to be employed, give name: n/a

7. Business records are located at: n/a

8. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

9. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

10. List name, date of birth, and place of birth for all applicants, managers, and bar managers.

Full Name (Please Print)	DOB	Place of Birth
Erin Sheehan	12/18/1974	Hartford, CT
Carson James	11/20/1981	Voorhees, NJ

11. Residence address on all of the above for previous 5 years (Limit answer to city & state)

Name: Erin Sheehan and Carson James	City: North Haven	State: ME
Name: Erin Sheehan and Carson James	City: Dallas	State: ME
Name: _____	City: _____	State: _____

12. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____ (use additional sheet(s) if necessary)

13. Will any law enforcement official benefit directly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: _____

14. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☒

15. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: _____

Medley Properties, 63 Federal Street, Portland, ME

16. Describe in detail the premises to be licensed: (**On Premise Diagram Required**) The premises will seat 26 people. Malt and vinous beverages will be stored behind and served from the bar.

17. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☐ NO ☒ Applied for: 04/04/2019

18. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? .1 mile

Which of the above is nearest? Church (Congregation Etz Chaim, 36 Bacon Street, Biddeford, ME 04005)

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19. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If YES, give details: We are seeking a bank loan.

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Biddeford, ME on April 3, 20 19

Town/City, State

Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Erin Sheehan

Print Name

Signature of Applicant or Corporate Officer(s)

Carson James

Print Name

FEE SCHEDULE

FILING FEE: (must be <u>included</u> on all applications)	\$ 10.00
Class I Spirituous, Vinous and Malt	\$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.	
Class II Spirituous Only	\$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III Vinous Only	\$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV Malt Liquor Only	\$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class III & IV Malt & Vinous Only	\$ 440.00
CLASS III & IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
CLASS V: Clubs without catering privileges.	
Class X Spirituous, Vinous and Malt – Class A Lounge	\$2,200.00
CLASS X: Class A Lounge	
Class XI Spirituous, Vinous and Malt – Restaurant Lounge	\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.	

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. **All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer. All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.**

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

13

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).] [2003, c. 213, §1 (AMD).]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (AMD).]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD).]

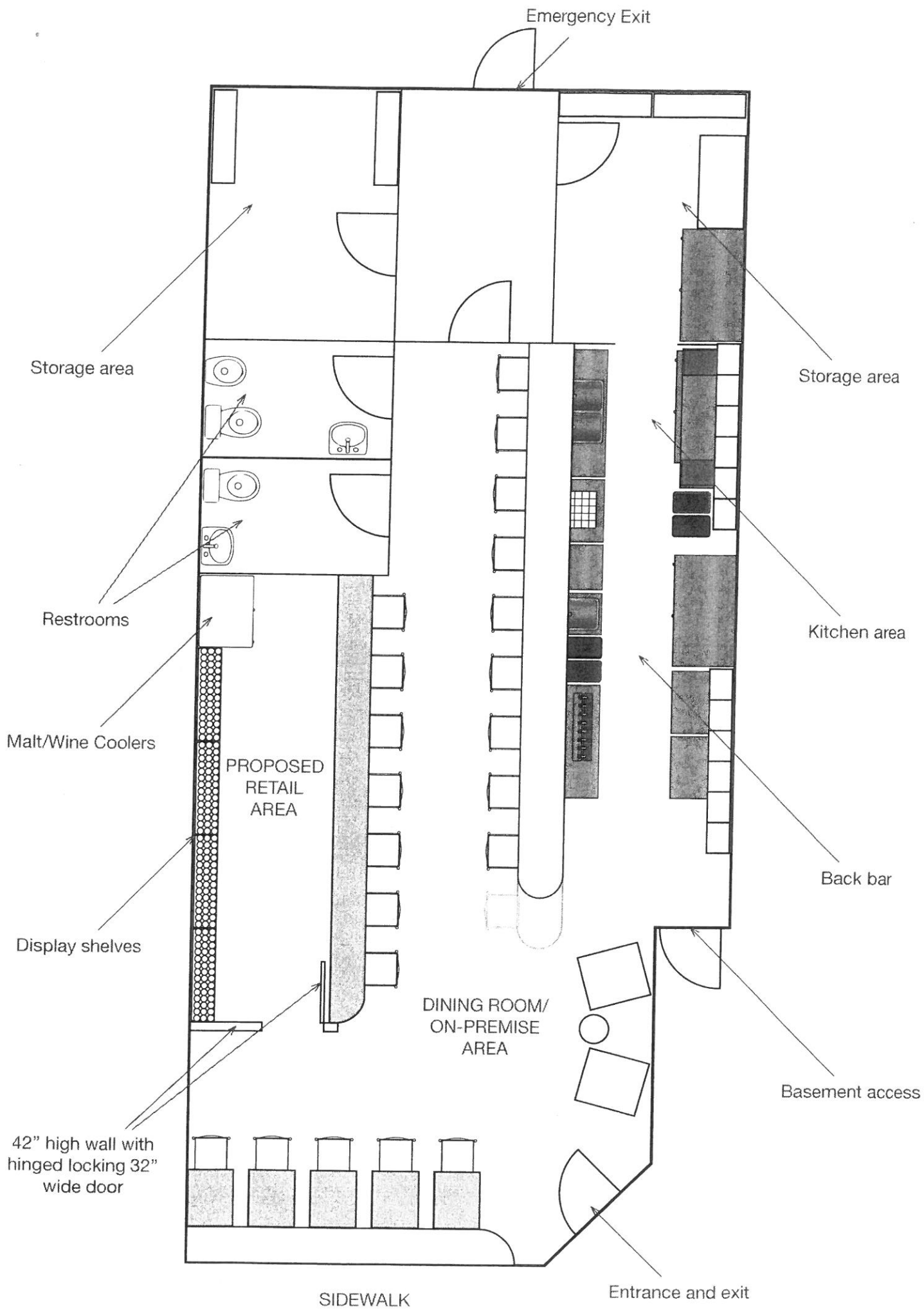
[1995, c. 140, §6 (AMD).]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP).]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF).]





Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: Sheehan James LLC
2. Doing Business As, if any: Lorne Wine
3. Date of filing with Secretary of State: July 20, 2018 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Erin Sheehan	PO Box 209, North Haven, ME 04853 9702 Cloister Drive, Dallas, TX 75228 1907 Euclid Avenue, Dallas, TX 75206	12/18/1974	Partner	50%
Carson James	PO Box 209, North Haven, ME 04853 9702 Cloister Drive, Dallas, TX 75228 1907 Euclid Avenue, Dallas, TX 75206	11/20/1981	Partner	50%

(Stock ownership in non-publicly traded companies must add up to 100%.)

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States? ☐ Yes ☒ No

8. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Owner or Corporate Officer

04/03/2019

Date

Erin Sheehan

Print Name of Owner or Corporate Officer

Submit Completed Forms to:

Bureau of Alcoholic Beverages

Division of Liquor Licensing and Enforcement

8 State House Station, Augusta, Me 04333-0008 (Regular address)

10 Water Street, Hallowell, ME 04347 (Overnight address)

Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434

Email Inquiries: MaineLiquor@Maine.gov

New Business

pd 160.00 - 4/3/19

\$10.00 application fee is applicable to all NEW businesses

\$60.00 advertising fee for new liquor license applications is an up-front charge

Ch A 5056

City of Biddeford
BUSINESS LICENSE APPLICATION

BUSINESS NAME: LORNE WINE

Business Address: 61 MAIN STREET, BIDDEFORD, ME 04005 Map 39 Lot 77

Mailing Address: 65 MAIN STREET, BIDDEFORD, ME 04005

Business Telephone Number: (646) 752-8424

Email Address: erin@lornewine.com

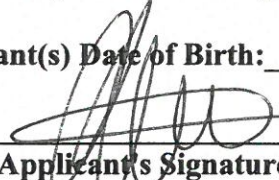
OWNER/OPERATOR: Sheehan James LLC

Home Physical Address: 121 SOUTH SHOPE ROAD, NORTH HAVEN, ME 04853

Home Mailing Address: PO BOX 1423, BIDDEFORD, ME 04005

Home Telephone Number: (646) 752-8424

Applicant(s) Date of Birth: Erin Sheehan (12/18/1974) Carson James (11/20/1981)


Applicant's Signature

04/03/19

Date

Any information provided in this application, which is found to be false, will result in the denial or revocation of this license - per 1 M.R.S.A. 17-A §453.

TYPES OF ENTERTAINMENT:

\$150.00 (single/multiple events)

- ☐ Concert
- ☐ Exhibitions (live performances)
- ☐ Circus/Carnival

☐ Playhouse/Play

- ☐ Indoor Skating Rink
- ☐ Bowling Lanes
- ☐ Theater/Movie House
(plus \$25.00 per screen)
- ☐ Billiard Room(s)

\$150.00 (annual)

- ☐ Public Firing Range
- ☐ Bottle Club

AUTOMOBILE REPAIR AND/OR GRAVEYARD:

- ☐ Automobile Repair Garage for maintenance
- ☐ Automobile Graveyard

\$75.00

\$200.00

PLACES/DEALERS IN PRODUCTS:

\$200.00

- ☐ Secondhand Dealers
- ☐ Dealers in gold jewelry, etc.
- ☐ Antique Dealer

- ☐ Flea Market (for 20 tables; \$5 per add'l table)
- ☐ Junk Dealer/Recycling

*\$10.00 application fee is applicable to all NEW businesses
\$60.00 advertising fee for new liquor license applications is an up-front charge*

PAWNBROKER: **\$200.00**

VENDOR ON A PUBLIC PLACE: **\$50.00**

ICE CREAM TRUCK VENDOR **\$75.00**

(need to show proof of at least \$500,000 liability insurance)

VENDING ON WATERWAYS **\$100.00**

OPERATING LICENSE:

- ☐ Victualer (no alcohol)-State Cert. Required **\$75.00**
- ☒ Victualer serving beer and/or wine-State Cert. Required **\$100.00**
- ☐ Victualer serving beer, wine and/or liquor **\$150.00**
State Cert. Required
- ☐ Taxicab, motorbus, public automobile **\$50.00**
(plus \$20.00 per vehicle)
- ☐ Massage Establishment/Therapist **\$100.00**
- ☐ Combined Massage Establishment/Massage Therapist **\$150.00**
- ☐ Adult Business **\$2,000.00**
- ☐ Sludge Disposal **\$50.00**

MISCELLANEOUS:

- ☒ Advertising (for liquor licenses) **\$60.00**
- ☐ Newspaper Vending Machines (per machine) **\$10.00**
- ☐ Video Game Devices (up to a max of \$50.00) **\$10.00 (each machine)**

New Business License Application Disclosure: By submitting, signing and paying the applicable \$10.00 application fee (and \$60.00 advertising, when applicable), the issuance of business license in the City of Biddeford is not guaranteed. You will be required to pay the full business license fee(s) once departmental reviews have been completed and an Occupancy Permit has been issued by the Code Enforcement Office.

CITY COUNCIL APPROVAL DATE (if applicable): _____

CODE ENFORCEMENT APPROVAL:
(Occupancy Permit Issued)

Signature **LIFE SAFETY INSPECTION**

CITY CLERK ISSUED: _____ **DATE:** _____

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008 (Regular Mail)
10 WATER STREET, HALLOWELL, ME 04347 (Overnight Mail)
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	
Good SOS & DBA: YES ☐ NO ☐	

PRESENT LICENSE EXPIRES: _____

NEW application: ☒ Yes ☐ No

If business is NEW or under new ownership, indicate starting date: 06/01/19

Requested inspection (New Licensees/ Ownership Changes Only) Date : _____ Business hours: 12pm-11pm

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☐ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- ☒ RESTAURANT (Class I,II,III,IV) ☐ RESTAURANT/LOUNGE (Class XI) ☐ CLASS A LOUNGE (Class X)
☐ HOTEL (Class I,II,III,IV) ☐ HOTEL, FOOD OPTIONAL (Class I-A) ☐ BED & BREAKFAST (Class V)
☐ GOLF COURSE (Class I,II,III,IV) ☐ TAVERN (Class IV) ☐ QUALIFIED CATERING
☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: Sheehan James LLC			Business Name (D/B/A) Lorne Wine		
APPLICANT(S) –(Sole Proprietor) DOB:			Physical Location: 61 Main Street		
DOB:			City/Town Biddeford	State ME	Zip Code 04005
Address 55 Main Street			Mailing Address 55 Main Street		
City/Town Biddeford	State ME	Zip Code 04853	City/Town Biddeford	State ME	Zip Code 04005
Telephone Number (646) 752-8424		Fax Number	Business Telephone Number (646) 752-8424		Fax Number
Federal I.D. # 83-1383886			Seller Certificate #: or Sales Tax #:		
Email Address: Please Print info@lornewine.com			Website: www.lornewine.com		

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: n/a

2. State amount of gross income from period of last license:

ROOMS \$ n/a FOOD \$ n/a LIQUOR \$ n/a

3. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If Yes, please complete the Corporate Information required for Business Entities who are licensees.

4. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

5. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No (Use an additional sheet(s) if necessary.) If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

License # _____ Name of Business _____

Physical Location _____ City / Town _____

6. If manager is to be employed, give name: n/a

7. Business records are located at: n/a

8. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

9. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

10. List name, date of birth, and place of birth for all applicants, managers, and bar managers.

Full Name (Please Print)	DOB	Place of Birth
Erin Sheehan	12/18/1974	Hartford, CT
Carson James	11/20/1981	Voorhees, NJ

11. Residence address on all of the above for previous 5 years (Limit answer to city & state)

Name: Erin Sheehan and Carson James	City: North Haven	State: ME
Name: Erin Sheehan and Carson James	City: Dallas	State: ME
Name: _____	City: _____	State: _____

12. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____ (use additional sheet(s) if necessary)

13. Will any law enforcement official benefit directly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: _____

14. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☒

15. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: _____

Medley Properties, 63 Federal Street, Portland, ME

16. Describe in detail the premises to be licensed: (**On Premise Diagram Required**) The premises will seat 26 people. Malt and vinous beverages will be stored behind and served from the bar.

17. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☐ NO ☒ Applied for: 04/04/2019

18. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? .1 mile

Which of the above is nearest? Church (Congregation Etz Chaim, 36 Bacon Street, Biddeford, ME 04005)

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19. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If YES, give details: We are seeking a bank loan.

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Biddeford, ME on April 3, 2019

Town/City, State

Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Erin Sheehan

Print Name

Signature of Applicant or Corporate Officer(s)

Carson James

Print Name

FEE SCHEDULE

FILING FEE: (must be <u>included</u> on all applications)	\$ 10.00
Class I Spirituous, Vinous and Malt	\$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.	
Class II Spirituous Only	\$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III Vinous Only	\$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV Malt Liquor Only	\$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class III & IV Malt & Vinous Only	\$ 440.00
CLASS III & IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
CLASS V: Clubs without catering privileges.	
Class X Spirituous, Vinous and Malt – Class A Lounge	\$2,200.00
CLASS X: Class A Lounge	
Class XI Spirituous, Vinous and Malt – Restaurant Lounge	\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.	

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. **All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer. All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.**

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

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D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).] [2003, c. 213, §1 (AMD).]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (AMD).]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD).]

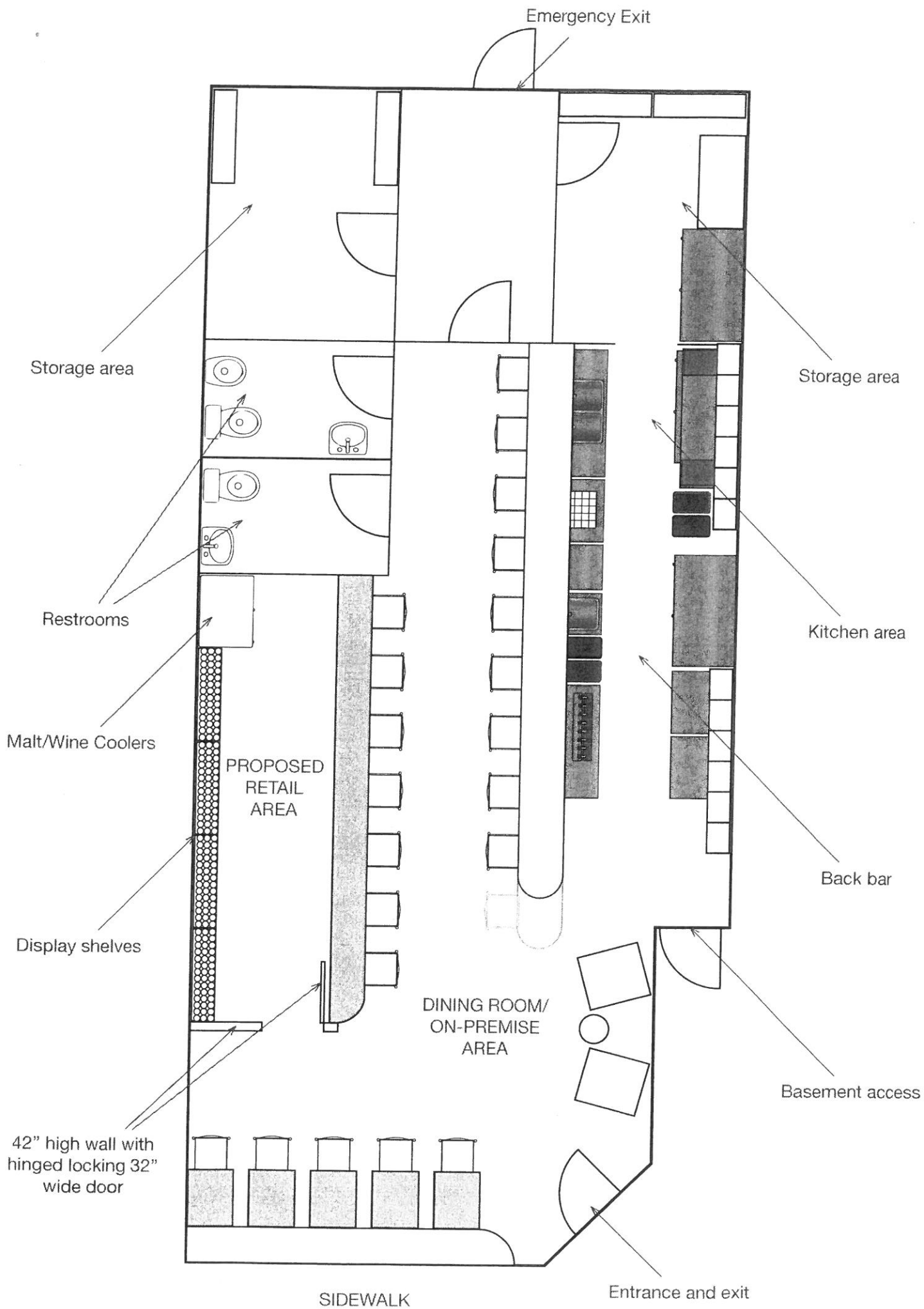
[1995, c. 140, §6 (AMD).]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP).]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF).]





Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: Sheehan James LLC
2. Doing Business As, if any: Lorne Wine
3. Date of filing with Secretary of State: July 20, 2018 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Erin Sheehan	PO Box 209, North Haven, ME 04853 9702 Cloister Drive, Dallas, TX 75228 1907 Euclid Avenue, Dallas, TX 75206	12/18/1974	Partner	50%
Carson James	PO Box 209, North Haven, ME 04853 9702 Cloister Drive, Dallas, TX 75228 1907 Euclid Avenue, Dallas, TX 75206	11/20/1981	Partner	50%

(Stock ownership in non-publicly traded companies must add up to 100%.)

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States? ☐ Yes ☒ No

8. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Owner or Corporate Officer

04/03/2019

Date

Erin Sheehan

Print Name of Owner or Corporate Officer

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

**COUNCIL MEETING
APRIL 16, 2019**

Mayor Casavant called the meeting to order at 6:00 p.m.

Roll Call: Michael Swanton, Stephen St. Cyr, Robert Quattrone, Jr., Amy Clearwater, Norman Belanger, Michael Ready, Laura Seaver and Marc Lessard

John McCurry, Jr., was excused.

The Council, and all who were present, recited the Pledge of Allegiance.

Adjustment to the Agenda:

Executive Session: will not be discussing the Public Works Supervisors Contract; but will be discussing the Fire Department Contract Negotiations

Consideration of Minutes: **April 2, 2019**

Motion by Councilor Ready, seconded by Councilor Seaver to accept the minutes as printed.

Vote: Unanimous.

Second Readings:

{For a copy of the ordinance amendments and first readings, see the Council Meeting minutes of April 2, 2019}

2019.27) Amendment/Ch. 10, Animals/Art. I – In General and Art. II – Dogs/Various Amendments

Motion by Councilor Seaver, seconded by Councilor Clearwater to grant the second reading of the ordinance amendment.

Vote: Unanimous.

2019.28) Amendment/Ch. 46, Parks and Recreation/Sec. 46-13 – Parking operating policy/Add Use for Horses

Motion by Councilor Ready, seconded by Councilor Clearwater to grant the second reading of the ordinance amendment.

Vote: Unanimous.

2019.29) Amendment/Ch. 58, Solid Waste/Add New Article IV – Single Use Carry-Out Bags

Motion by Councilor Clearwater, seconded by Councilor Ready to grant the second reading of the ordinance amendment.

Vote: 5/3; Councilors Lessard, Quattrone and Swanton opposed.

Councilors St. Cyr, Clearwater, Belanger, Ready and Seaver in favor.

Motion carries.

2019.30) Amendment/Ch. 2, Administration/Art. V – Finance/Sec. 2-336 – Competitive sealed bidding

Motion by Councilor Ready, seconded by Councilor Clearwater to grant the second reading of the ordinance amendment.

Motion by Councilor Lessard, seconded by Councilor Quattrone to amend the ordinance, section (g), by changing “successful bidder” to **lowest bidder**.

Vote: 3/5; Councilors Lessard, Quattrone and Belanger in favor.

Councilors Swanton, St. Cyr, Clearwater, Ready and Seaver opposed.

Motion to amend fails.

Motion by Councilor Belanger, seconded by Councilor Clearwater to amend the ordinance, section (g) by changing City Administrator to **City Manager**.

Vote: Unanimous.

Vote on ordinance, as amended: Unanimous.

Orders of the Day:

2019.36

IN BOARD OF CITY COUNCIL..APRIL 16, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby award a contract with Shaw Brothers Construction for the City's Paving Program; contract for FY19 only.

Motion by Councilor Ready, seconded by Councilor Clearwater to grant the order.

Motion by Councilor Lessard, seconded by Councilor Quattrone to amend the order by stipulating that the Shaw Brothers Construction bid be accepted, as long as the company can get their bid to within 10% of the lowest bid received for the Paving Program.

Vote: 3/5; Councilors Lessard, Quattrone and Swanton in favor.

Councilors St. Cyr, Clearwater, Belanger, Ready and Seaver opposed.

Motion to amend fails.

Councilor Lessard asked to go on record, stating that he has argued as hard as he could to save the taxpayers \$90,000 with this paving program contract, but unfortunately, was unsuccessful in his efforts.

Vote on order: 6/2; Councilors Lessard and Quattrone opposed.

Councilors Swanton, St. Cyr, Clearwater, Belanger, Ready and Seaver in favor.

Motion carries.

Committee-of-the-Whole: Role of the Downtown Development Commission

Motion by Councilor Ready, seconded by Councilor Belanger to move into Committee-of-the-Whole.

Vote: 7/1; Councilor Quattrone opposed.

Councilors Swanton, St. Cyr, Clearwater, Belanger, Ready, Seaver and Lessard in favor.

Time: 6:25 p.m.

Councilor Clearwater spoke on behalf of the DDC. She explained that the DDC would like the Council to give them some policy issues and more substantive issues to deal with. One suggestion is that the DDC work on coming up with ideas for implementation of the items that were set forth in the Downtown Task Force Report. The Commission is willing to work through issues and projects, and then report back to the Council with recommendations.

Mayor Casavant agrees that the City needs to get the DDC more involved in downtown issues – including dealing with the open/park space at 3 Lincoln Street.

A majority of the Councilors agree that projects and issues should be given to the DDC, with the understanding that they would report back to the Council with recommendations.

Economic Development Coordinator, Brad Favreau, who serves as Staff on the DDC, informed the Council that the DDC is currently reviewing a policy that was discussed by the Planning Board, which addresses first floor residential housing on both sides of Alfred Street from Jefferson Street/Pool Street to Main Street.

Motion by Councilor Clearwater, seconded by Councilor Lessard to move out of Committee-of-the-Whole.

Vote: Unanimous.

Time: 6:36 p.m.

Appointment:

IN BOARD OF CITY COUNCIL...APRIL 16, 2019

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

Councilor Amy Clearwater

as the Council Representative to the Biddeford Youth Advisory Council.

Motion by Councilor Belanger, seconded by Councilor Lessard to confirm the appointment.

Vote: Unanimous.

Public Addressing the Council...(5 minute limit per speaker; 30 minute total time limit):
There were no comments from the public.

City Manager Report:

City Manager, James Bennett informed the Council that at their Budget Committee meeting this Thursday, April 18th, they will be discussing the scheduled increase of parking permit fees. If, at that meeting, the Budget Committee recommends changes to the parking permit fees, a Special Council meeting will be scheduled for April 25th for official approval.

Other Business:

Councilor Ready: had a couple of items:

- 1) For the next Council Meeting, he asked the City Manager to get an update from the Code Enforcement Officer on the roll out of fee collection for the second round of apartment inspections and any issues that have come up; as well as an update on where the Codes Office is with the first round of apartment inspections.
- 2) He noted that he recently took a walk down to the RiverWalk and the amphitheater, which in the past he has typically been found locked. This time, he was pleased to see that the gate/door was unlocked and he was able to access the building.

Councilor Lessard: noted that the York County Budget Committee will start their budget meetings next week, and he will be representing Biddeford.

Councilor Seaver: informed the Council and public that she will not be available via phone or email for the next week.

Councilor Quattrone: announced that the Autism Summer Camp is gearing up for their third year, working in conjunction with UNE. Applications for children are now being accepted.

Councilor Swanton: had a few items:

- 1) He does not like the City's sign ordinance.
- 2) The J. Richard Martin Community Center Report will need to be discussed soon.
- 3) On Saturday, April 27th, the Dept. of Public Works will be observing Earth Day, which will include Drug Take Back with the Police Dept.; distribution of information on Thacher Brook by the Conservation Commission; and kitchen composters will be available for purchase.

Councilor Clearwater: shared that she has and uses a kitchen composter and it works great. She then announced that on May 1st, sometime around 5:30pm-6:30pm, a "Plogging" event has been planned in the City. Plogging is when folks run around picking up trash on public property.

Mayor Addressing the Council: Mayor Casavant extended congratulations to Councilor Clearwater for passing the Maine Bar!

Executive Session: 1 MRSA 405(6)(D)...Labor Contract Negotiations – Fire Department
Motion by Councilor Ready, seconded by Councilor Clearwater to move into Executive Session.
Vote: Unanimous. Time: 6:45 p.m.

Motion by Councilor Clearwater, seconded by Councilor Quattrone to move out of Executive Session.
Vote: Unanimous Time: 8:04 p.m.

Motion by Councilor Clearwater, seconded by Councilor Quattrone to adjourn.
Vote: Unanimous. Time: 8:04 p.m.

Attest by: _____
Carmen J. Morris, City Clerk

**SPECIAL COUNCIL MEETING
APRIL 25, 2019**

Mayor Casavant called the meeting to order at 5:30 p.m.

Roll Call: Michael Swanton, John McCurry, Jr., Stephen St. Cyr, Robert Quattrone, Jr., Amy Clearwater (arrived at 5:33pm), Norman Belanger, Michael Ready, Marc Lessard (arrived at 5:33pm)

Laura Seaver was excused

The Council, and all who were present, recited the Pledge of Allegiance.

Discussion/Consideration: **Parking Permit Fees Increase (effective May 1, 2019)**

City Manager, James Bennett presented a number of different budget figures, based on a couple of different scenarios, including (1) if only the hourly parking was increased as of May 1, 2019 and the parking permit fees did not increase at all; (2) if both the hourly parking and the parking permit fees were not increased until December 1, 2019; and (3) if the hourly parking was increased as of May 1, 2019 and the parking permit fees were not increased until December 1, 2019.

Motion by Councilor Lessard, seconded by Councilor Clearwater to postpone the implementation of the parking permit fee increase to a future date to be determined.
Motion was withdrawn.

Motion by Councilor Belanger, seconded by Councilor McCurry to postpone the implementation of the parking permit fee increase to July 1, 2019.

Vote: 4/4; Councilors Lessard, Ready, Clearwater and McCurry opposed.

Councilors Swanton, St. Cyr, Quattrone and Belanger in favor.

Mayor Casavant voted in opposition to break the tie.

Motion fails.

Motion by Councilor McCurry, seconded by Councilor Ready to adjourn.

Vote: 4/4; Councilors Belanger, Clearwater, St. Cyr and Swanton opposed.

Councilors McCurry, Quattrone, Ready and Lessard in favor.

Mayor Casavant voted in opposition to break the tie.

Motion fails.

Motion by Councilor Clearwater, seconded by Councilor Swanton to postpone the implementation of the parking permit fee increase until October 1, 2019.

Vote: 1/7; Councilor Clearwater in favor.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Belanger, Ready and Lessard opposed.

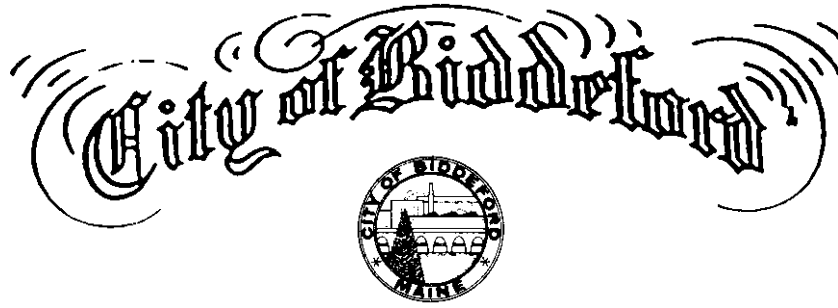
Motion fails.

Motion by Councilor Clearwater, seconded by Councilor Ready to adjourn.

Vote: Unanimous.

Time: 5:47 p.m.

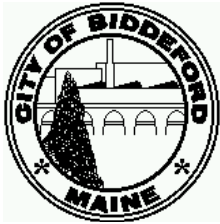
Attest by: _____
Carmen J. Morris, City Clerk



2019.37

IN BOARD OF CITY COUNCIL...MAY 7, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve and authorize the City Manager to sign, execute and submit the City's Final Draft of the CDBG Year 2 Action Plan and all associated documents in connection with the Community Development Block Grant (CDBG) Program to the U.S. Department of Housing and Urban Development.



CITY OF BIDDEFORD, MAINE
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

P.O. Box 586
Biddeford, Maine 04005

TO: Alan Casavant, Mayor
James A. Bennett, City Manager
Mathew Eddy, Director of Planning and Development
City Councilors
Members of Citizens Advisory Committee & Social Service Applicants
Biddeford Citizens

FROM: Linda Waters, Community Development Coordinator

DATE: May 1st, 2019

SUBJECT: Final Draft of Year 2 Action Plan – July 1st, 2019 to June 30th, 2020

Council Action: Approval and authorization of the City Manager to sign, execute and submit the City's Final Draft of the CDBG Year 2 Action Plan and all associated documents in connection with the Community Development Block Grant (CDBG) Program to the U.S. Department of Housing and Urban Development.

Please find attached the Final Draft Year 2 Action Plan for the City's Community Development Block Grant (CDBG) Program. The Annual Action Plan is required annually to explain to HUD what we plan to do in any one year. Some sections are duplicated from one plan to the other due to some repetition in the nature of the questions asked by HUD. The additional information in these sections is currently being prepared and does not affect the overall Plan in content or affect the proposed projects and allotments. The budget was based on our current allocation of \$462,200, however, the awarded allocation has come in and is \$467,761.

A public hearing was held on the Draft Year 2 Action Plan on April 4th, 2019 at 5:30 p.m. in the 2nd Floor Conference Room at City Hall to receive comments, and was followed by a 30-day comment period. Comments at the Public Hearing included support for the programs and projects. In addition, there was support for community gardens in the City's public parks and open spaces, and support for the installation of public bathrooms in public spaces as well. Also, support was given for a loan program for buyers who will owner-occupy their housing buildings. All comments from the public hearings and comment period will be summarized and included in the Action Plan. Comments from the Public Hearing were presented to the Citizens Advisory Committee (CAC) and there have been no comments to date within the 30-day comment period. The CAC also has proposed the allocation of the additional funds to be received and I will present this to you at the Council Meeting on May 7th. The date planned for City Council approval of the Plan will be on May 7th when I will present the final draft of the plan prior to submission to HUD. If you have any questions or would like more information regarding the draft plan, please feel free to call me at your convenience at 284-9105 or email at Linda.Waters@biddefordmaine.org. Thank you.

FINAL DRAFT MAY 2019



CITY OF BIDDEFORD, MAINE

Year 2 Action Plan

July 1, 2019 – July 30, 2020

**U.S DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
COMMUNITY DEVELOPMENT BLOCK GRANT
ENTITLEMENT PROGRAM**



The City's Entitlement Mission Statement is as follows:

“To create a Strategic Plan for the next five years that continues to enhance the community and economic development of the City of Biddeford through targeted public facility and infrastructure improvements, social services, housing, economic development projects, and activities that benefit residents, including low to moderate income persons and special needs population groups.”

Objectives and Outcomes

The following are the priorities, objectives and outcomes for the Consolidated 5 Year Plan that began on July 1st, 2018. This five-year plan encompasses the following proposed projects and programs for the Year 2 Action Plan to begin on July 1st, 2019. Infrastructure is Priority 1 and has a greater percentage allotment than Housing. However, from comments collected at the Public Hearings and from the Citizens Advisory Committee, Priority 2, Housing, is to be funded equally with Infrastructure when funding is available and housing projects are ready, and infrastructure needs are not critical.

INFRASTRUCTURE

Priority 1 - To eliminate slum and blight in the downtown area through infrastructure and public facilities improvements that benefit LMI neighborhoods.

HUD OBJECTIVE – CREATING A SUITABLE LIVING ENVIRONMENT

Outcome – Improving sustainability by promoting viable communities

Objective 1 - Increase access and provide public facilities that provide for the health and safety of residents in LMI neighborhoods.

- Actions:
1. Implement sidewalk and other street improvements, ADA projects and beautification projects in LMI neighborhoods for safe and adequate access to services and facilities.
 2. Implement park, trail and walkway developments in LMI neighborhoods for safe and adequate recreation needs through acquisition, demolition and redevelopment.

ECONOMIC DEVELOPMENT

HUD OBJECTIVE – CREATING ECONOMIC OPPORTUNITIES

Outcome – Improving sustainability by promoting viable communities

Objective 2 - Increase business attraction to promote job creation

- Actions:
1. Provide grant assistance to commercial property owners and businesses through a Business Assistance Program.
 2. Provide for projects that increase the economic viability of the downtown.
 3. Implement sustainable energy related projects in the downtown.

HOUSING

Priority 2 - To provide a strategy to meet the increasing need for transitional to affordable and supportive housing.

HUD OBJECTIVE – PROVIDING DECENT HOUSING

Outcome – Improving availability or accessibility of units

Objective 1 - Increase the supply of safe and adequate affordable housing for low to moderate-income persons.

- Actions:
1. Consider making the City's "surplus" and/or tax acquired real estate available for the development of affordable housing.
 2. Consider revisions to the City's zoning and land use standards which would provide incentives, e.g. density bonuses for the development of affordable housing.
 3. In partnership with other public/private parties, explore the adaptive re-use and redevelopment of non-residential properties, e.g. mills, churches, etc. into affordable sheltered housing.
 4. Consider and implement when feasible combinations of housing and community space that support LMI neighborhoods and enhance opportunities for housing occupants.

Objective 2 - Preserve and upgrade the City's housing stock serving low to moderate income persons.

- Actions:
1. Consider establishment of low interest loan programs to help finance the rehabilitation of the City's downtown housing stock.
 2. Consider acquisition and demolition of blighted properties for construction of new housing when applicable.
 3. Provide funding to low to moderate income homeowners for improvements comprised of energy conservation.

4. Consider establishment of low interest loan programs to help finance the rehabilitation of the City's downtown housing stock.
5. Undertake a systematic and concentrated program of code enforcement to ensure life safety standards are met and to prevent blighting influences on neighborhoods.
6. Encourage participation by landlords in the Biddeford Landlords Association and encourage partnerships that provide resources for landlords and tenants.

Objective 3 - Increase opportunities for homeownership for low and moderate income persons.

Actions: 1. Consider a partnership with other public/private organizations to pool resources to help finance home ownership, e.g. down payments, loan assistance, mortgage interest rate write-downs, and other financing mechanisms.

SOCIAL SERVICES

Priority 3 - Provide educational and work opportunities for homeless and low to moderate income persons, and special needs populations that provide avenues to obtain jobs and/or better paying work opportunities.

HUD OBJECTIVE – CREATING ECONOMIC OPPORTUNITIES

Outcome – Improving availability or accessibility of units or services

Objective 1 - Increase the economic prosperity of homeless and low to moderate income persons, and special needs populations, and their ability to afford housing, and health and safety amenities by providing work opportunities and partnerships that provide housing and housing services.

- Actions:
1. Provide opportunities for homeless and low to moderate income persons, and special needs populations to participate in work force preparedness and financial management programs that enhance their ability to have access to affordable housing.
 2. Provide child care and youth programs that increase the opportunity for homeless and low to moderate income persons, and special needs populations to attend educational and training programs, while providing enrichment programs for youths of all ages.
 3. Link local programs to secondary education and training that would be the "next step" for low to moderate income persons, homeless and special needs populations, and implement training and educational programs for these populations.

Priority 4 - Implement strategies to aid the elderly and special needs populations with access to information and services to increase health and safety and reduce reliance on the City's overburdened Health and Welfare Department that can only provide minimal assistance.

HUD OBJECTIVE – CREATING A SUITABLE LIVING ENVIRONMENT

Outcome – Improving availability or accessibility of units or services

Objective 1 - Improve the health and safety of the elderly and special needs populations.

Actions: 1. Provide and coordinate programs that outreach to the elderly and enable the elderly to access assistance that enhances their quality of life.

Priority 5 - To reinforce and strengthen the emergency shelter and transitional housing system that is already in place which includes housing, counseling, education and a wide variety of homeless, special needs and LMI assistance.

Objective 1 - Assist and work with the City's Health and Welfare Department, volunteer organizations and agencies to seek collaborative efforts to assist homeless, low to moderate income and special needs populations in Biddeford.

Actions: 1. Encourage network meetings of area resources and services.

2. Strengthen individual neighborhoods through outreach efforts, including meetings, events, and planning strategies

* The following falls under all priority listings and pertains to special needs populations thus giving it a stand alone Objective and Action.

Objective 1 - Provide for a seamless network of social services and assistance for special needs populations.

Actions: 1. Continue to gather all social service information and examine gaps in existing systems for all special needs population groups (includes diagnostic, rehabilitative, educational, housing and work opportunities).

Year 2 Projects are detailed below under their respective objectives and actions.

Construction/reconstruction of sidewalks, possible ADA projects, other street improvements, additional qualifying sidewalks, and parks, are targeted for a total of \$135,651 (29%) and \$116,940 (25%) for housing projects. Public services are targeted to LMI citizens citywide and are funded for a total of \$70,164 (15%) for implementation of new services and expansion of current services. A Downtown Improvement Program is also targeted for \$51,454 (11%). Administration is funded at \$93,552 (20%). Approximately 80% of the total funds will go to benefit LMI citizens.

The budget is based on \$467,761 that has been allocated by HUD for Year 2.

The total carryover of funds from Year 1 will be approximately \$200,000. Year 1 is the current project year from July 1st, 2018 to June 30th, 2019. These funds are already allocated and in the process of being expended.

1. Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a suitable living environment and expand economic opportunities, principally for low- and moderate-income persons.

Infrastructure

Priority 1 - To eliminate slum and blight in the downtown area through infrastructure and public facilities improvements that benefit LMI neighborhoods.

HUD OBJECTIVE – CREATING A SUITABLE LIVING ENVIRONMENT
Outcome – Improving sustainability by promoting viable communities

Objective 1 - Increase access and provide public facilities that provide for the health and safety of residents in LMI neighborhoods.

Actions: 1. Implement sidewalk and other street improvements, ADA projects and beautification projects in LMI neighborhoods for safe and adequate access to services and facilities.

Project Title: Sidewalk/ Lighting Improvements and Parks

Timeline: July 1, 2019 to June 30th, 2020

Cost: \$135,651 (includes park funds)

Benefit: 1,000+/-feet

The City of Biddeford has once again determined that the reconstruction/construction of sidewalks is a top priority. The following is a list of projects for consideration in Year 2 and have already been cleared and approved in a previous Action Plan.

- 1) Main Street Sidewalk – Phase 2 - continue sidewalk/lighting project
 - a. Continue sidewalk reconstruction including intersections, lighting installation, bump outs, crosswalks, and addition of other street amenities on both sides of Main Street from Lincoln Street and Adams Street to Elm Street. Include design enhancements at intersections.
- 2) South Street
 - a. Both sides Green to Elm Street, approx. 550'
 - b. North side from Kossuth Street to Green Street, approx 280'
 - c. 100' up side streets along route

- 3) Green Street
 - a. Both sides from South to Center Street, approx 400'
- 4) Jefferson Street
 - a. Sections that have not been done, from Main St. to Adams St, approx 1000'
 - b. 100' up sides streets in those sections

Water Street from Main to High Street, portions of Elm Street on the west side from Lincoln to West Street, and others located in LMI Census tracts are also under consideration. The possibility of new street lighting, intersection improvements and other amenities are also a consideration when any sidewalk is reconstructed/constructed.

In addition, the design for Shevenell Park, located in the downtown core, is currently being finalized, and could be ready for engineering in order to under go reconstruction. \$18,711 is included in the Cost line in this section if the park is ready for engineering and reconstruction.

HOUSING

Priority 2 - To provide a strategy to meet the increasing need for transitional to affordable and supportive housing.

HUD OBJECTIVE – PROVIDING DECENT HOUSING
Outcome – Improving availability or accessibility of units

Objective 1 - Increase the supply of safe and adequate affordable housing for low to moderate-income persons.

Objective 2 - Preserve and upgrade the City's housing stock serving low to moderate income persons.

Objective 3 - Increase opportunities for homeownership for low and moderate income persons.

Project Title: Housing Program
Timeline: July 1, 2019 to June 30th, 2020
Cost: \$116,940
Numbers To Be Served/Benefit: TBD

Housing activities in Year 2 could include, acquisition, housing rehabilitation, including multifamily housing, homeowner gap financing, energy conservation improvements, and/or housing that benefits low to moderate income persons or presumed benefit populations (transitional, homeless, seniors, etc.). If the opportunity presents itself and is identified as a benefit, community nonprofit space will be considered in housing projects.

In Year 2 the primary focus will be on rehabilitation of multifamily housing units. A significant number of rental units in Biddeford are 60 or more years old and considered substandard (electrical issues, code and life safety issues, energy efficiency, etc.), so much so that the City has implemented a code safety program for all apartment buildings in excess of 4 units. At the same time, demographics suggest that Biddeford is experiencing unprecedented growth in the demand and cost of rental housing. These two factors are making it harder for those at the lower end of the housing spectrum to find safe, affordable housing. The City is proposing to continue a multifamily housing rehabilitation program for owner occupied structures with four units or less. The goal will be to improve housing quality while preserving affordable rents in a competitive housing market. The City plans to rehabilitate approximately 6 total housing units in the continued program. In each rehabilitated building, 51% of the units must be for residents who are below 80% of the low to moderate family income threshold, according to HUD requirements. The housing affordability will be enforced for a minimum of ten years in conjunction with the City and/or the Biddeford Housing Authority, Each unit will be eligible for funding of up to \$10,000 per unit. However, this will be determined on a case by case basis. Those housing units will meet the safety requirements of the Code Enforcement Office and HUD Housing Quality Standards.

Economic Development

Priority 1 - To eliminate slum and blight in the downtown area through infrastructure and public facilities improvements that benefit LMI neighborhoods.

HUD OBJECTIVE – CREATING ECONOMIC OPPORTUNITIES

Outcome – Improving sustainability by promoting viable communities

Objective 2 - Increase business attraction to promote job creation.

Actions: 1. Provide grant assistance to commercial property owners and businesses through a Downtown Improvement Program.

Project Title: Downtown Improvement Program

Timeline: July 1, 2019 to June 30th, 2020

Cost: \$51,454

Benefit: Job Creation (TBD)

A Downtown Improvement Program will target the downtown to improve buildings and address issues related to health, safety, and ADA issues, while creating jobs for income eligible Biddeford residents. A participating business will create 1 full time job or 2 part time jobs. This grant program was developed to compliment the ongoing revitalization and facade improvement program in the downtown to assist with business attraction and retention. A key component of this grant program will be to assist businesses and property owners with health, safety, and ADA issues that are often too costly for potential businesses to locate and open in Biddeford's downtown.

Community Development

Priority 4 - Implement strategies to aid the elderly and special needs populations with access to information and services to increase health and safety and reduce reliance on the City's overburdened Health and Welfare Department that can only provide minimal assistance.

HUD OBJECTIVE – CREATING A SUITABLE LIVING ENVIRONMENT

Outcome – Improving availability or accessibility of units or services

Objective 1 - Improve the health and safety of the elderly and special needs populations.

Actions: 1. Provide and coordinate programs that outreach to the elderly and enable the elderly to access assistance that enhances their quality of life.

Project Title: Southern Maine Agency on Aging – Meals on Wheels

Timeline: July 1, 2019 to June 30th, 2020

Cost: \$16,000

Inkind Commitment \$25,750

Numbers To Be Served/Benefit: 90

The Southern Maine Agency on Aging's Meals on Wheels program provides nutritious meals to homebound, older and disabled adults living in Biddeford. In addition to a nutritious meal, Meals on Wheels provides valuable socialization and safety checks for participants. Meals on Wheels has become an important factor in addressing hunger among older people.

This program seeks to expand its program to provide approximately 9,000 meals to 90 homebound senior residents of Biddeford in Year 2. The program will continue to expand, meet and improve the traditional role of Meals on Wheels while accommodating the growing challenge of senior hunger and homelessness. It is not uncommon for the program to hear from recipients that this is the only meal they have during the day. In addition, living conditions can vary widely depending on the financial resources of the recipient. The program is continually striving to ensure that not only are people fed, but that they, through the meal site staff and volunteer drivers, are connected to the social service resources of Southern Maine Agency on Aging to provide them with benefits, housing, and appropriate affordable medications.

This program year the Meals on Wheels program will continue to expand its services to include providing a “warming crew” for those needing assistance to heat their meals, and a “phone pals” program that will conduct check-in calls to senior participants requesting this service. In addition, SMAA will provide a choice of two entrees each day and continue a new assessment program that includes information on socialization, health, and the client’s living conditions. The program will also continue to increase the amount of time a Meals on Wheels volunteer spends in the home by providing delivery of frozen meals twice a week, and augment deliveries on other days with volunteers who are not constrained to timely meal delivery. The volunteers will continue to be able to focus on those living alone who need the safety check. For those clients who need a hot meal, the volunteer can heat and serve the meal, allowing more time for socialization. Those who do not need daily deliveries or safety checks can arrange for delivery

twice a week. This will increase convenience for these recipients while increasing time for those living in isolation who need more socialization and safety checks. Seventy seven percent of the program recipients live at or below the federal poverty level, and 22% live under 200% of the federal poverty level.

The Meals on Wheels Program will provide the following services:

1. Receive referral (either a self-referral, from a physician, neighbor, hospital discharge, family member, friend, etc.).
2. Conduct a phone assessment to determine preliminary program eligibility and begin delivery of meals within 10 days of referral unless there is a wait list.
3. Conduct thorough, in-home assessment to further verify program eligibility, and to identify other social service needs such as caregiving stress, falls, financial exploitation, home health assistance, Medicare and insurance questions, heat and utility costs.
4. Client works with SMAA's Information and Resources staff to pursue programs and services to address additional needs/challenges.
5. If eligibility for the program is confirmed during in-home assessment, continue delivering up to five meals a week during two weekly deliveries.
6. Conduct a re-assessment over the phone after 6 months to confirm continued eligibility, and to identify any changing needs of the clients.
7. Conduct thorough, in-home expanded assessment every 12 months of being enrolled in the program.

The City of Biddeford will provide space at the Ross Center for this expanded service.

Priority 3 - Provide educational and work opportunities for homeless and low to moderate income persons, and special needs populations that provide avenues to obtain jobs and/or better paying work opportunities.

HUD OBJECTIVE – CREATING ECONOMIC OPPORTUNITIES

Outcome – Improving availability or accessibility of units or services

Objective 1 - Increase the economic prosperity of homeless and low to moderate income persons, and special needs populations, and their ability to afford housing, and health and safety amenities by providing work opportunities and partnerships that provide housing and housing services.

Actions: 1. Provide child care and youth programs that increase the opportunity for homeless and low to moderate income persons, and special needs populations to attend educational and training programs, while providing enrichment programs for youths of all ages.

Project Title: ArtVan Program

Timeline: July 1, 2019 to June 30th, 2020

Cost: \$7,920

Inkind Commitment: \$TBD

Numbers To Be Served/Benefit: 25

Many children and youth in the Mechanics Park, Bacon Street and downtown area live in low income housing and do not have ready access to traditional summer programs and who lack opportunities for safe self expression, adult supervision and creative outlets for learning. Youths who attend the 42-week ArtVan Program are provided a safe, creative and tangible way to express art and discover ways to beautify their neighborhood while working together. The program will continue to expand its program in partnership with the Canopy Park Resource Center on Bacon Street, Community Partnerships for Protecting Children, the University of New England, and local garden programs to engage referrals, provide space and volunteers, and provide artistic opportunities. In exchange, the ArtVan Program provides a “community arts” program that no entity has the staffing to provide. The program plans to serve additional youths in the program and provide new experiences for those returning to the program.

Ethnic diversity is something Biddeford is experiencing more and more. The ArtVan Program addresses diversity issues through creating a work space that is non-judgmental and open-minded, while abiding by the organization’s three rules of respect: Respect for yourself as a human being, respect for others as co-human beings, and respect for the space, location, and materials. The program encourages the opportunity to share other cultures including languages and other art forms, and conversations about different foods to enhance cross-cultural communication.

Through exploring meaningful themes (such as Who am I, What Brings Me Peace, What Are My Dreams, Who Do I Love), and using a variety of art mediums, Youth are encouraged to safely express their emotions practice social skills and share their goals and hopes with the group. While the art-making is healing in and of itself, ArtVan knows that our consistency to build deeper and trustful relationships is key in creating change and positive growth. Through the creative process, Youth get the space to work expansively activate their curiosities to expand the boundaries of what they understand as communicable and possible.

The crux of the program will be the creation of the art work for the 12th Annual Bacon Street Festival to be held in August. The art work will be comprised of recycled materials and will consist of large and small sculptures, as well as hanging and flat pieces. A Teen Art Team will also be a part of the festival.

The ArtVan Program will provide the following services:

1. Providing a consistent, ongoing summer art therapy program for summer (2 hours/week) at the designated playground location outside the community center;
2. Providing a consistent, fall 26-week (90-minute) program at the designated indoor location (CPPC)
3. Assessing Bacon Street neighborhood and community needs by collecting information from Staff, youth, and families, and to provide the appropriate LMI income data;
4. Orienting ArtVan toward local businesses through direct introductions;
5. Supporting neighborhood youth to take ownership of the projects and to use art therapy to support their emotional/social growth;
6. Recruiting volunteers and interns;
7. Working with the City of Biddeford to plan and design Bacon Street Festival decorations;

8. Documenting all attending Youth income levels and complete all required Federal paperwork, record participation, stories, and quotes through written and photographic means;
 9. Using community resources to build new partnerships and deepen present relationships to promote the ArtVan mission,
 10. Using staff meetings and direct supervision to further develop art therapy interventions and methods;
 11. And, Evaluating impact of ArtVan's work on youth residents, as well as tracking financial expenses for reporting purposes and the number of Bacon Street youth who are able to attend the festival this year while it is being hosted in their neighborhood.
-

Project Title: Neighborhood HUB Program

Timeline: July 1, 2019 to June 30th, 2020

Cost: \$7,124

Inkind Commitment: TBD

Numbers To Be Served/Benefit: 100

Coastal Healthy Communities Coalition (CHCC) or a selected agency will direct the Canopy Park Resource Center, called the HUB, at 49 Bacon Street, in the LMI Bacon Street Neighborhood in Census tract 252-02. The CHCC or selected agency and program staff will be available to assist neighborhood residents with access to services and programs, and engage residents in the neighborhood in community events. The CHCC is leading a planning process to reestablish the HUB and coordinate with Biddeford Ready. The selected agency will work with established neighborhood networks to expand their presence in the neighborhood and bring in additional services and programs to the HUB. With the improvements seen over the last 10 years in the Bacon Street Neighborhood and the reduction in negative activities, it is the goal of this program to eventually expand into other identified LMI neighborhoods. Some of the programs/resources that are a possibility at the HUB include community building activities, early childhood programs, lead paint prevention and education programs, parenting programs, bike and other recreation programs, and other opportunities outside of the HUB. Coastal Healthy Communities Coalition is an entity of the University of New England Medical School. This activity is projected to serve 100 LMI people in the neighborhood and beyond as staff time permits.

3. Link local programs to secondary education and training that would be the "next step" for low to moderate income persons, homeless and special needs populations, and implement training and educational programs for these populations.

Project Title: Seeds of Hope - Seeds of Hope Career Center

Timeline: July 1, 2019 to June 30th, 2020

Cost: \$16,000

Inkind Commitment: \$2,440

Numbers To Be Served/Benefit: 50

The Seeds of Hope Career Center will continue to assist 50 additional Biddeford residents in computer competency, resume development, job search and interview preparation at the Center at 35 South Street. The Center will also continue to offer a mentoring program pairing local business persons with job seekers to help lift self-esteem, create achievable goals and to position participants as competitive prospective employees through interview prep and professional presentation skill development.

The Career Center is also expending its program and services to support workers even more effectively in the labor force . The Center will be working with the City's Workforce Development Task Force to connect businesses with Biddeford's workforce, evaluate the needs of businesses – the type of skilled labor needed and what worker issues often present themselves with new hires. The Career Center will use this information so it can better assist workers with support in transitioning into new jobs. The Career Center staff will also be listening to the unemployed and workers, to hear what is preventing them from attaining jobs or if working, attaining better jobs.

The Career Resource Center will provide the following services:

1. Seven computers and networked printer available for public Internet use
2. An easy-to-use job support website that steps the user through the steps of an effective job search, with samples/templates of planning and deliverable (e.g. resumes, cover letter) documents -- www.seedsofhope4me.org/CareerCenter
3. Basic Internet competency training & E-mail setup/training
4. Career planning
5. Resume preparation
6. Help using the Internet for job searches
7. Help with Internet job applications
8. Interview preparation
9. Sustainability assistance (advocacy/referral to other social service organizations for shelter/food/training and other critical assistance resources
10. Local Wireless Internet access (BiddefordOpenNet) – while this is currently not in service, we are seeking funding for fixing the current system, as well as expending to a wider area.

With the abundant supply of jobs currently in Biddeford and the surrounding communities, we

expect our service numbers to decline, however we believe that the type of programs we will be offering will be “client”-intensive, giving more individualized attention. However, we are currently pursuing partnerships within the city to create a Workforce Development Working Group.

Project Title: ENGINE Cultural Exchange Program

Timeline: July 1, 2019 to June 30th, 2020

Cost: \$7,670

Inkind Commitment: \$6,500

Numbers To Be Served/Benefit: 25

Engine is proposing a cultural exchange program that will provide support and opportunity for young New Mainers and English Language Learners (ELL) living in Biddeford using food and art as a vehicle for social cohesion. Outside of the public school system, Biddeford lacks programs and cultural spaces for New Mainers and ELLs that create the relationships that allow them to thrive and participate as full members of the community. The program will create a sense of belonging, which has direct links to better health and wellness, and will build understanding of new cultures with the traditional residents of Biddeford.

Engine is located on Main Street in downtown Biddeford and is a community space for events and for education in the arts/design, focused mostly on youth. Working with Biddeford ELL professionals, Engine, has begun to attract immigrant and refugee youth because we are accessible and affordable. In talking with the children, Engine discovered that when youth are not in school, there might often be one meal a day at home, typically dinner. Additionally, working with the Biddeford Civil Rights Club comprised of many New Mainers, the cultural importance of having access to food from the students’ homelands was high. From these conversations came the idea that Engine, with its little kitchen and crew of volunteers, could offer a simple meal that is prepared as a group and then eaten together as a “family” followed or preceded by art making or homework assistance to help with literacy. The youth designed the menu and made Swahili potatoes, flatbreads, foo foo and peanut soup, and even Italian gnocchi. The program is not exclusive to ELLs and American youth from the community regularly attend and have developed friendships with the New Mainers. Engine would like to invite more youth but with a volunteer staff and donated goods, we want to be sure we can continue in a sustainable manner.

Engine’s Cultural Exchange Program will consist of two parts: 1) weekly Wednesday after-school and Saturday programming for students grades 4+, and 2) a high school mentorship program. Free-to-attend art and food-centered activities will take place weekly on Wednesdays during the school year (tentatively, 3:15-5pm on typical Wednesdays and 12-5 during the once monthly early release) and on Saturday afternoons at lunchtime (from 11-2:30, tentatively). Saturday sessions will be year-round starting after the school year ends.

A paid internship will be created for one high-school aged student enrolled Biddeford High School ELL program. The role of this intern will be to help plan educational activities for Wednesday after-school sessions and support younger students during sessions, and act as a

community liaison. The intern will work directly with Engine's Education Program Manager and Engine's Social Work intern from the University of Southern Maine. The internship role will grow and evolve to accommodate the students' strengths, interests, and expertise.

1. Create calendar of Saturday and weekday Wednesday after school/early release sessions.
2. Working with volunteers and Biddeford High School Civil Rights club, we will design menus for each session.
3. Organize volunteer chefs for each of the 88 sessions, pulling from Engine's EPA grant Local Foods Local Places engaged citizens and the adult New Mainer population via the Biddeford Adult Education English program run by Sam Smithwick.
4. Working with teaching artist(s), develop art-making/design activities for sessions.

Project Title: New Horizons for Traumatized New American Youth

Timeline: July 1, 2019 to June 30th, 2020

Cost: \$14,616

Inkind Commitment: \$3,100

Numbers To Be Served/Benefit: 25

The Community Bicycle Center (CBC) will collaborate with Spurwink's Refugee Services program to engage new American youth in CBC programs, assisting in Spurwink's focus on reducing the core stressors that result from trauma for many of these youth. Youth in this distinct population experience core stressors that can impact their ability to engage with others, including at school and in the community. CBC programs address several of those core stressors (acculturation stress, social support, isolation including loneliness, alienation and discrimination, increased independence through learning to ride and earning an actual bicycle, which can then assist in meeting basic needs). Through a partnership, youth can better access CBC programs and both organizations can work together to reduce core stressors and increase youth engagement. This program will increase the number of traumatized new American youth that engage in CBC programs and, by doing so, will increase the community and social engagement of those youth. Spurwink provides group support for youth *during school*. There are currently no formal partnerships for out-of-school time for those youth, and youth in this demographic struggle to engage in community-based programming.

The CBC focuses on Providing Opportunities for Youth to Grow through six key priority areas:

- **Youth Development:** Provide low-barrier, high-quality program activities that address the developmental needs of all youth and young adults ages 8-18 years.
- **Social Responsibility:** Promote civic engagement and service learning among youth and young adults.
- **STEM (Science, Technology, Engineering, and Math):** Increase youth access to hands-on STEM learning experiences through CBC programs and provide opportunities of increasing complexity for youth to develop STEM competencies.
- **Job Readiness:** Engage older youth in soft and technical job skills development opportunities.

- **Healthy Living:** Provide activities that engage youth in physical fitness, outdoor recreation, and mind/body health.
- **Sustainability:** Develop the four components of organizational sustainability: people resources, partnerships & collaborations, communications, and resource development.

The CBC will collaborate with Spurwink’s Refugee Services to serve at least 25 youth who have experienced trauma or severe stress associated with being a refugee, asylee, or immigrant. Services will include active, relationship-focused, out-of-school programming with outcomes focused around the six priority areas outlined above.

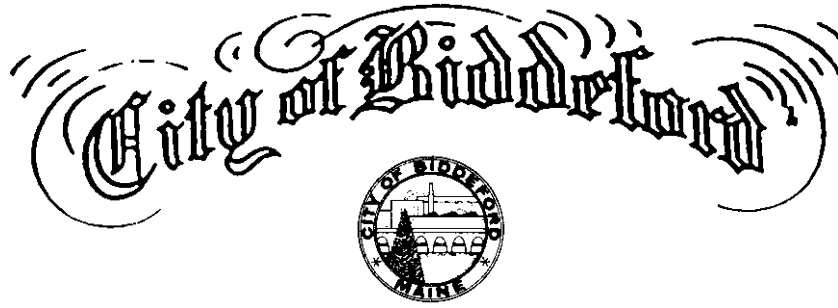
The Community Bicycle Center will provide the following services:

1. The CBC will develop a fluid partnership through which youth receive a “soft hand-off” from their providers at Spurwink into CBC programs.
2. Cultural training for staff/volunteers and CBC mentors
3. Spurwink case manager will begin referrals of youths to CBC with assistance to ensure youths engage with the CBC in a positive manner
4. Follow up to ensure the youths are feeling engaged with the CBC
5. Transportation and healthy snacks will be provided
6. Youths can participate in the “learn to ride” summer program, learn basic riding skills, and be part of one summer ride
7. Youths can participate in craft and art projects and any bike camp program
8. During the school season, youths can participate in the Build a Bike Program, Kids Bike Factor Program, Daily Drop In, Bike Doctor Program, and/or the CBC Cycling Team.

Administration is to be funded at a total of \$93,552 for office staff, equipment, supplies, and any other administrative expenses.

Contingency Provision

Since the U.S. Department of Housing and Urban Development may not have awarded the City its 2019 allocation by the time this Plan is approved through the City’s Citizens Participation Plan process, the awarded funds contained in this Draft of the Year 2 Action Plan are only proposed. If necessary, the City of Biddeford will adjust the proposed allocations according to the percentages stated within the Consolidated Plan and Year 2 Action Plan.



2019.38

IN BOARD OF CITY COUNCIL..MAY 7, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to sign the Inter-Local Agreement between the City of Biddeford and the Town of Hollis to provide Public Safety Answering Point (PSAP) Services through June 30, 2022.

**INTERLOCAL COOPERATION AGREEMENT
FOR
BIDDEFORD-HOLLIS PUBLIC SAFETY ANSWERING POINT**

Pursuant to the provisions of 30-A M.R.S.A., Chapter 115, this Inter-local Cooperation Agreement (Agreement) is made and entered into as of the 1st day of May 2019, by and between the City of Biddeford and the Town of HOLLIS, Maine, for the provision of Public Safety Answering Point (PSAP), E-911 services, and radio dispatching of fire department personnel and apparatus, and EMS services for the Town of HOLLIS.

WHEREAS, Maine law permits municipalities and political subdivisions to enter into inter-local cooperation agreements to make the most efficient use of their powers and to cooperate with other municipalities or political subdivisions on a basis of mutual advantage, in order to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of Maine communities; and

WHEREAS, 25 M.R.S.A. §2926 Emergency Services Communication Bureau (ESCB) (2A)directs, to the extent possible, that the Bureau establish a total of between 16 and 24 public service answering points. 625 Emergency Services Communication Bureau Chapter 1, Standards for Establishing a Statewide Enhanced 9-1-1 System §4(2)(c) Consolidation; and,

WHEREAS, the City of Biddeford and the Town of HOLLIS want to enjoy cooperation; and,

WHEREAS, the City Council of Biddeford and the Town of HOLLIS have reviewed the information available on this subject and have determined that it is in the best interest of their constituencies to participate in a consolidated PSAP center for the City of Biddeford and the Town of HOLLIS, and that an appropriate agreement be created to facilitate the terms of this relationship.

NOW, THEREFORE, pursuant to the authority granted by 30-A M.R.S.A., Chapter 115, and every other legal authority, and in consideration of the following mutual covenants and conditions set forth herein, the parties hereby agree as follows:

Section 1. Statement of Purpose

The City of Biddeford Public Safety Communications Center will provide the following PSAP services to the Town of HOLLIS:

1. E 9-1-1 Call Handling for the residents of, and properties in, HOLLIS.
2. Emergency Medical Dispatching (EMD) as well as Emergency Fire Dispatching (EFD) will be provided by the City of Biddeford Public Safety Communications Center.



3. The Town of HOLLIS shall maintain all radio and telephone equipment which is determined as necessary to maintain communications between the City of Biddeford and the Town of HOLLIS Fire and EMS departments or its affiliate, the HOLLIS Fire Department.
4. The City of Biddeford will provide all other dispatch services for the Town of HOLLIS Fire and EMS Departments; and will notify either the York County Sheriff's Department or the Maine State Police, if police services are required.
5. The Town of HOLLIS, or its affiliate, is responsible for developing, maintaining and complying with policies that govern Fire and EMS services by the State of Maine's EMS Board.

Section 2. Operation and Costs

1. The PSAP Center shall be under the direct control and supervision of the Biddeford Police Department.
2. The PSAP shall comply with all applicable ESCB rules, regulations and guidelines concerning operation of a PSAP Center and E 9-1-1 system and call handling services for other agencies.
3. The cost of the operation of the PSAP Center, its systems, personnel and equipment, shall be borne by the City of Biddeford. Any cost associated with the operation of the PSAP that requires additional equipment or otherwise, which in any way is for the exclusive benefit of the Town of HOLLIS, shall be the sole responsibility of the Town of HOLLIS; provided, however, the Town will be notified of the same in writing in advance, such that it has the time to discuss the same with the City to determine the need for the same before a final decision is made on acquisition and/or implementation of the same.
4. The Town of HOLLIS agrees to pay a fee of \$7.50 per capita, for the fiscal year commencing July 1, 2019 through June 30, 2020, or otherwise pro-rated at a rate of \$92.63 per day commencing on the cut-over date to June 30, 2020; and thence \$8.00 per capita for each of the subsequent fiscal years beginning on July 1, 2020, July 1st, 2021, for a total of Thirty Six Thousand Sixty Four dollars and no cents (\$36,064.00) for each of these fiscal years. The population figures shall include the most recent resident information available from either the U.S. Census Bureau or from the Town of Hollis's published population count, whichever is greater. As of May 1, 2019, the Town of Hollis published a count of 4,508 residents. This fee may be changed, as U.S. Census or the Town of Hollis's resident information is updated or revised; notice of changes in the fee structure will be with ninety (90) day notice prior to the beginning of the fiscal year. This fee shall be paid yearly by the 30th day after the beginning of each fiscal year, which begins on July 1st.
5. The agencies represented in this agreement recognize that the complexities involved in multi-agency emergency dispatching will require continuous review and improvement. On occasion, problems or concerns between agencies or disciplines will occur. First line supervisors assigned



to those agencies, departments, or organizations experiencing those concerns shall work to resolve such issues at their level whenever practical. Should the issue rise to the level of the Communications Director, who shall serve as the Administrator of the Cooperation Agreement between the two municipalities, s/he shall have the authority to resolve the issue on behalf of the communities, after receiving input from each

Section 3. Dispatch Procedures

1. The Biddeford PSAP Center shall provide E 9-1-1 call-handling for the Town of HOLLIS. Emergency Medical & Fire Dispatching services will be provided by the City of Biddeford.
2. E 9-1-1 and other emergency calls received for the Town of HOLLIS shall be handled and/or transferred as quickly and efficiently as possible, and within the guidelines established by the Emergency Services Communications Bureau of the State of Maine.
3. Nothing in this agreement is intended to supplant or supersede any other agreement made by or between the City of Biddeford and Town of HOLLIS, nor is it intended to preclude either community from requesting assistance from the other pursuant to any existing agreement between the communities.
4. All citizens requesting the non-emergency services of a specific municipal police or fire agency shall be directed to the appropriate dispatch center to be processed.
5. The Biddeford PSAP Center shall provide call-transfer and Emergency Medical and Fire dispatching functions commencing on or about the actual cut over date in either 2019 or 2020.
6. The Town of HOLLIS agrees to maintain its communications network fully operational and able to communicate with the Biddeford Communication Center.

Section 4. Effective Date

The conditions and procedures outlined in this Agreement shall be in full force and effect commencing on or about the cut-over date in either 2019 or 2020, and will terminate on June 30, 2022 unless otherwise extended or renewed.

Section 5. Term

This agreement is in full force and effect through June 30, 2022, and is subject for renewal and renegotiation at the end of the term of this agreement. Either party may terminate this agreement with six months written notice to the other party, unless a shorter period is agreed to by the parties.

Section 6. Agreements

The signatures of the following shall effectuate compliance with the terms and conditions of this Agreement.

The image shows several handwritten signatures in blue and black ink, likely representing the parties to the agreement. The signatures are overlapping and stylized.

Section 7. Report to Town of HOLLIS

The City of Biddeford shall submit a report of HOLLIS PSAP activities to the Town of HOLLIS on a quarterly basis as requested.

Section 8. Indemnification

Both parties agree to defend, indemnify and hold harmless the other party, its affiliates, officers, employees, and representatives from and against any losses, costs, damages, and expenses resulting from claims for bodily injury or property damage arising out of joint efforts through the term of this agreement unless such bodily injury, property damage, or personal injury is determined to be the result of the negligence or intentional misconduct of the other party, its officers, agents or employees. Nothing herein shall be deemed a waiver of tort claim or other immunities available under applicable law.

TOWN OF HOLLIS

CITY OF BIDDEFORD



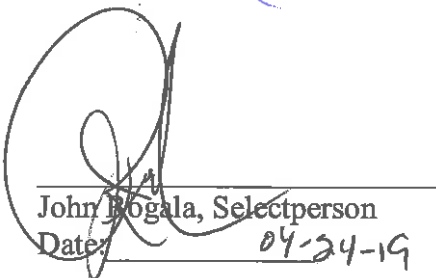
Dave McCubrey, Chairman

Date: 4-24-19



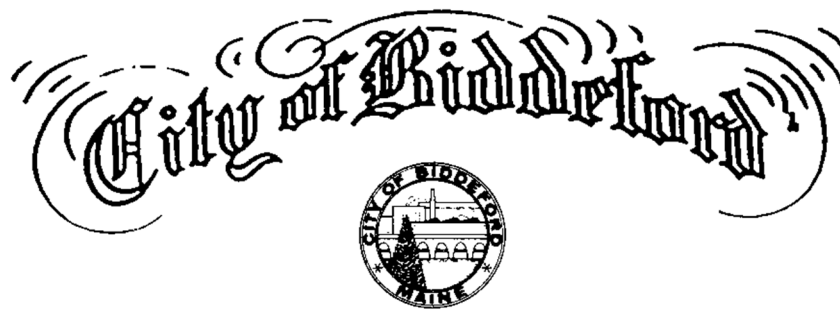
Rita Perron, Selectperson

Date: 4-24-19



John Bogala, Selectperson

Date: 04-24-19



2019.39

IN BOARD OF CITY COUNCIL..MAY 7, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager or his designee to organize, advertise, conduct a sealed bid auction for the sale of surplus equipment, and ultimately dispose of surplus equipment, as per the attached list, which is deemed no longer useful to the City of Biddeford.

BE IT FURTHER ORDERED, that the successful bidder shall be the highest bidder for each piece of equipment or if an aggregate bid is submitted, that combination of single and aggregate bids that provides the highest cumulative sale price(s) to the City.

BE IT FURTHER ORDERED, that all proceeds from the auction shall be deposited into the General Fund.

To: Finance Committee

From: Public Works Department

RE: Surplus equipment

Every year the public works department puts together a list of surplus items for the public to bid on. We are seeking approval to put the attached list out to a sealed bid auction to the public. It is important for us to do this every year in order to comply with EPA mandates around having equipment stored in the back yard.

**Biddeford Public Works
371 Hill Street
Biddeford, Maine 04005
Tel. (207) 282-1579
Fax (207) 286-9395**

BID FORM

Name _____

Address _____

City _____

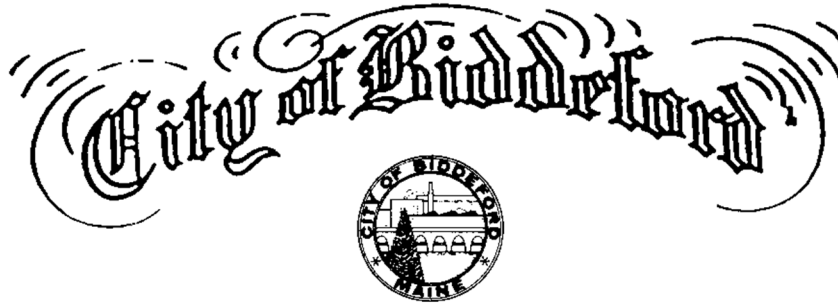
Phone # _____

Items:

- | | |
|--|------------------|
| 1. 1984 Mack DM685S Wrecker (ser.# 1M2B120C2EA053694) | Bid Amount _____ |
| 2. 1990 Toro 322D 72 inch Mower (ser.# 901680) | Bid Amount _____ |
| 3. 2008 Chevrolet 8 foot dual wheel truck bed | Bid Amount _____ |
| 4. 2007 John-Deere X540 (ser.# MOX540D021348) | Bid Amount _____ |
| 5. 1996 Toro 2300 Top Dresser (ser.# 501-60282) | Bid Amount _____ |
| 6. 1989 Wells Cargo enclosed trailer (ser. # 1WC200J24K1044439) | Bid Amount _____ |
| 7. (Lot) 3 push mowers / 3Weedwackers | Bid Amount _____ |
| 8. 3 inch water pump model NSGF-8H TYPE B (ser. # 3702) | Bid Amount _____ |
| 9. Howard HR20 60" 3 point hitch rototiller (ser. # 020-3-41694) | Bid Amount _____ |
| 10. Pair of 8 foot truck mounted tool boxes | Bid Amount _____ |
| 11. 8 excavator bucket shanks and teeth | Bid Amount _____ |
| 12. Misc. truck tire chain material | Bid Amount _____ |
| 13. Tarp unit fits 1-ton dump body | Bid Amount _____ |
| 14. Airco Dip Cor 300 mig welder with aluminum gun | Bid Amount _____ |
| 15. Coats 40-40SA tire machine | Bid Amount _____ |

Signature _____ **Date** _____

All items are to be sold, as is where is no warranties. Bidders will have 2 weeks to pick up items after bids are awarded. Payment must be received prior to pick up. Only money orders, certified checks or credit cards will be accepted. Sealed bids will be accepted at the Biddeford Public Works Department, 371 Hill Street, Biddeford Maine, 04005, until Friday May 24, 2019 at 11:00AM. The City of Biddeford reserves the right to accept or reject any or all bids.



2019.40

IN BOARD OF CITY COUNCIL..MAY 7, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby award a contract for Line Striping to Poirier Guidelines for an amount not to exceed \$47,342.79.

NOTE: The Finance Committee will review this item at their May 7, 2019 meeting.

City of Biddeford, Maine
PUBLIC WORKS DEPARTMENT

MEMORANDUM

May 1, 2019

TO: Finance Comm.
FROM: Jeff Demers / Director Public Works / Wastewater
RE: Bid/Quote results for Line striping
CC: James Bennett, City Manager

The Public Works Department solicited quotes for pavement line striping.

We received two quotes. Please see the attached Bid Tabulation. Funds for this project are appropriated in the Public works road maintenance budget 21162-60462.

Staff recommends the work be awarded to Poirier Guidelines for the estimated sum of \$47,342.79

Regards,
Jeff Demers
Director Public Works / Wastewater

60

[illegible]

**PROPOSAL FORM
PAVEMENT MARKINGS**

Proposals shall identify a unit price per linear foot for all line items. Unit prices shall include all cost associated with supplying, delivering and placement of all markings in accordance with the 1995 Maine D.O.T. specifications manual section 637 - pavement markings and section 708 - paints and preservatives. All pavement lines and markings shall be applied in accordance with the Manual on Uniform Traffic Control Devices. Paint shall meet the requirements of AASHTO M248, Type F - fast dry traffic paint. Glass beads shall conform to the requirements of AASHTO M247, Type I. Note: all items shall include glass beads at the rate of 4.5 pounds per gallon.

Estimated quantities are identified for the purpose of comparing proposals. Quantities may vary depending on conditions and issues encountered during the program. Unit prices submitted shall apply regardless of final quantities at the completion of the program. Contractors shall abide by all OSHA Rules & Regulations and by all State and Local ordinances regarding construction activities.

ITEM	EST. QUANTITY	UNIT PRICE	TOTAL
4" double solid yellow line / lf	266.265 lf	.11	29,289.15
4" single solid yellow line / lf	4,350 lf	.055	239.25
4" solid white line / lf	311,475 lf	.055	17,131.13
4" broken yellow line / lf	6,075 lf	.055	334.13
12" solid white dividers/stop line/lf	12,970 lf	.055	714.12
ARROWS / ea.	250 ea.	.0495	12.38
LETTERS / ea.	105 ea.	.0495	5.19
Total:			\$60,292.96

COMPANY NAME:
AUTHORIZED REPRESENTATIVE:
TITLE:
DATE OF SUBMITTAL:

MARKINLS INC.
Prop.
4.8.19

PROPOSAL FORM PAVEMENT MARKINGS

Proposals shall identify a unit price per linear foot for all line items. Unit prices shall include all cost associated with supplying, delivering and placement of all markings in accordance with the 1995 Maine D.O.T. specifications manual section 627- pavement markings and section 708-paints and preservatives. All pavement lines and markings shall be applied in accordance with the Manual on Uniform Traffic Control Devices. Paint shall meet the requirements of AASHTO M248, Type F – fast dry traffic paint. Glass beads shall conform to the requirements of AASHTO M247, Type I. Note : all items shall include glass beads at the rate of 4.5 pounds per gallon.

Estimated quantities are identified for the purpose of comparing proposals. Quantities may vary depending on conditions and issues encountered during the program. Unit prices submitted shall apply regardless of final quantities at the completion of the program. Contractors shall abide by all OSHA Rules & Regulations and by all State and Local ordinances regarding construction activities.

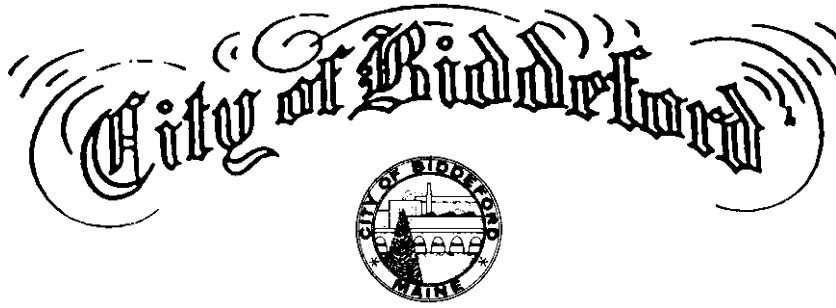
ITEM	EST. QUANTITY	UNIT PRICE	TOTAL
4" double solid yellow line / lf	266,265 lf	<u>.085</u>	<u>22,632.53</u>
4" single solid yellow line / lf	4,350 lf	<u>.045</u>	<u>195.75</u>
4" solid white line / lf	311,475 lf	<u>.045</u>	<u>14,016.38</u>
4" broken yellow line / lf	6,075 lf	<u>.045</u>	<u>273.38</u>
4" broken white line / lf	13,050 lf	<u>.045</u>	<u>587.25</u>
12" solid white divider/stop line/lf	7,970 lf	<u>.50</u>	<u>3,985.00</u>
ARROWS / ea.	250 ea.	<u>17.00</u>	<u>4,250.00</u>
LETTERS / ea.	165 ea.	<u>8.50</u>	<u>1,402.50</u>
Total :			<u>47,342.79</u>

COMPANY NAME: Poirier Guidelines

AUTHORIZED REPRESENTATIVE: Matthew King

TITLE: Owner

DATE OF SUBMITTAL: 4/18/19



2019.42

IN BOARD OF CITY COUNCIL..MAY 7, 2019

BE IT ORDERED, by the City Council of the City of Biddeford that the additional Paving Program Funds of \$40,000, coming out of the Road Construction Account - 21204-60604 be used to pave Paul Street and part of Forest Street – from Ridgeview Drive to Elm Street.

NOTE: The Finance Committee will review this item at their May 7, 2019 meeting.

2019.43 CITY OF BIDDEFORD CITY COUNCIL ORDER.....MAY 7, 2019

**Ninth Amendment to the Rte 111-Mill Redevelopment Municipal Development and Tax
Increment Financing District
and
Riverdam Municipal Development and Tax Increment Financing District**

WHEREAS, the City of Biddeford (the “City”) is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to amend the **Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District** (the “Rte 111-Mill District”) Development Program (as amended, the “Rte 111-Mill Development Program”); and

WHEREAS, the City is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate the **Riverdam Municipal Development and Tax Increment Financing District** (the “Riverdam District,” and together with the Rte 111-Mill District, the “Districts”) and the Development Program (the “Riverdam Development Program,” and together with the Rte 111-Mill Development Program, the “Development Programs”) for the Riverdam District; and

WHEREAS, there is a need for economic development in the City of Biddeford, in the surrounding region, and in the State of Maine; and

WHEREAS, there is a need to improve and broaden the tax base of the City of Biddeford; and to improve the general economy of the City of Biddeford and the surrounding region; and

WHEREAS, implementation of the Development Programs will help to improve and broaden the tax base in the City of Biddeford and improve the economy of the City of Biddeford and the region by attracting business development to the Districts; and

WHEREAS, there is a need to implement continued economic development initiatives in the Districts through the Development Programs in accordance with the provision of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended; and

WHEREAS, it is expected that approval will be obtained from the State of Maine Department of Economic and Community Development (the “Department”), approving the ***Ninth Amendment to the Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District*** and the Rte 111-Mill Development Program related thereto and approving the ***Riverdam Municipal Development and Tax Increment Financing District*** and the Riverdam Development Program related thereto;

ORDERED AS FOLLOWS:

Section 1. The City of Biddeford hereby approves the Ninth Amendment to the Rte 111-Mill Redevelopment TIF District and Development Program; such amendment to be pursuant to the following findings, terms, and provisions:

Section 2. The City Council hereby finds and determines that:

a. This amendment to the Rte 111-Mill Development Program will not result in the Rte 111-Mill District falling out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3); and

b. The Rte 111-Mill District and the Rte 111-Mill Development Program will make a contribution to the economic growth and well being of the City of Biddeford and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Biddeford, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose. The City has considered all evidence, if any, presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that such adverse economic effect on or detriment to any existing business, if any, is outweighed by the contribution expected to be made through the Ninth Amendment to the Rte 111-Mill Development Program.

Section 3. Pursuant to the provisions of 30-A M.R.S.A. § 5227, the percentage of increased assessed value to be retained as captured assessed value in accordance with the Rte 111-Mill Development Program is hereby established as set forth in the Rte 111-Mill Development Program.

Section 4. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed Ninth Amendment to the Rte 111-Mill Development Program for the Rte 111-Mill District to the Department for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226.

Section 5. The foregoing adoption of the Ninth Amendment to the Rte 111-Mill Development Program for the Rte 111-Mill District shall automatically become final and shall take full force and effect upon receipt by the City of approval of the by the Department, without requirement of further action by the City, the City Council, or any other party.

Section 6. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the Ninth Amendment to the Rte 111-Mill Development Program for the Rte 111-Mill District as the City Manager, deems reasonably necessary or convenient in order to facilitate the process for review and approval of the Rte 111-Mill District by the Department, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Rte 111-Mill Development Program.

Section 7. The City of Biddeford hereby designates the Riverdam District and adopts the associated Riverdam Development Program for the Riverdam District; such designation and adoption to be pursuant to the following findings, terms, and provisions:

Section 8. The City Council hereby finds and determines that:

- a. At least twenty-five percent (25%), by area, of the real property within the Riverdam District, as hereinafter designated, is suitable for commercial uses; and
- b. The total area of the Riverdam District does not exceed two percent (2%) of the total acreage of the City, and the total area of all existing and proposed development districts within the City (including the Riverdam District) does not exceed five percent (5%) of the total acreage of the City; and
- c. The original assessed value of all existing and proposed tax increment financing districts (including the Riverdam District) does not exceed five percent (5%) of the total value of equalized taxable property within the City as of April 1, 2013; and
- d. The Riverdam District and pursuit of the Riverdam Development Program will make a contribution to the economic growth and well-being of the City of Biddeford and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Biddeford, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose. The City has considered all evidence, if any, presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that such adverse economic effect on or detriment to any existing business, if any, is outweighed by the contribution expected to be made through the Riverdam District and Riverdam Development Program.

Section 9. Pursuant to the provisions of 30-A M.R.S.A. § 5227, the percentage of increased assessed value to be retained as captured assessed value in accordance with the Riverdam Development Program is hereby established as set forth in the Riverdam Development Program.

Section 10. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed Riverdam Development Program for the Riverdam District to the State of Maine Department of Economic and Community Development for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226.

Section 11. The foregoing designation of the Riverdam District and adoption of the Riverdam Development Program for the Riverdam District shall automatically become final and shall take full force and effect upon receipt by the City of approval by the State of Maine Department of Economic and Community Development, without requirement of further action by the City, the City Council, or any other party.

Section 12. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the Riverdam District and Riverdam Development Program for the Riverdam District as the City Manager may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the District by the State of Maine Department of Economic and Community Development, or for any

other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Riverdam Development Program.

Section 13. The City Manager, in the name and on behalf of the City, is hereby authorized and directed to enter into a credit enhancement agreement between the City and the developer of the project to be located in the Riverdam District, on terms as described in the Riverdam Development Program.

Dated: May 7, 2019

**ECONOMIC DEVELOPMENT
CITY OF BIDDEFORD, MAINE**

An Application for a Municipal Development and Tax Increment Financing District

**NINTH AMENDMENT TO
RTE 111-MILL REDEVELOPMENT MUNICIPAL DEVELOPMENT AND TAX
INCREMENT FINANCING DISTRICT DEVELOPMENT PROGRAM**

[Removing Building 3 and Building 4 of the Riverdam Mill from District]

*Submitted to:
BIDDEFORD CITY COUNCIL
May 7, 2019*

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EXHIBITS:

EXHIBIT A	AMENDED MAP OF THE DISTRICT
EXHIBIT B	AMENDED ASSESSOR'S CERTIFICATE
EXHIBIT C	NOTICE OF PUBLIC HEARING
EXHIBIT D	CERTIFIED COPY OF THE PUBLIC HEARING MINUTES
EXHIBIT E	CITY COUNCIL ORDER
EXHIBIT F	STATUTORY REQUIREMENTS AND THRESHOLDS FORM

I. Development Program Amendment Narrative

A. Introduction/ Summary of the Amendment to the Rte 111-Mill Redevelopment TIF Development Program

The City seeks an amendment to the Rte 111-Mill Redevelopment Tax Increment Financing District (together with subsequent amendments thereto, the “District”) and Development Program (the “Amendment” and, together with subsequent amendments thereto, the “Development Program”).

This Amendment removes parcels 71-9 and 71-9-3¹ from the District—Building 3 and Building 4 of the Riverdam Mill—in order to make the area available to designate a new Municipal Development and Tax Increment Financing District, to be known as the Riverdam Municipal Development and Tax Increment Financing District. This Amendment shall be effective on July 1, 2020, the start date of the Riverdam Municipal Development and Tax Increment Financing District.

This Amendment is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

B. The Existing District and Development Program

In June 2004, the City of Biddeford (the “City”) designated the Alfred-Andrews Development and Tax Increment Financing District and adopted the Development Program for the District. The Department of Economic and Community Development (“DECD”) approved the original District and the original Development Program in August 2004. The City created the District in order to capture new taxable investment primarily from commercial development occurring along portions of Route 111 and to fund a variety of public facilities and improvements as well as City economic development projects and activities. The original term of the District was twelve (12) years. The original acreage of the District was 229.12 acres and the initial original assessed value of the District was \$4,986,100.

The *First Amendment* to the District and Development Program, approved by DECD on March 14, 2007, included the following:

- (1) Extending the term from twelve (12) to fourteen (14) years, through and including the City’s fiscal year 2018;
- (2) Adding seven (7) properties to the District, increasing the number of parcels to 32; and
- (3) Adding certain projects to the approved project list.

¹ Please note that as of the most recent amendment to the Assessor’s Certificate—in the Sixth Amendment to the District—parcel 71-9-3 was not its own separate parcel and instead was included within parcel 71-9.

The addition of the new property in the District resulted in a new total District acreage of 258.31 acres and a new original assessed value of \$7,518,900.

The *Second Amendment* to the District and Development Program, approved by DECD on July 23, 2008, included the following:

- (1) Officially renaming the District to the “**Rte 111-Mill Redevelopment TIF District;**”
- (2) Extending the term from fourteen (14) years to twenty-five (25) years;
- (3) Adding and deleting some of the District parcels resulting in a net 50 parcels totaling 206.18 acres and a higher original assessed value of \$21,192,100;
- (4) Adding the ability of the City to utilize credit enhancement agreements in conjunction with the District; and
- (5) Adding certain projects to the approved project list.

The acreage of the District from the Second Amendment until the Fifth Amendment was 206.18 acres and the original assessed value of the District from the Second Amendment until the Fifth Amendment is \$21,192,100. No changes to the physical District were made in the Third Amendment or the Fourth Amendment.

The *Third Amendment* to the District Development Program, also approved by DECD on July 23, 2008, included the following:

- (1) Adding certain projects to the approved project list; and
- (2) Adding a credit enhancement agreement concept whereby North Dam, LLC would be provided payments of TIF revenues with a cap of \$2,077,361 in order to assist the company with its mixed-use redevelopment project.

The *Fourth Amendment* to the Development Program, approved by DECD on August 17, 2013, extended the term of the TIF District to the maximum term of years (30) and expanded the list of approved project costs, allowing, among other things, the use of TIF revenues to pay for the transfer of ownership of the Maine Energy Recovery Company, LP (MERC) to the City.

The *Fifth Amendment* to the Development Program, approved by DECD on September 6, 2013, reduced the acreage of the District to create two new Municipal Affordable Housing Development and Tax Increment Financing districts, specifically the *Lofts at Saco Falls Municipal Affordable Housing Development and Tax Increment Financing District*, 0.83 acres, and the *Laconia House Municipal Affordable Housing Development and Tax Increment Financing District*, 0.39 acres, reducing the District to 204.96 acres. Prior to the Fifth Amendment, the District had an Original Assessed Value of \$21,192,100. The Fifth Amendment reduced the Original Assessed Value of the District to \$20,336,192 with both the *Lofts at Saco Falls* (\$560,184.00) and the former *Laconia House* area (\$295,724) removed.

The *Sixth Amendment* to the District, reduced the District acreage by a small amount, and was approved in conjunction with termination of the existing *Laconia House Municipal Affordable Housing Development and Tax Increment Financing District* and the designation of the **New** *Laconia House Municipal Affordable Housing Development and Tax Increment*

Financing District. In effect, the City relocated the prior *Laconia House Municipal Affordable Housing Development and Tax Increment Financing District*, an affordable housing TIF district that is located completely within the District. The Sixth Amendment reduced the District acreage to 204.55 acres and reduced the original assessed value of the District to \$20,260,315.

The *Seventh Amendment* to the District was undertaken in order to facilitate and encourage the redevelopment of the Lincoln Mill through an increase in the captured value percentage for a particular parcel known on City Tax Maps as Map 71, Lot 5 to 100% and provide a credit enhancement agreement to the developers of the Lincoln Mill parcel for a maximum of \$150,000 in reimbursed property taxes per year for five (5) years.

The *Eighth Amendment* to the District increased the captured value percentage for one parcel located within the District, known as Tax Map 71, lot 11, to 100% and authorized an amendment and extension to an existing credit enhancement agreement to be executed with North Dam, LLC.

C. Physical Description and Original Assessed Value

Prior to this Amendment, the District was comprised of 204.55 acres, some of which is located in the southwestern part of the City bordering Interstate 95 and some of which is located in the center of the City's downtown area, occasionally referred to as the "Mill Sub District." Prior to this Amendment, the District had an original assessed value of \$20,260,315. Following the removal of parcel 71-9 (1.07 acres) and parcel 71-9-3 (0.058 acres), the District will be comprised of 203.42 acres and will have an original assessed value of \$19,671,199. Please see Exhibit A for an amended map of the District and Exhibit B for an amended Assessor's Certificate for the District.

D. Special Procedural Explanation

Please note that this Amendment is also presented to the City Council on the same date as a proposal for a new Municipal Development and Tax Increment Financing District, specifically, the *Riverdam Municipal Development and Tax Increment Financing District*. This project is also located in the existing Rte 111-Mill Redevelopment TIF District.

If the City Council approves the *Riverdam Municipal Development and Tax Increment Financing District*, then this Amendment removing a portion of the District in order to make space available for the *Riverdam Municipal Development and Tax Increment Financing District* will also be presented to DECD.

II. Evidence of Public Hearing and Vote for Amendment

A. Notice of Public Hearing

Attached as Exhibit C, is a copy of the Notice of Public Hearing published in the *Journal Tribune*, a newspaper of general circulation in the City, a date at least ten (10) days prior to the

public hearing. The public hearing was held on May 7, 2019, in accordance with the requirements of 30-A M.R.S.A. § 5226(1).

B. Minutes of Public Hearing

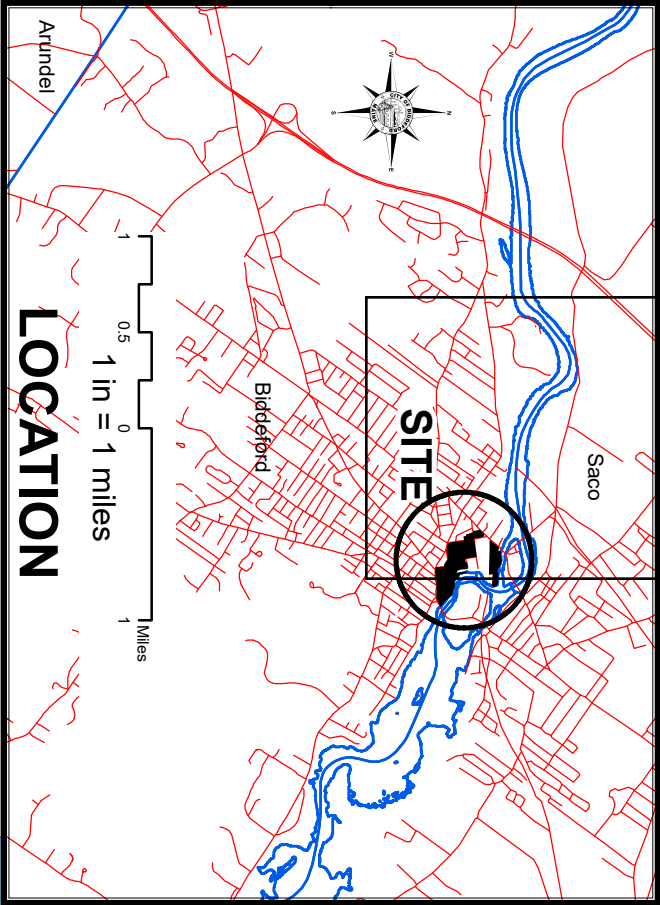
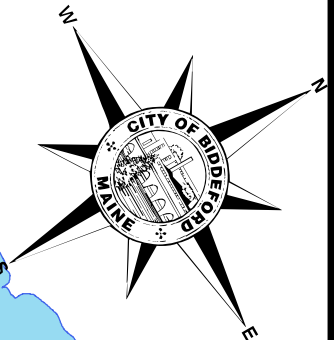
Attached as Exhibit D, is a certified copy of the minutes of the public hearing held on May 7, 2019, at which time the proposed District was discussed by the public.

C. Authorizing Votes

Attached as Exhibit E is an attested copy of the City of Biddeford Council Order, which was approved by the City Council at a City Council meeting duly called and held May 7, 2019, adopting the Amendment to the Development Program.

D. Statutory Requirements & Thresholds form

Attached as Exhibit F, is a completed statutory requirements and thresholds form for the District.



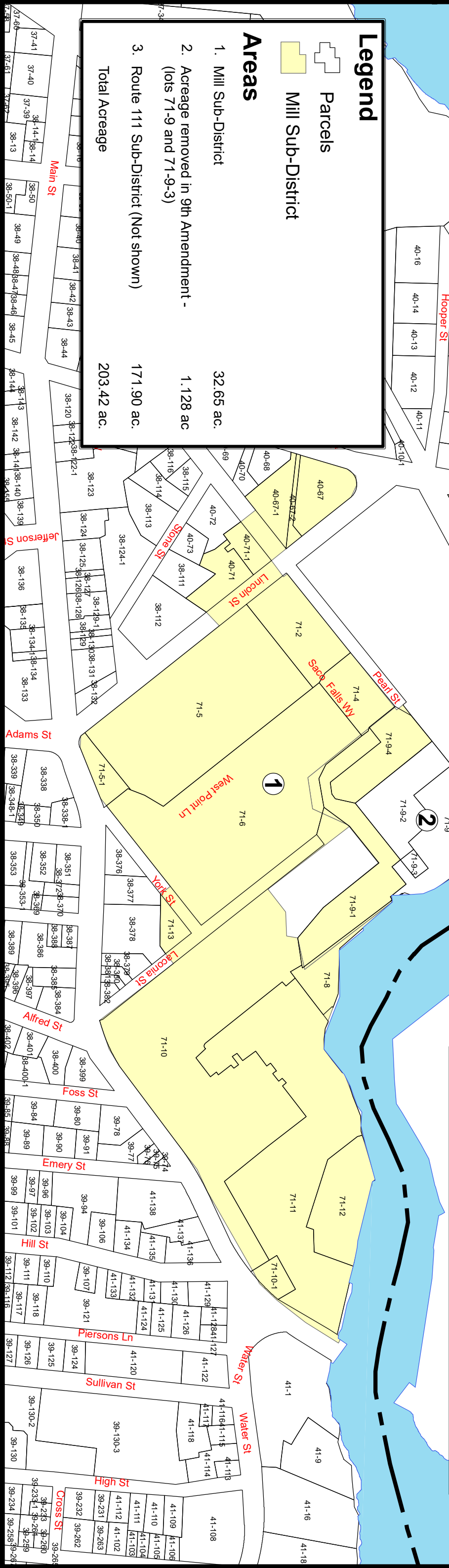
LOCATION

Legend

- Parcels
- Mill Sub-District

Areas

1. Mill Sub-District
32.65 ac.
 2. Acreage removed in 9th Amendment -
(lots 71-9 and 71-9-3)
1.128 ac
 3. Route 111 Sub-District (Not shown)
171.90 ac.
- Total Acreage
203.42 ac.

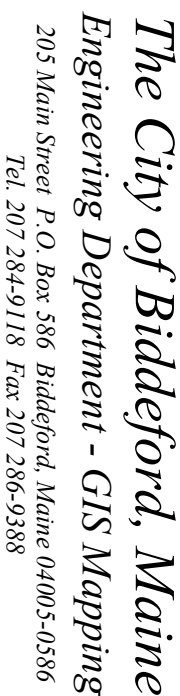
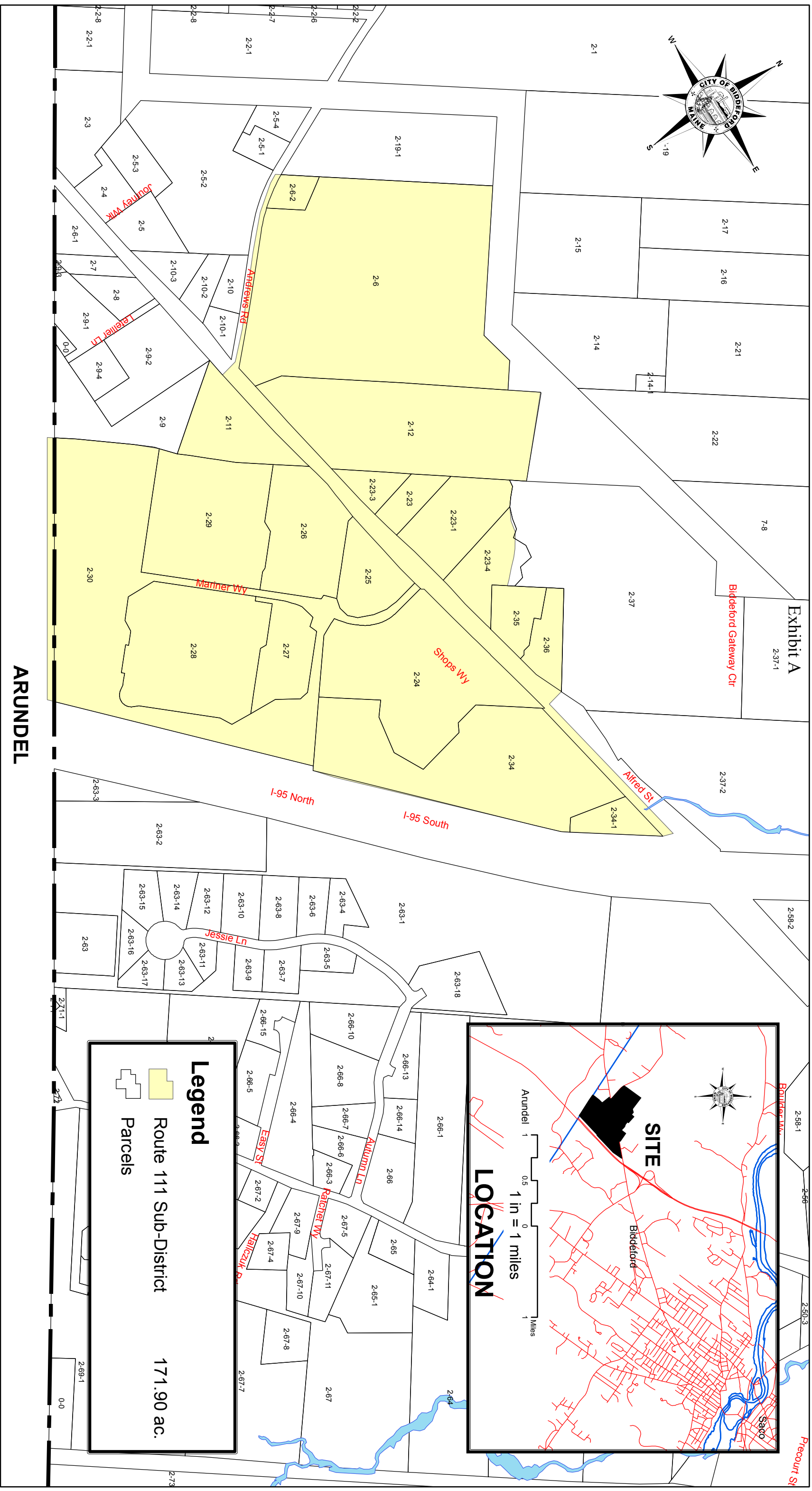


The City of Biddeford, Maine
Technologies Department - GIS Mapping
205 Main Street P.O. Box 586 Biddeford, Maine 04005-0586
Tel. 207 571-0660 Email gis@biddefordmaine.org

Route 111 - Mill District
Mill Sub-District
with Riverdam TIF District Removed
EXHIBIT A



This map was prepared by:
Biddeford GIS



Route 111 - Mill Area TIF District

Route 111 Sub-District



EXHIBIT B
ASSESSORS' CERTIFICATE OF ORIGINAL ASSESSED VALUE

CITY OF BIDDEFORD
NINTH AMENDMENT TO THE RTE 111-MILL REDEVELOPMENT
MUNICIPAL DEVELOPMENT
AND TAX INCREMENT FINANCING DISTRICT

The undersigned Assessor for the City of Biddeford, Maine, does hereby certify pursuant to the provisions of 30-A M.R.S.A. §5227 that the assessed value for taxable real property within the Rte 111-Mill Municipal Development and Tax Increment Financing District, as delineated on a map included in the Development Program to which this Certificate is included, was \$19,671,199.

IN WITNESS WHEREOF, This Certificate has been executed as of this _____ day of _____, 2019.

ASSESSOR

By:_____

Printed name:

Original Assessed Value by Tax Map and Lot Number

Tax Map and Lot Number Map 2 Lots	Original Assessed Value
6	\$401,600
6-2	\$162,200
11	\$91,300
12	\$418,400
23	\$385,400
23-1	\$379,600
23-3	\$365,800
23-4	\$335,100
24-1	\$111,500
24-2	\$182,600
24-3	\$176,600
24-4	\$164,000
24-5	\$210,200
25	\$105,000
26	\$188,100
27	\$191,900
28	\$142,600
28-1	\$179,700
28-2	\$109,700
28-3	\$56,400
29	\$168,700
30	\$207,800
31	\$189,700
32	\$263,300
34	\$1,118,600
34-1	\$412,200
35	\$335,900
36	\$312,600

Tax Map and Lot Number Map 40 Lots	Original Assessed Value
71	\$293,100
71-1	\$141,700
67-1	\$262,400
67-2	\$16,500
67	\$370,600
58	\$13,800
57	\$15,100
56	\$469,700
55	\$372,500
55-1	\$10,600
55-2	\$5,900
55-3	386,600
Tax Map and Lot Number Map 71 Lots	Original Assessed Value
13	\$79,400
12	\$268,100
11	\$2,012,200
10	\$3,213,699
9-4*	\$126,000
8	\$1,105,000
6	\$1,289,500
5	\$1,123,600
5-1	\$358,900
4	\$369,800

*Lot 9-4 was formally included in lot 9 with the Ninth Amendment to the district, only lot 9-4 of the area that was originally lot 9 is remaining in the district.

**NOTICE OF PUBLIC HEARINGS
City of Biddeford**

regarding

**An Amendment to the Municipal Development and Tax Increment Financing District
Known As The “Rte 111-Mill Redevelopment Municipal Development and Tax Increment
Financing District”**

And

**The Designation Of A Municipal Development and Tax Increment Financing District to Be
Known As “Riverdam Municipal Development and Tax Increment Financing District”
And the Adoption Of A Development Program, therefore:**

Notice is hereby by given that the City of Biddeford will hold two public hearings on

**May 7, 2019
at 6:00 PM at**

City Hall at 205 Main Street in the Council Chambers on the second floor.

The purpose of one of the public hearings is to receive public comments on the amendment of the existing Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District removing a portion of that district located at Building 3 and Building 4 of the Riverdam Mill in order to make the area available to designate a new Municipal Development and Tax Increment Financing District, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The purpose of the other public hearing is to receive public comments on the designation of a new district called the Riverdam Municipal Development and Tax Increment Financing District, located at Building 3 and Building 4 of the Riverdam Mill, and the adoption of a development program therefor, all in accordance with Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended. Such development program will include authorizing a credit enhancement agreement with the developer, Tom Watson & Company, LLC.

A copy of the proposed Development Program will be on file with the City’s Economic Development Office during normal business hours of 8:00 am – 5:00 pm. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

EXHIBIT D
CERTIFIED COPY OF THE PUBLIC HEARING MINUTES

CITY OF BIDDEFORD CITY COUNCIL ORDER

**Ninth Amendment to the Rte 111-Mill Redevelopment Municipal Development and Tax
Increment Financing District
and
Riverdam Municipal Development and Tax Increment Financing District**

WHEREAS, the City of Biddeford (the “City”) is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to amend the **Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District** (the “Rte 111-Mill District”) Development Program (as amended, the “Rte 111-Mill Development Program”); and

WHEREAS, the City is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate the **Riverdam Municipal Development and Tax Increment Financing District** (the “Riverdam District,” and together with the Rte 111-Mill District, the “Districts”) and the Development Program (the “Riverdam Development Program,” and together with the Rte 111-Mill Development Program, the “Development Programs”) for the Riverdam District; and

WHEREAS, there is a need for economic development in the City of Biddeford, in the surrounding region, and in the State of Maine; and

WHEREAS, there is a need to improve and broaden the tax base of the City of Biddeford; and to improve the general economy of the City of Biddeford and the surrounding region; and

WHEREAS, implementation of the Development Programs will help to improve and broaden the tax base in the City of Biddeford and improve the economy of the City of Biddeford and the region by attracting business development to the Districts; and

WHEREAS, there is a need to implement continued economic development initiatives in the Districts through the Development Programs in accordance with the provision of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended; and

WHEREAS, it is expected that approval will be obtained from the State of Maine Department of Economic and Community Development (the “Department”), approving the ***Ninth Amendment to the Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District*** and the Rte 111-Mill Development Program related thereto and approving the ***Riverdam Municipal Development and Tax Increment Financing District*** and the Riverdam Development Program related thereto;

ORDERED AS FOLLOWS:

Section 1. The City of Biddeford hereby approves the Ninth Amendment to the Rte 111-Mill Redevelopment TIF District and Development Program; such amendment to be pursuant to the following findings, terms, and provisions:

Section 2. The City Council hereby finds and determines that:

a. This amendment to the Rte 111-Mill Development Program will not result in the Rte 111-Mill District falling out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3); and

b. The Rte 111-Mill District and the Rte 111-Mill Development Program will make a contribution to the economic growth and well being of the City of Biddeford and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Biddeford, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose. The City has considered all evidence, if any, presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that such adverse economic effect on or detriment to any existing business, if any, is outweighed by the contribution expected to be made through the Ninth Amendment to the Rte 111-Mill Development Program.

Section 3. Pursuant to the provisions of 30-A M.R.S.A. § 5227, the percentage of increased assessed value to be retained as captured assessed value in accordance with the Rte 111-Mill Development Program is hereby established as set forth in the Rte 111-Mill Development Program.

Section 4. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed Ninth Amendment to the Rte 111-Mill Development Program for the Rte 111-Mill District to the Department for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226.

Section 5. The foregoing adoption of the Ninth Amendment to the Rte 111-Mill Development Program for the Rte 111-Mill District shall automatically become final and shall take full force and effect upon receipt by the City of approval of the by the Department, without requirement of further action by the City, the City Council, or any other party.

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Section 8. The City Council hereby finds and determines that:

EXHIBIT E
CITY COUNCIL ORDER

- a. At least twenty-five percent (25%), by area, of the real property within the Riverdam District, as hereinafter designated, is suitable for commercial uses; and
- b. The total area of the Riverdam District does not exceed two percent (2%) of the total acreage of the City, and the total area of all existing and proposed development districts within the City (including the Riverdam District) does not exceed five percent (5%) of the total acreage of the City; and
- c. The original assessed value of all existing and proposed tax increment financing districts (including the Riverdam District) does not exceed five percent (5%) of the total value of equalized taxable property within the City as of April 1, 2013; and
- d. The Riverdam District and pursuit of the Riverdam Development Program will make a contribution to the economic growth and well-being of the City of Biddeford and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Biddeford, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose. The City has considered all evidence, if any, presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that such adverse economic effect on or detriment to any existing business, if any, is outweighed by the contribution expected to be made through the Riverdam District and Riverdam Development Program.

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Section 12. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the Riverdam District and Riverdam Development Program for the Riverdam District as the City Manager may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the District by the State of Maine Department of Economic and Community Development, or

EXHIBIT E
CITY COUNCIL ORDER

for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Riverdam Development Program.

Section 13. The City Manager, in the name and on behalf of the City, is hereby authorized and directed to enter into a credit enhancement agreement between the City and the developer of the project to be located in the Riverdam District, on terms as described in the Riverdam Development Program.

Dated: May 7, 2019

STATUTORY REQUIREMENTS AND THRESHOLDS
Ninth Amendment to Rte 111 – Mill TIF District & Development Program

SECTION A. Acreage Caps		
1. Total municipal acreage;	14,838	
2. Acreage of proposed Municipal TIF District;	203.42	
3. Downtown-designation ¹ acres in proposed Municipal TIF District;	0	
4. Transit-Oriented Development ² acres in proposed Municipal TIF District;	0	
5. Total acreage [=A2-A3-A4] of proposed Municipal TIF District counted toward 2% limit;	203.42	
6. Percentage [=A5÷A1] of total acreage in proposed Municipal TIF District (CANNOT EXCEED 2%).	1.37%	
7. Total acreage of all <u>existing/proposed</u> Municipal TIF districts in municipality including Municipal Affordable Housing Development districts: ³ Riverdam TIF ⁴ – 1.13 Biddeford Industrial Park TIF – 82.6 The Lofts at Saco Falls AHTIF – 0.83 Mission Hill AHTIF – 2.3 Airport Industrial Park TIF – 6.36 Laconia House AHTIF – 0.39 Emery School AHTIF – 1.0	Existing	94.61
	Proposed	203.42
	Total:	298.03
30-A § 5223(3) EXEMPTIONS⁵		
8. Acreage of an <u>existing/proposed</u> Downtown Municipal TIF district;	0	
9. Acreage of all <u>existing/proposed</u> Transit-Oriented Development Municipal TIF districts:	0	
10. Acreage of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts:	0	
11. Acreage in all <u>existing/proposed</u> Municipal TIF districts common to ⁶ Pine Tree Development Zones per 30-A § 5250-I (14)(A) excluding any such acreage also factored in Exemptions 8-10 above:	0	
12. Total acreage [=A7-A8-A9-A10-A11] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	298.03	
13. Percentage of total acreage [=A12÷A1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).	2.07%	
14. Real property in proposed Municipal TIF District that is:	ACRES	% [=Acres÷A2]
a. A blighted area;	0	0%
b. In need of rehabilitation, redevelopment or conservation;	0	0%
c. Suitable for commercial or arts district uses.	203.42	100%
TOTAL (except for § 5223 (3) exemptions a., b. OR c. must be at least 25%)		100%

¹ Before final designation, the Commissioner will seek advice from MDOACF and MDOT per 30-A § 5226(2).

² For Transit-Oriented Development (TOD) definitions see 30-A § 5222 sub-§§ 19-24.

³ For AH-TIF acreage requirement see 30-A § 5247(3)(B). Alternatively, Section B. must exclude AH-TIF valuation.

⁴ This assumes that the proposed Riverdam TIF is approved and the 9th Amendment to the Rte 111-Mill TIF is approved.

⁵ Downtown/TOD overlap nets single acreage/valuation caps exemption.

⁶ PTZ districts approved through December 31, 2008.

STATUTORY REQUIREMENTS AND THRESHOLDS
Ninth Amendment to Rte 111 – Mill TIF District & Development Program

SECTION B. Valuation Cap		
1. Total TAXABLE municipal valuation—use most recent April 1;	\$2,263,350,000	
2. Taxable Original Assessed Value (OAV) of proposed Municipal TIF District as of March 31 preceding municipal designation—same as April 1 prior to such March 31;	\$19,671,199	
3. Taxable OAV of all <u>existing/proposed</u> Municipal TIF districts in municipality excluding Municipal Affordable Housing Development districts: Biddeford Industrial Park TIF - \$30,375,700 Riverdam TIF ⁷ – \$983,700 Airport Industrial Park TIF - \$1,718,800	Existing	\$33,078,200
	Proposed	\$19,671,199
	Total:	\$52,758,399
30-A § 5223(3) EXEMPTIONS		
4. Taxable OAV of an <u>existing/proposed</u> Downtown Municipal TIF district;	0	
5. Taxable OAV of all <u>existing/proposed</u> Transit-Oriented Development Municipal TIF districts:	0	
6. Taxable OAV of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts:	0	
7. Taxable OAV of all <u>existing/proposed</u> Single Taxpayer/High Valuation ⁸ Municipal TIF districts:	0	
8. Taxable OAV in all <u>existing/proposed</u> Municipal TIF districts common to Pine Tree Development Zones per 30-A § 5250-I (14)(A) excluding any such OAV also factored in Exemptions 4-7 above:	0	
9. Total taxable OAV [=B3-B4-B5-B6-B7-B8] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	\$52,758,399	
10. Percentage of total taxable OAV [=B9÷B1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).	2.33%	

COMPLETED BY	
NAME :	Shana Cook Mueller
DATE :	4/11/2019

⁷ This assumes that the proposed Riverdam TIF is approved and the 9th Amendment to the Rte 111-Mill TIF is approved.

⁸ For this exemption see 30-A §5223(3)(C) sub-§§ 1-4.

**ECONOMIC DEVELOPMENT
BIDDEFORD, MAINE**

An Application for a Municipal Development and Tax Increment Financing District

**RIVERDAM
MUNICIPAL DEVELOPMENT AND
TAX INCREMENT FINANCING DISTRICT**

*Presented to:
BIDDEFORD CITY COUNCIL
May 7, 2019*

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C	Assessor’s Certification of Original Assessed Value
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D-2	Tax Shift Calculations
E	Public Hearing Notice
F	Public Hearing Minutes
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I. Introduction

A. The Site and Development Project

The City seeks to establish a tax increment financing (“TIF”) district in order to facilitate and promote the redevelopment of Building 3 and Building 4 of the Riverdam Mill. The development and the TIF district also present opportunities for the City to invest in public infrastructure and other economic development activities described more fully herein.

The City proposes to enter into a credit enhancement agreement with the developer of the project to be located in the District (the “Developer”), to promote the redevelopment of Building 3 and Building 4 of the Riverdam Mill. The redevelopment project will include street-level commercial space and market-rate apartment units, and will add to the City’s Riverwalk project.

B. Establishment of the Development Project

The City hereby establishes the “**Riverdam Municipal Development and Tax Increment Financing District**” (the “District”). The District will exist for a total of twenty (20) years beginning on July 1, 2020, and is more fully described below in this Development Program. The District is depicted on the maps attached as Exhibit A. The City plans to capture one hundred percent (100%) of the increased assessed value of taxable real property located within the District for twenty (20) years and will use the property taxes paid on such captured value (the “TIF Revenues”) to fund the projects described in detail in Table 1 herein.

C. Advantages of TIF District

In designating the District and adopting this Development Program, the City can accomplish the following goals:

- Maintain existing tax revenues;
- Realize new tax revenues generated by new development within the District;
- Create long-term, stable employment opportunities for area residents; and
- Improve the overall economy of the region and the State of Maine.

In addition, by creating the District, the City will “shelter” the increase in municipal valuation that development in the District will bring about. This tax shelter will mitigate the impacts that the District’s increased assessed property value would have on the City’s share of state aid to education, municipal revenue sharing and its county tax assessment. An estimate of the tax shelter benefit is shown as Exhibit D-2 attached hereto.

II. Development Program Narrative

A. The Projects

1. Project Costs

The City desires to support the costs described below in Table 1 using TIF Revenues.

TABLE 1
City of Biddeford's Riverdam TIF District Project Costs

Project	Cost Estimate	Statutory Cite
1. <u>Economic Development Programs</u> : Costs of funding economic development programs or events developed by the municipality or funding the marketing of the municipality as a business or arts location, including but not limited to arts attractions, events and economic development programing, particularly in the downtown and along the Riverwalk.	\$573,659	30-A M.R.S.A. § 5225(1)(C)(1)
2. <u>Riverwalk & Pedestrian Connector</u> : Costs of funding additions to and maintenance of the Riverwalk, including but not limited to connecting the City's Riverwalk to the Riverdam Boardwalk. The Riverwalk provides recreational trails connecting businesses throughout the Mill area, the Eastern Trail, and the City's neighborhoods.	\$650,147	30-A M.R.S.A. § 5225(1)(A)(1); (1)(C)(6)
3. <u>Transit Improvements</u> : Including transit service capital costs, transit vehicles, buses, vans, rail conveyances, bus shelters, benches, other transit-related equipment, infrastructure, and associated smart infrastructure.	\$573,659	30-A M.R.S.A. § 5225(1)(C)(7)
4. <u>Parking Improvements</u> : Provide funding for a parking facility or facilities made necessary by or directly related to the District development.	\$114,732	30-A M.R.S.A. § 5225(1)(A); (1)(B)(1)
Total Municipal Project Costs:	\$1,912,197	

2. Credit Enhancement Agreement with Developer

In designating the District, the Council will also be authorizing a credit enhancement agreement with the Developer. Such credit enhancement agreement will provide that one hundred percent (100%) of the TIF revenues generated by the captured assessed value from the District will be paid to the Developer each year, with an annual cap of \$172,727, and an overall total cap of \$1,900,000. The term of the credit enhancement agreement shall commence on July 1, 2020. Notwithstanding anything to the contrary herein, the Developer must receive a Certificate of Occupancy for the redevelopment project by March 31 in order to receive payment of the TIF revenues related to the current fiscal year in which such March 31 falls. For example, if a Certificate of Occupancy is received by March 31, 2021, then the TIF revenues shall be paid to the Developer with respect to the 2020-2021 fiscal year.

B. The Development District

1. Physical Description

The proposed District will encompass a 1.13-acre area comprised of two parcels known on City tax maps as Lot 71-9 (1.07 acres) and Lot 71-9-3 (0.058 acres). Maps of the proposed District are presented in Exhibit A-1 and A-2.

2. Statutory Requirements and Thresholds

The Statutory Requirements and Thresholds form addressing the acreage and valuation conditions for approval mandated by 30-A M.R.S.A. § 5223(3) is set forth in Exhibit B.

3. Duration of the Program

The District and will begin July 1, 2020, and will continue for a total of twenty (20) years, terminating on June 30, 2040.

4. Certification of Original Assessed Value

The Original Assessed Value of the District was nine hundred eighty-three thousand seven hundred dollars (\$983,700) as of March 31, 2019 (April 1, 2018). This assessed value is wholly attributable to taxable real property value. The Assessor's Certificate of Original Assessed Value is included as Exhibit C.

C. The Development Program

Under this Development Program, the City will capture one hundred percent (100%) of the increased assessed taxable real property value of the District and retain the tax revenues generated by the captured assessed taxable real property value for designated economic development purposes for twenty (20) years.

This Development Program is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended. Subsequent to a public hearing and City Council vote, adoption of this Development Program will be effective upon approval by DECD.

D. Improvements to the Public Infrastructure

Please refer to Table 1 for the various public infrastructure improvements that TIF Revenues will support.

E. Operational Components

1. Commercial Improvements Financed Through Development Program

Please refer to Table 1. The City will enter into a credit enhancement agreement with the Developer to support commercial improvements in the District.

2. Relocation of Displaced Persons.

Not applicable.

3. Transportation Improvements

Please refer to Table 1.

4. Environmental Controls

The improvements made under this Development Program will meet or exceed all federal, state and local environmental laws, regulations and ordinances and will comply with all applicable land use requirements for the City.

5. Plan of Operation

During the term of the District, the City Manager or his designee will be responsible for all administrative matters within the purview of the City concerning the implementation and operation of the District.

III. Financial Plan

The District will encompass a total of 1.13 acres of property. The Original Assessed Value of the District was nine hundred eighty-three thousand seven hundred dollars (\$983,700) as of March 31, 2019 (April 1, 2018). The City will capture one hundred percent (100%) of the increased assessed value for the 20-year term of the District. The TIF Revenues so collected will fund and/or contribute to the funding of the approved municipal projects, including each of the projects described on Table 1 hereof, and will provide funding for the credit enhancement agreement so authorized herein, which collectively will improve the City's economy and increase the City's ability to stand out in a competitive marketplace as a dynamic place in which to grow a business. All taxable real property value captured in the District will be added to the general tax rolls at the end of the TIF term.

Upon each payment of property taxes by the future property taxpayers in the District, the City will deposit into a development program fund (the “Development Program Fund”) the entirety of the property tax payments constituting TIF Revenues. The Development Program Fund is pledged to and charged with the payment of the project costs in the manner provided in 30-A M.R.S.A. § 5227(3). The Development Program Fund consists of two segregated accounts, a sinking fund account (“Sinking Fund Account”) and a project cost account (the “Project Cost Account”). The City will deposit the TIF Revenues necessary to pay debt service on any bonds issued to pay for District improvements, if any, into the Sinking Fund Account. The money in this account is pledged to and charged with the payment of interest and principal on municipal indebtedness related to the improvements in the District. The City will deposit any additional TIF Revenues into (a) a subaccount or subaccounts of the Project Cost Account to be used for credit enhancement payments, if any, and/or (b) to a subaccount of the Project Cost Account for other approved municipal projects outlined in this Development Program and not financed with City indebtedness.

A. Increased Assessed Values & Tax Shifts

Estimates of the increased assessed value of the District property and the anticipated TIF Revenues generated by the District are shown in Exhibit D-1 and the estimated tax shifts are shown in Exhibit D-2.

B. Sources of Revenues

It is anticipated that all private improvements located within the District will be funded through private sources.

C. Public Indebtedness

The City anticipates funding some of the public infrastructure costs through public indebtedness. The City reserves the right to incur bonded indebtedness for approved projects in the future, provided that the timing and funding of any bonded projects complies with all statutory requirements for paying bonded indebtedness with TIF Revenues.

D. Original Assessed Value

Certification by the City’s Tax Assessor of the original assessed value of the District is set forth in Exhibit C.

VI. Municipal Approvals

A. Notice of Public Hearing

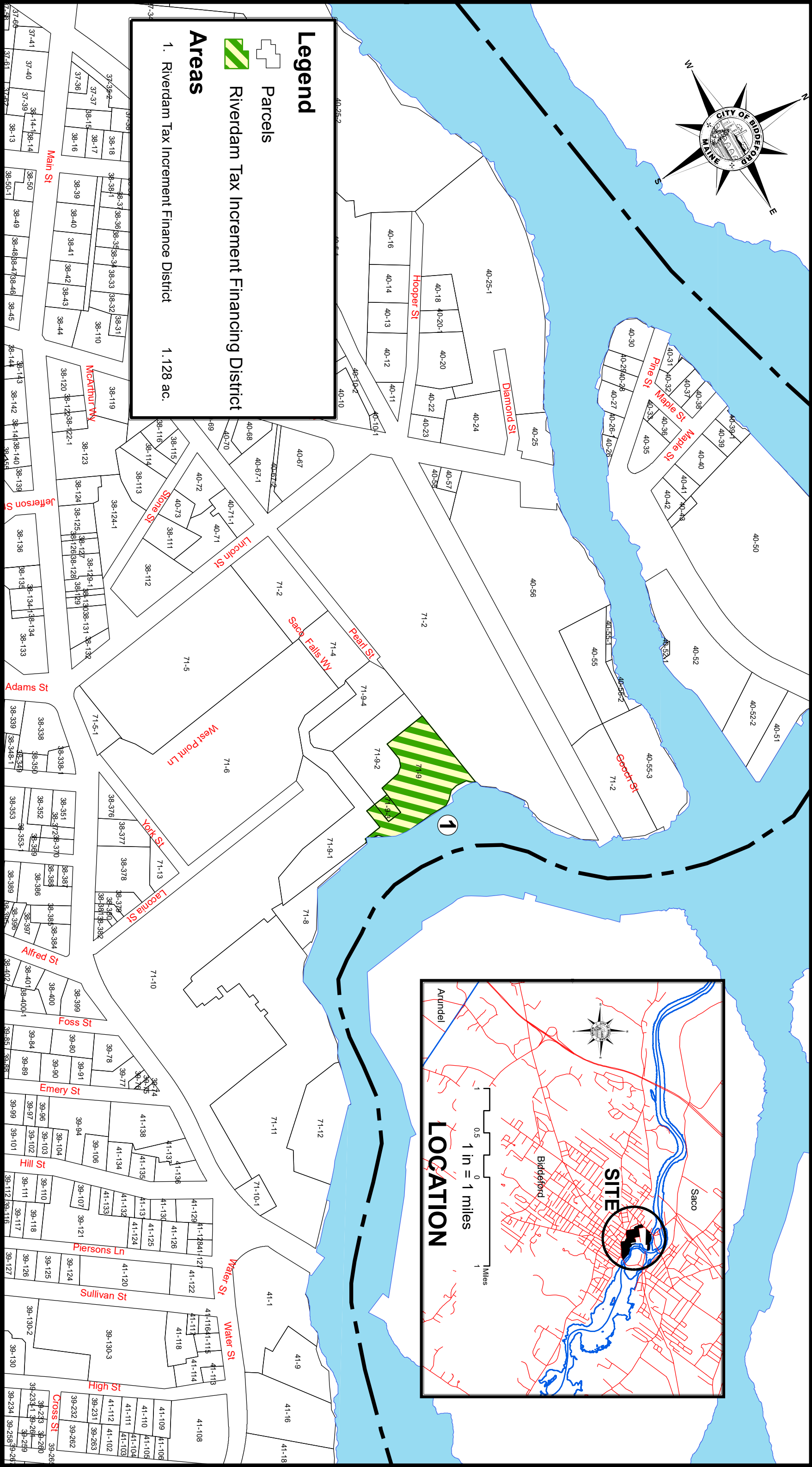
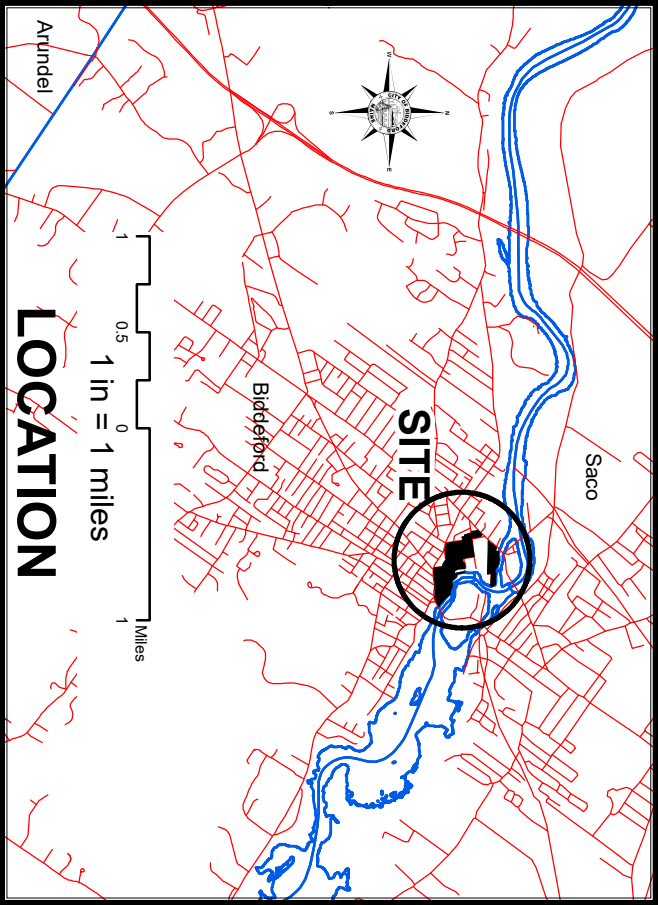
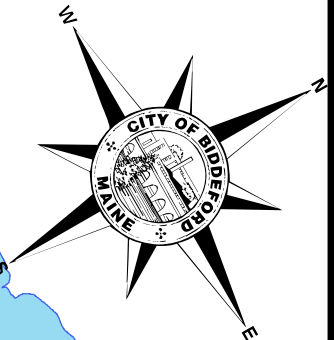
Attached as Exhibit E is a copy of the Notice of Public Hearing regarding the establishment of the Riverdam Municipal Development and Tax Increment Financing District and adoption of this Development Program for the District, published in The Journal Tribune, a newspaper of general circulation in the City on a date at least ten (10) days prior to the public hearing. The public hearing on the District designation and Development Program, was held on May 7, 2019, in accordance with the requirements of 30-A M.R.S.A. § 5226(1).

B. Minutes of Public Hearing Held by City Council

Attached as Exhibit F is a certified copy of the minutes of the public hearing held on May 7, 2019, at which time the proposed District, Development Program and Credit Enhancement Agreement were discussed by the public.

C. Authorizing Votes

Attached as Exhibit G is a copy of the Biddeford City Council Order designating the District and adopting this Development Program and authorizing the execution of a credit enhancement agreement and associated agreement regarding property tax, which Order was adopted by the Council at a meeting of the Council duly called and held on May 7, 2019.



Legend



Parcels



Riverdam Tax Incremental Financing District

Areas

1. Riverdam Tax Incremental Finance District

1. 128 ac.



The City of Biddeford, Maine
Technologies Department - GIS Mapping
205 Main Street P.O. Box 586 Biddeford, Maine 04005-0586
Tel. 207 571-0660 Email gis@biddefordmaine.org

Riverdam Tax Incremental Financing District

EXHIBIT A



This map was prepared by:
BidGIS 95

STATUTORY REQUIREMENTS AND THRESHOLDS
Riverdam TIF District & Development Program

SECTION A. Acreage Caps		
1. Total municipal acreage;	14,838	
2. Acreage of proposed Municipal TIF District;	1.13	
3. Downtown-designation ¹ acres in proposed Municipal TIF District;	0	
4. Transit-Oriented Development ² acres in proposed Municipal TIF District;	0	
5. Total acreage [=A2-A3-A4] of proposed Municipal TIF District counted toward 2% limit;	1.13	
6. Percentage [=A5÷A1] of total acreage in proposed Municipal TIF District (CANNOT EXCEED 2%).	0.0076%	
7. Total acreage of all <u>existing/proposed</u> Municipal TIF districts in municipality including Municipal Affordable Housing Development districts: ³ Rte 111-Mill TIF⁴ – 203.42 Biddeford Industrial Park TIF – 82.6 The Lofts at Saco Falls AHTIF – 0.83 Mission Hill AHTIF – 2.3 Airport Industrial Park TIF – 6.36 Laconia House AHTIF – 0.39 Emery School AHTIF – 1.0	Existing	296.9
	Proposed	1.13
	Total:	298.03
30-A § 5223(3) EXEMPTIONS⁵		
8. Acreage of an <u>existing/proposed</u> Downtown Municipal TIF district;	0	
9. Acreage of all <u>existing/proposed</u> Transit-Oriented Development Municipal TIF districts:	0	
10. Acreage of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts:	0	
11. Acreage in all <u>existing/proposed</u> Municipal TIF districts common to ⁶ Pine Tree Development Zones per 30-A § 5250-I (14)(A) excluding any such acreage also factored in Exemptions 8-10 above:	0	
12. Total acreage [=A7-A8-A9-A10-A11] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	298.03	
13. Percentage of total acreage [=A12÷A1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).	2.07%	
14. Real property in proposed Municipal TIF District that is:	ACRES	% [=Acres÷A2]
a. A blighted area;	0	0%
b. In need of rehabilitation, redevelopment or conservation;	0	0%
c. Suitable for commercial or arts district uses.	1.13	100%
TOTAL (except for § 5223 (3) exemptions a., b. OR c. must be at least 25%)		100%

¹ Before final designation, the Commissioner will seek advice from MDOACF and MDOT per 30-A § 5226(2).

² For Transit-Oriented Development (TOD) definitions see 30-A § 5222 sub-§§ 19-24.

³ For AH-TIF acreage requirement see 30-A § 5247(3)(B). Alternatively, Section B. must exclude AH-TIF valuation.

⁴ This assumes that the proposed Riverdam TIF is approved and the 9th Amendment to the Rte 111-Mill TIF is approved.

⁵ Downtown/TOD overlap nets single acreage/valuation caps exemption.

⁶ PTZ districts approved through December 31, 2008.

STATUTORY REQUIREMENTS AND THRESHOLDS
Riverdam TIF District & Development Program

SECTION B. Valuation Cap		
1. Total TAXABLE municipal valuation—use most recent April 1;	\$2,263,350,000	
2. Taxable Original Assessed Value (OAV) of proposed Municipal TIF District as of March 31 preceding municipal designation—same as April 1 prior to such March 31;	\$983,700	
3. Taxable OAV of all <u>existing/proposed</u> Municipal TIF districts in municipality excluding Municipal Affordable Housing Development districts: Biddeford Industrial Park TIF - \$30,375,700 Rte 111-Mill TIF ⁷ - \$19,671,199 Airport Industrial Park TIF - \$1,718,800	Existing	\$51,765,699
	Proposed	\$983,700
	Total:	\$52,758,399
30-A § 5223(3) EXEMPTIONS		
4. Taxable OAV of an <u>existing/proposed</u> Downtown Municipal TIF district;	0	
5. Taxable OAV of all <u>existing/proposed</u> Transit-Oriented Development Municipal TIF districts:	0	
6. Taxable OAV of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts:	0	
7. Taxable OAV of all <u>existing/proposed</u> Single Taxpayer/High Valuation ⁸ Municipal TIF districts:	0	
8. Taxable OAV in all <u>existing/proposed</u> Municipal TIF districts common to Pine Tree Development Zones per 30-A § 5250-I (14)(A) excluding any such OAV also factored in Exemptions 4-7 above:	0	
9. Total taxable OAV [=B3-B4-B5-B6-B7-B8] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	\$52,758,399	
10. Percentage of total taxable OAV [=B9÷B1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).	2.33%	

COMPLETED BY	
NAME :	Shana Cook Mueller
DATE :	4/11/2019

⁷ This assumes that the proposed Riverdam TIF is approved and the 9th Amendment to the Rte 111-Mill TIF is approved.

⁸ For this exemption see 30-A §5223(3)(C) sub-§§ 1-4.

EXHIBIT C
ASSESSORS' CERTIFICATE OF ORIGINAL ASSESSED VALUE

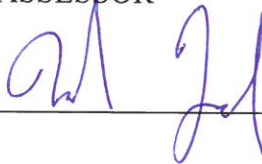
CITY OF BIDDEFORD
RIVERDAM MUNICIPAL DEVELOPMENT
AND TAX INCREMENT FINANCING DISTRICT

The undersigned Assessor for the City of Biddeford, Maine, does hereby certify pursuant to the provisions of 30-A M.R.S.A. §5227 that the assessed value for taxable real property within the Riverdam Municipal Development and Tax Increment Financing District, as delineated on a map included in the Development Program to which this Certificate is included, was \$ 983,700 as of March 31, 2019 (April 1, 2018).

IN WITNESS WHEREOF, This Certificate has been executed as of this 10th day of April, 2019.

ASSESSOR

By:



Printed name: Nicholas Desjardins

Original Assessed Value by Tax Map and Lot Number

Tax Map and Lot Number	District Acreage	Original Assessed Value of District Acreage as of March 31, 2019 (April 1, 2018)
71-9	1.07	\$827,700
71-9-3	.058	\$156,000
Total	1.13	\$983,700

Captured Assessed Value & TIF Revenue Projection Table - City of Biddeford - Riverdam Mill - TIF

TIF Year	Fiscal Year	Increased Assessed Value Real Prop.	Captured Valuation @100% of Value Captured	Projected Mill Rate	Total Projected New Taxes Captured	Captured Revenue to Municipal Project Account	Captured Revenue to Developer Project Account W/Cap
1	2020-21	\$9,016,300	\$9,016,300	0.01970	\$177,621	\$4,894	\$172,727
2	2021-22	\$9,116,300	\$9,116,300	0.01970	\$179,591	\$6,864	\$172,727
3	2022-23	\$9,217,300	\$9,217,300	0.01970	\$181,581	\$8,854	\$172,727
4	2023-24	\$9,319,310	\$9,319,310	0.01970	\$183,590	\$10,863	\$172,727
5	2024-25	\$9,422,340	\$9,422,340	0.01970	\$185,620	\$12,893	\$172,727
6	2025-26	\$9,526,401	\$9,526,401	0.01970	\$187,670	\$14,943	\$172,727
7	2026-27	\$9,631,502	\$9,631,502	0.01970	\$189,741	\$17,014	\$172,727
8	2027-28	\$9,737,654	\$9,737,654	0.01970	\$191,832	\$19,105	\$172,727
9	2028-29	\$9,844,867	\$9,844,867	0.01970	\$193,944	\$21,217	\$172,727
10	2029-30	\$9,953,153	\$9,953,153	0.01970	\$196,077	\$23,350	\$172,727
11	2030-31	\$10,062,521	\$10,062,521	0.01970	\$198,232	\$25,505	\$172,727
12	2031-32	\$10,172,983	\$10,172,983	0.01970	\$200,408	\$200,405	\$3
13	2032-33	\$10,284,550	\$10,284,550	0.01970	\$202,606	\$202,606	\$0
14	2033-34	\$10,397,233	\$10,397,233	0.01970	\$204,825	\$204,825	\$0
15	2034-35	\$10,511,042	\$10,511,042	0.01970	\$207,068	\$207,068	\$0
16	2035-36	\$10,625,990	\$10,625,990	0.01970	\$209,332	\$209,332	\$0
17	2036-37	\$10,742,086	\$10,742,086	0.01970	\$211,619	\$211,619	\$0
18	2037-38	\$10,859,344	\$10,859,344	0.01970	\$213,929	\$213,929	\$0
19	2038-39	\$10,977,775	\$10,977,775	0.01970	\$216,262	\$216,262	\$0
20	2039-40	\$11,097,390	\$11,097,390	0.01970	\$218,619	\$218,619	\$0
20-Year TIF Total		\$200,516,040	\$200,516,040		\$3,950,166	\$2,050,166	\$1,900,000

Prepared by Camoin Associates, www.camoinassociates.com

Notes and Sources:

Per terms of CEA the annual \$ amount to developer is capped at \$172,727 and capped at \$1,900,000 in total for the life of the TIF

City of Biddeford - Riverdam Mill TIF - Tax Shift Impact					
TIF Year	Fiscal Year	Total Tax Shift	Education Shift	Rev. Sharing Shift	County Tax Shift
1	2020-21	\$88,298	\$76,458	\$7,283	\$4,557
2	2021-22	\$89,329	\$77,306	\$7,363	\$4,659
3	2022-23	\$90,371	\$78,163	\$7,445	\$4,763
4	2023-24	\$91,425	\$79,028	\$7,527	\$4,870
5	2024-25	\$92,490	\$79,901	\$7,611	\$4,978
6	2025-26	\$93,568	\$80,784	\$7,695	\$5,089
7	2026-27	\$94,658	\$81,675	\$7,780	\$5,203
8	2027-28	\$95,759	\$82,575	\$7,865	\$5,319
9	2028-29	\$96,874	\$83,484	\$7,952	\$5,437
10	2029-30	\$98,000	\$84,403	\$8,039	\$5,558
11	2030-31	\$99,140	\$85,330	\$8,128	\$5,682
12	2031-32	\$100,292	\$86,267	\$8,217	\$5,808
13	2032-33	\$101,458	\$87,213	\$8,307	\$5,938
14	2033-34	\$102,636	\$88,169	\$8,398	\$6,070
15	2034-35	\$103,828	\$89,134	\$8,490	\$6,204
16	2035-36	\$105,033	\$90,108	\$8,583	\$6,342
17	2036-37	\$106,252	\$91,093	\$8,677	\$6,483
18	2037-38	\$107,485	\$92,087	\$8,771	\$6,627
19	2038-39	\$108,732	\$93,092	\$8,867	\$6,774
20	2039-40	\$109,993	\$94,106	\$8,964	\$6,924
20-Year TIF Total		\$1,975,622	\$1,700,376	\$161,961	\$113,285
20-Year TIF Avg.		\$98,781	\$85,019	\$8,098	\$5,664

Prepared by Camoin Associates, www.camoinassociates.com

Notes and Sources:

The tax shifts resulting from the sheltering of valuation from the state school funding formula are based on the state EPS funding model in which a statewide estimated mill rate of 8.48 mills in FY 2018-2019 is applied to a district's state valuation to determine the amount of local property taxes to be raised for education. By sheltering valuation through a TIF, the district avoids having to raise an amount equal to the valuation sheltered multiplied by state required mill rate.

State Municipal Revenue Sharing amounts are calculated from spreadsheet provided by Maine Revenue Services, FY 2019 Projected Municipal Revenue Sharing - Released 4/29/2018; <http://www.state.me.us/treasurer>

County tax calculations are based on data from the County Finance Department for the FY 2018 County Tax Year. For purposes of this analysis the total county tax assessment is estimated to increase 1.11%% annually throughout the life of the TIF. This is based on the average annual increase in the past five years preceding the TIF application.

**NOTICE OF PUBLIC HEARINGS
City of Biddeford**

regarding

**An Amendment to the Municipal Development and Tax Increment Financing District
Known As The “Rte 111-Mill Redevelopment Municipal Development and Tax Increment
Financing District”**

And

**The Designation Of A Municipal Development and Tax Increment Financing District to Be
Known As “Riverdam Municipal Development and Tax Increment Financing District”
And the Adoption Of A Development Program, therefore:**

Notice is hereby given that the City of Biddeford will hold two public hearings on

**May 7, 2019
at 6:00 PM at**

City Hall at 205 Main Street in the Council Chambers on the second floor.

The purpose of one of the public hearings is to receive public comments on the amendment of the existing Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District removing a portion of that district located at Building 3 and Building 4 of the Riverdam Mill in order to make the area available to designate a new Municipal Development and Tax Increment Financing District, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The purpose of the other public hearing is to receive public comments on the designation of a new district called the Riverdam Municipal Development and Tax Increment Financing District, located at Building 3 and Building 4 of the Riverdam Mill, and the adoption of a development program therefor, all in accordance with Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended. Such development program will include authorizing a credit enhancement agreement with the developer, Tom Watson & Company, LLC.

A copy of the proposed Development Program will be on file with the City’s Economic Development Office during normal business hours of 8:00 am – 5:00 pm. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

EXHIBIT F
PUBLIC HEARING MINUTES

CITY OF BIDDEFORD CITY COUNCIL ORDER

**Ninth Amendment to the Rte 111-Mill Redevelopment Municipal Development and Tax
Increment Financing District
and
Riverdam Municipal Development and Tax Increment Financing District**

WHEREAS, the City of Biddeford (the “City”) is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to amend the **Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District** (the “Rte 111-Mill District”) Development Program (as amended, the “Rte 111-Mill Development Program”); and

WHEREAS, the City is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate the **Riverdam Municipal Development and Tax Increment Financing District** (the “Riverdam District,” and together with the Rte 111-Mill District, the “Districts”) and the Development Program (the “Riverdam Development Program,” and together with the Rte 111-Mill Development Program, the “Development Programs”) for the Riverdam District; and

WHEREAS, there is a need for economic development in the City of Biddeford, in the surrounding region, and in the State of Maine; and

WHEREAS, there is a need to improve and broaden the tax base of the City of Biddeford; and to improve the general economy of the City of Biddeford and the surrounding region; and

WHEREAS, implementation of the Development Programs will help to improve and broaden the tax base in the City of Biddeford and improve the economy of the City of Biddeford and the region by attracting business development to the Districts; and

WHEREAS, there is a need to implement continued economic development initiatives in the Districts through the Development Programs in accordance with the provision of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended; and

WHEREAS, it is expected that approval will be obtained from the State of Maine Department of Economic and Community Development (the “Department”), approving the ***Ninth Amendment to the Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District*** and the Rte 111-Mill Development Program related thereto and approving the ***Riverdam Municipal Development and Tax Increment Financing District*** and the Riverdam Development Program related thereto;

ORDERED AS FOLLOWS:

Section 1. The City of Biddeford hereby approves the Ninth Amendment to the Rte 111-Mill Redevelopment TIF District and Development Program; such amendment to be pursuant to the following findings, terms, and provisions:

Section 2. The City Council hereby finds and determines that:

a. This amendment to the Rte 111-Mill Development Program will not result in the Rte 111-Mill District falling out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3); and

b. The Rte 111-Mill District and the Rte 111-Mill Development Program will make a contribution to the economic growth and well being of the City of Biddeford and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Biddeford, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose. The City has considered all evidence, if any, presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that such adverse economic effect on or detriment to any existing business, if any, is outweighed by the contribution expected to be made through the Ninth Amendment to the Rte 111-Mill Development Program.

Section 3. Pursuant to the provisions of 30-A M.R.S.A. § 5227, the percentage of increased assessed value to be retained as captured assessed value in accordance with the Rte 111-Mill Development Program is hereby established as set forth in the Rte 111-Mill Development Program.

Section 4. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed Ninth Amendment to the Rte 111-Mill Development Program for the Rte 111-Mill District to the Department for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226.

Section 5. The foregoing adoption of the Ninth Amendment to the Rte 111-Mill Development Program for the Rte 111-Mill District shall automatically become final and shall take full force and effect upon receipt by the City of approval of the by the Department, without requirement of further action by the City, the City Council, or any other party.

Section 6. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the Ninth Amendment to the Rte 111-Mill Development Program for the Rte 111-Mill District as the City Manager, deems reasonably necessary or convenient in order to facilitate the process for review and approval of the Rte 111-Mill District by the Department, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Rte 111-Mill Development Program.

Section 7. The City of Biddeford hereby designates the Riverdam District and adopts the associated Riverdam Development Program for the Riverdam District; such designation and adoption to be pursuant to the following findings, terms, and provisions:

Section 8. The City Council hereby finds and determines that:

EXHIBIT G
CITY COUNCIL ORDER

- a. At least twenty-five percent (25%), by area, of the real property within the Riverdam District, as hereinafter designated, is suitable for commercial uses; and
- b. The total area of the Riverdam District does not exceed two percent (2%) of the total acreage of the City, and the total area of all existing and proposed development districts within the City (including the Riverdam District) does not exceed five percent (5%) of the total acreage of the City; and
- c. The original assessed value of all existing and proposed tax increment financing districts (including the Riverdam District) does not exceed five percent (5%) of the total value of equalized taxable property within the City as of April 1, 2013; and
- d. The Riverdam District and pursuit of the Riverdam Development Program will make a contribution to the economic growth and well-being of the City of Biddeford and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Biddeford, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose. The City has considered all evidence, if any, presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that such adverse economic effect on or detriment to any existing business, if any, is outweighed by the contribution expected to be made through the Riverdam District and Riverdam Development Program.

Section 9. Pursuant to the provisions of 30-A M.R.S.A. § 5227, the percentage of increased assessed value to be retained as captured assessed value in accordance with the Riverdam Development Program is hereby established as set forth in the Riverdam Development Program.

Section 10. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed Riverdam Development Program for the Riverdam District to the State of Maine Department of Economic and Community Development for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226.

Section 11. The foregoing designation of the Riverdam District and adoption of the Riverdam Development Program for the Riverdam District shall automatically become final and shall take full force and effect upon receipt by the City of approval by the State of Maine Department of Economic and Community Development, without requirement of further action by the City, the City Council, or any other party.

Section 12. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the Riverdam District and Riverdam Development Program for the Riverdam District as the City Manager may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the District by the State of Maine Department of Economic and Community Development, or

EXHIBIT G
CITY COUNCIL ORDER

for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Riverdam Development Program.

Section 13. The City Manager, in the name and on behalf of the City, is hereby authorized and directed to enter into a credit enhancement agreement between the City and the developer of the project to be located in the Riverdam District, on terms as described in the Riverdam Development Program.

Dated: May 7, 2019

EXHIBIT C
ASSESSORS' CERTIFICATE OF ORIGINAL ASSESSED VALUE

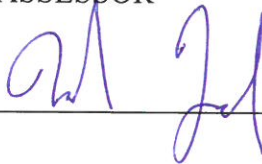
CITY OF BIDDEFORD
RIVERDAM MUNICIPAL DEVELOPMENT
AND TAX INCREMENT FINANCING DISTRICT

The undersigned Assessor for the City of Biddeford, Maine, does hereby certify pursuant to the provisions of 30-A M.R.S.A. §5227 that the assessed value for taxable real property within the Riverdam Municipal Development and Tax Increment Financing District, as delineated on a map included in the Development Program to which this Certificate is included, was \$ 983,700 as of March 31, 2019 (April 1, 2018).

IN WITNESS WHEREOF, This Certificate has been executed as of this 10th day of April, 2019.

ASSESSOR

By:



Printed name: Nicholas Desjardins

Original Assessed Value by Tax Map and Lot Number

Tax Map and Lot Number	District Acreage	Original Assessed Value of District Acreage as of March 31, 2019 (April 1, 2018)
71-9	1.07	\$827,700
71-9-3	.058	\$156,000
Total	1.13	\$983,700

**NOTICE OF PUBLIC HEARINGS
City of Biddeford**

regarding

**An Amendment to the Municipal Development and Tax Increment Financing District
Known As The “Rte 111-Mill Redevelopment Municipal Development and Tax Increment
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And

**The Designation Of A Municipal Development and Tax Increment Financing District to Be
Known As “Riverdam Municipal Development and Tax Increment Financing District”
And the Adoption Of A Development Program, therefore:**

Notice is hereby given that the City of Biddeford will hold two public hearings on

May 7, 2019

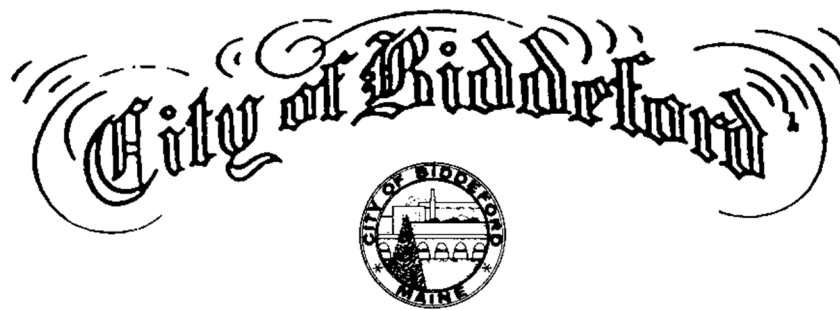
at 6:00 PM at

City Hall at 205 Main Street in the Council Chambers on the second floor.

The purpose of one of the public hearings is to receive public comments on the amendment of the existing Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District removing a portion of that district located at Building 3 and Building 4 of the Riverdam Mill in order to make the area available to designate a new Municipal Development and Tax Increment Financing District, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The purpose of the other public hearing is to receive public comments on the designation of a new district called the Riverdam Municipal Development and Tax Increment Financing District, located at Building 3 and Building 4 of the Riverdam Mill, and the adoption of a development program therefor, all in accordance with Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended. Such development program will include authorizing a credit enhancement agreement with the developer, Tom Watson & Company, LLC.

A copy of the proposed Development Program will be on file with the City’s Economic Development Office during normal business hours of 8:00 am – 5:00 pm. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.



2019.44

IN BOARD OF CITY COUNCIL... MAY 7, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to execute a Joint Development Agreement with Draft Room LLC substantially in the form as presented, for the development of the Riverdam Mill Building.

JOINT DEVELOPMENT AGREEMENT

This Joint Development Agreement (“Agreement”), dated May ____, 2019 is executed by **DRAFT ROOM LLC**, a Maine limited liability company (“Draft Room”) and the **CITY OF BIDDEFORD, MAINE** (the “City”) (each a “Party” and, collectively, the “Parties”).

RECITALS

WHEREAS, contemporaneously herewith Draft Room entered into a Credit Enhancement Agreement with the City dated as of ____, 2019 (the “Credit Enhancement Agreement”); and

WHEREAS, Draft Room seeks to re-develop the portion of the so-called Riverdam Mill building which is owned by Draft Room, adjacent to the Saco River and located at 26-28 Pearl Street in Biddeford (such portion of said building to be re-developed is hereinafter referred to, for purposes of this Agreement, as the “Riverdam Mill Building”); and

WHEREAS, the City seeks to expand its so-called “RiverWalk” and provide access to the RiverWalk via two (2) of the elevators within the Riverdam Mill Building; and

WHEREAS, Draft Room and the City desire to enter into various easements and other agreements for the development of Riverdam Mill Building and the RiverWalk.

NOW, THEREFORE, in consideration of the promises and mutual agreements contained herein and other consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, the Parties agree as follows:

ARTICLE I COMMITMENTS

1. Draft Room’s Permanent Easement Commitments

Contemporaneously with Draft Room’s receipt of the contribution of funds from the City in the amount of \$500,000.00, as set forth in Section 2(a) below, Draft Room agrees to grant the following permanent pedestrian easements to the City in connection with the City’s completion of certain improvements to the RiverWalk (the “RiverWalk Easements”):

- (a) An easement approximately six (6) to ten (10) feet in width from the Riverdam Mill Building and extending off the edge of the Saco River retaining wall, which easement shall run the entire length of the side of the Riverdam Mill Building bordering the Saco River;
- (b) An easement for use by the public of the Riverdam Mill Building elevators located adjacent to the entrance to the RiverWalk in order to provide ADA accessibility for the RiverWalk; and
- (c) Any commercially reasonably necessary temporary construction easements to allow the City to complete the RiverWalk improvements.

The exact location and dimensions of the RiverWalk Easements shall be mutually agreed upon by Draft Room and the City and the RiverWalk Easements shall contain the following terms and conditions:

- (i) That the City, at its sole cost and expense, shall construct all improvements in a good and workmanlike manner and shall be responsible for the construction and maintenance of all public pedestrian connections associated with the RiverWalk Easements, including, but not limited to, all costs and expenses related to the design, permitting, survey work and signage costs;
- (ii) That the City at all times keeps such improvements and the easement areas of the RiverWalk Easements in good repair, and free of ice and snow to the extent such areas are open to the public during the winter months and that the City further agrees to develop a plan for timely winter maintenance of all such easement areas open to the public during the winter months;
- (iii) That the City, at its sole cost and expense, agrees that it shall be responsible for any and all repairs and maintenance to the Saco River retaining wall adjacent to the Riverdam Mill Building; and

By execution of this Agreement, the City Manager hereby represents that the City Council has authorized the City Manager to accept, on behalf of the City, all the RiverWalk Easements on the terms and conditions set forth above.

2. City Commitments

The City hereby agrees to the following commitments to or for the benefit of Draft Room:

- (a) The City will enter into a Credit Enhancement Agreement with Draft Room;
- (b) To accommodate the construction of the RiverWalk, the City shall contribute \$500,000.00 towards the demolition of the southwest corner of the Riverdam Mill Building and the creation of a public plaza, which funds shall be contributed to and received by Draft Room on or before the date on which Draft Room closes on its construction financing for the re-development of the Riverdam Mill Building;
- (c) The City shall facilitate obtaining a Brownfield grant from the Southern Maine Planning and Development Council to perform cleanup of the Riverdam Mill Building during the demolition phase of Draft Room's re-development;
- (d) The City shall, within twelve (12) months after the issuance of Draft Room's certificate of occupancy for the Riverdam Mill Building, extend the Pearl Street right of way to the Saco River as either a public way or public easement and the City shall grant to Draft Room any and all easements or confirmatory easements necessary to ensure that Draft Room has rights to use said Pearl Street right of way for access and utilities in connection with Draft Room's re-development of the Riverdam Mill Building as contemplated by this Agreement, it being the intent hereof that the final terms and conditions of such Pearl Street easement(s) must be acceptable to Draft Room, its attorney, title company and lender. The City shall be responsible, at its sole cost and expense, for all necessary improvements, infrastructure, utilities, maintenance and snow removal for said Pearl Street extension, including, but not limited to the construction and installation of the pedestrian walkway, grading and paving, and all necessary lighting for the entire length of such extended right of way. The City also shall use its best efforts to create parking spaces available for retail and commercial use off of Pearl Street.

3. Parking Commitments:

- (a) The City shall provide temporary surface parking to Draft Room and Draft Room will have the option to lease up to 71 parking spaces (within the approximate location depicted on Exhibit A attached hereto and made a part hereof, which spaces will be available for use by Draft Room in the event the construction of the City's new municipal parking garage on Pearl Street (the

“Garage”) is not completed by the date on which a certificate of occupancy has been issued to Draft Room for the Riverdam Mill Building. In the event the construction of the Garage is not completed and open for use by Draft Room and its tenants on or before that date which is twelve (12) months after the issuance of Draft Room’s certificate of occupancy for the Riverdam Mill Building, then, in the case of the foregoing, the City shall provide up to 71 paved, striped parking spaces for use by Draft Room and its tenants, within the approximate location depicted on Exhibit A attached hereto and made a part hereof. The City also shall use its best efforts to create parking spaces available for retail and commercial use off of Pearl Street.

- (b) Once the Garage is constructed and open for use by Draft Room and its tenants, and so long as such construction is completed in accordance with the timeframes and deadlines set forth above, Draft Room shall have the option to lease up to 71 spaces in the Garage at the market rate established by the operator of the Garage, at which point any of Draft Room’s surface parking space leases described above shall terminate. To the extent that additional parking spaces are available in the Garage, Draft Room shall have the option to lease such additional parking spaces as it deems necessary.
- (c) In the case of all of the parking arrangements described above, the City agrees that it shall provide a safe parking environment for Draft Room and its tenants. The City, at its sole cost and expense, shall be responsible for all maintenance (including snow and ice removal), repairs and improvements to the surface parking areas and the Garage, and the City, at its sole cost and expense, shall construct and install any and all walkways and lighting necessary for Draft Room and its tenants to safely access and use the surface parking areas and the Garage as set forth above.
- (d) The terms of all leases executed by Draft Room in accordance with the foregoing shall include rent at a lease amount per space that is consistent with the then applicable fair-market parking rates established by the City or the operator of the Garage.

4. Inclusionary Zoning (IZ):

- (a) Draft Room shall establish 10% of the residential units in the Riverdam Mill Building at 100% AMI held for the entire term of the Credit Enhancement Agreement;
- (b) Draft Room reserves control to select which apartments shall satisfy the IZ restrictions; and

- (c) The City will set an annual date on which they may confirm the eligibility of AMI standards and total flow of AMI rental revenue, all of which will be confidential.

ARTICLE II INDEMNIFICATIONS

The City agrees to indemnify, defend and hold Draft Room harmless from any claims, damages, costs, liabilities and expenses (including attorney's fees) arising from the City and/or the public's use of the RiverWalk Easements. Each Party shall indemnify, defend, and hold the other Party harmless from any claims, damages, costs, liabilities and expenses (including reasonable attorney's fees) arising from the negligence, misrepresentation, fraud, fault or misconduct of the indemnifying Party or any of its agents, servants, officers, directors, employees and affiliates.

ARTICLE III LIMIT OF LIABILITY

Notwithstanding any other provision of this Agreement, in no event shall the Parties or any of their affiliates, by reason of any of their respective acts or omissions relating to this Agreement be liable whether in contract, tort, misrepresentation, warranty, negligence, strict liability, or otherwise for any special, indirect, or consequential damages arising out of or in connection with this Agreement, or the performance, non-performance or breach thereof.

ARTICLE IV MISCELLANEOUS

1. Representations and Warranties:

Each Party represents and warrants to the other that:

- (a) It is duly qualified to do business and is in good standing in the State of Maine; and
- (b) It has full power and authority to execute, deliver and perform its obligations under this Agreement; and
- (c) The execution, delivery and performance of this Agreement has been duly and validly authorized by all necessary action by such Party; and

- (d) The execution and delivery of this Agreement by such Party and the performance of the terms, covenants and conditions contained herein will not violate the articles of incorporation or by-laws of such Party, or any order of a court or arbitrator, and will not conflict with and will not constitute a material breach of, or default under, the provisions of any material contract by which either Party is bound.

2. Right to Require Performance:

The failure of any Party at any time to require performance by the other Party of any provisions hereof shall in no way affect the right of such Party thereafter to enforce the same. Nor shall waiver by either Party of any breach of any provisions hereof be taken or held to be a waiver of any succeeding breach of such provisions or as a waiver of any provision itself.

3. Governing Law:

This Agreement is and shall constitute a contract under and is to be construed in accordance with the laws of the State of Maine. Any dispute resulting in legal action and not resolved by arbitration, mediation, or such other method as may be mutually agreed to by the Parties shall be adjudicated within the jurisdiction of the State of Maine.

4. Relationship of Parties:

- (a) This Agreement is not intended to supersede the authority granted by law to any regulatory board or agency of the City. Therefore, nothing in this Agreement shall be construed or implied to require the City's planning, zoning or other regulatory boards or agencies (however designated) to approve the plans for any aspect of the actions required under this Agreement;
- (b) The Parties acknowledge that the obligations set further herein may be further described in other agreements and or deeds as agreed to by the Parties. The City and Draft Room agree to cooperate in good faith with regard to each and every aspect required for the completion of all obligations contemplated by this Agreement;
- (c) This Agreement shall not be interpreted or construed to independently create an association, joint venture, or partnership between the Parties or to impose any partnership obligation or liability upon either Party. Neither Party shall have any right, power or authority to enter into any agreement or undertaking for, or act on behalf of, or to act as or be an agent of representative of, or to otherwise bind, the other Party.

5. Breach by Draft Room:

- (a) The City shall provide notice to Draft Room of a breach in writing, identifying the nature of the alleged breach and requested remedy. A breach shall be cured if remedied within thirty (30) days of receipt of the notice, or such other time as mutually agreed.
- (b) If a breach is not cured as set forth above, the City may bring an action, in law or in equity, to enforce this Agreement or for damages, or both.
- (c) In addition to the remedies contemplated herein, if Draft Room interferes with the City or public's use of the RiverWalk Easements, and if such interference continues for a period of sixty (60) days following Draft Room's receipt of written notice from the City identifying the nature of such breach and the required remedy, then any credit enhancement payment otherwise payable to Draft Room shall be suspended until such time as Draft Room no longer interferes with the City or public's use of the RiverWalk Easements.

6. Breach by City:

- (a) Draft Room shall provide notice to the City of a breach in writing, identifying the nature of the alleged breach and requested remedy. A breach shall be cured if remedied within thirty (30) days of receipt of the notice, or such other time as mutually agreed;
- (b) If a breach is not cured as set forth above, Draft Room may bring an action, in law or in equity, to enforce this Agreement or for damages, or both.

7. Integration:

This Agreement, along with any exhibits, appendices, addenda, schedules, and amendments hereto, encompasses the entire agreement of the Parties, and supersedes all previous understandings and agreements between the Parties, whether oral or written regarding the matters addressed in this Agreement. The Parties hereby acknowledge and represent, by affixing their hands and seals hereto, that the Parties have not relied on any representation, assertion, guarantee, warranty, collateral contract or other assurance, except those set out in this Agreement, made by or on behalf of any other Party or any other person or entity whatsoever, prior to the execution of this Agreement. The Parties hereby waive all rights and remedies, at law or in equity, arising or which may arise as the result

of a Party's reliance on such representation, assertion, guarantee, warranty, collateral contract or other assurance, provided that nothing herein contained shall be construed as a restriction or limitation of the Party's right to remedies associated with the gross negligence, willful misconduct or fraud of any person or party taking place prior to, or contemporaneously with, the execution of this Agreement.

8. No Oral Modifications:

This Agreement may not be changed or terminated orally. This Agreement and all the covenants, terms and provisions contained herein shall be binding upon and inure to the benefit of the Parties hereto and their respective successors and assigns. This Agreement and any of the rights, interests or obligations under this Agreement may not be assigned or delegated by any Party, without the prior written consent of the other Party. This Agreement is not intended to confer any rights or benefits to any entity other than to the City and Draft Room, and their affiliates.

9. Notice:

All notices required to be given to City or Draft Room under this Agreement shall be in writing and deemed given upon the earlier of actual receipt by personal delivery or two (2) days after being mailed by U.S. Express, registered or certified mail, return receipt requested, or a reputable overnight courier as follows:

City: City of Biddeford
c/o James A. Bennett, (or the then current) City Manager
P.O. Box 586
205 Main Street
Biddeford, Maine 04005

With a copy to: Keith R. Jacques, Esq. (or the then current) City Solicitor
Woodman Edmands Danylik Austin Smith & Jacques, P.A.
234 Main Street
P.O. Box 468
Biddeford, ME 04005

Draft Room: c/o Port Property Management
104 Grant Street
Portland, ME 04101

With a copy to: Hawley R. Strait, Esq.
Bernstein Shur
100 Middle Street
P.O. Box 9729
Portland, ME 04104

10. Severability:

Any provision or part of the Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon the Parties, who agree that the Agreement shall be reformed to replace such stricken provisions or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provisions.

11. Survival:

All express representations, warranties, indemnifications or limitations of liability made in or given in this Agreement shall survive the expiration or the termination of this Agreement for any reason.

12. Mediation/Arbitration:

The Parties hereto agree that prior to filing litigation they will consider alternative dispute resolution techniques such as mediation and arbitration to resolve all claims, counterclaims, disputes and other matters in question between the Parties arising out of this Agreement.

13. Consents:

Draft Room shall use commercially reasonable efforts to obtain all necessary consents of its mortgage holders and other lien holders to this Agreement and the easements contemplated herein.

IN WITNESS WHEREOF, Draft Room and the City have set their hands and seals as of the day, month and year first above written.

DRAFT ROOM LLC

Witness

By: _____
Name: Thomas E. Watson
Title Manager

CITY OF BIDDEFORD

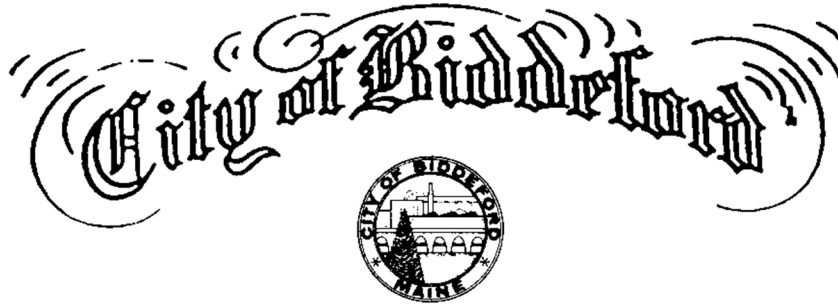
Witness

By: _____
Name: James A. Bennett
Title: City Manager

Dirigo Brewing Company

Pease St





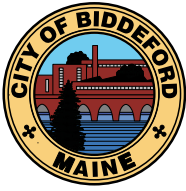
2019.45

IN BOARD OF CITY COUNCIL...MAY 7, 2019

BE IT ORDERED, by the City Council of the City of Biddeford does hereby authorize the City Manager to accept ownership, on behalf of the inhabitants of the City of Biddeford, of a land gift from Mary Brown identified as MBLU 3-52 comprised of approximately ± 7.0 acres.

BE IT FURTHER ORDERED, that each party involved in the transaction shall pay their respective legal fees as may be applicable.

Note: *It is understood that the City Manager will prepare or direct to be prepared all necessary paperwork for the transfer in consultation with the City Solicitor.*



City of Biddeford

Chief Operating Officer/Technology Dept/IPP
P.O. Box 586 • 205 Main Street
Biddeford, ME 04005
Phone: (207) 571-0032 • Fax: (207) 571-0656

Briefing Memo

TO: Honorable Mayor Alan Casavant
Honorable City Council

CC: James Bennett, City Manager
Cheryl Fournier, Finance Director
Phil Radding, Facilities Manager
Kris Reynolds, Airport Manager

FROM: Brian S. Phinney, COO/Technology/IPP

DATE: April 29, 2019

RE: Land Gift – Granite Street (MBLU 3-52) by Mary Brown

Mary Brown, formerly Mary Desroberts, owns an undeveloped parcel of land located off of Granite Street referenced as Map 3 Lot 52 consisting of approximately 7± acres. Through the law firm of Jensen Baird Gardner & Henry, she wishes to offer a land gift of the subject property with zero restrictions or conditions. Figure 1 depicts the location of the property in relation to land owned by the City (Biddeford Municipal Airport), New England Electric Railway, a private landowner, and the Town of Arundel.

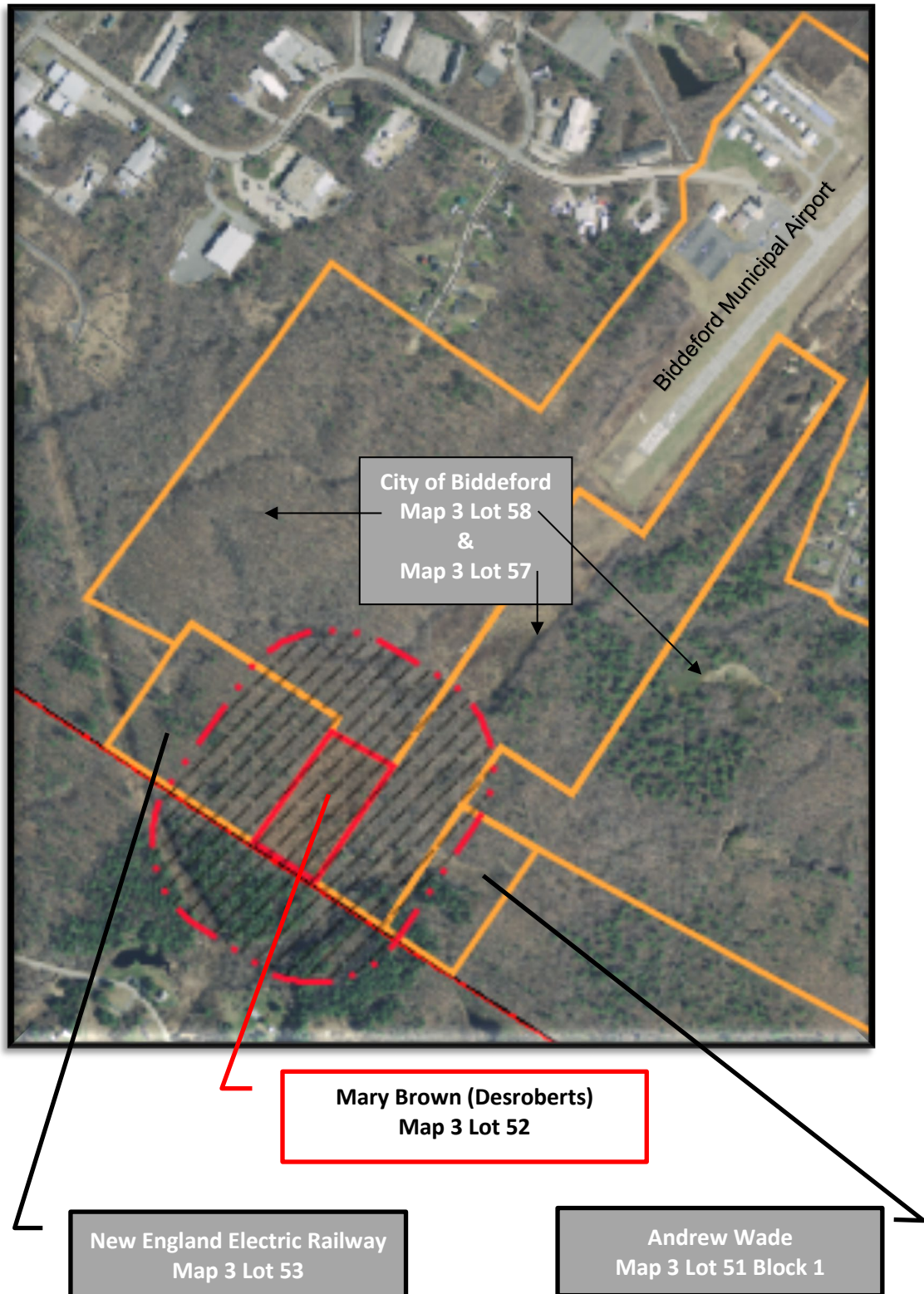
A review by the Assessor's Office, Codes Office, and Tax Collector's Office found no outstanding issues; no pending code violations, and no outstanding taxes. The property is currently assessed at \$28,400, see Attachment 1.

The value of the property to the city is that it would serve as a buffer on the southern edge of the airport property. The subject property is approximately 352-feet wide and adjacent to the southern legs of city-owned parcels 3-57 and 3-58. Combined with 3-57, the width of city-owned property increases to ±757-feet.

The property is currently zoned Industrial (I1). A copy of *Table A-Table of Land Uses* (Chapter V) is provided as reference, See Attachment 2.

The Finance Committee is scheduled to review this item at their May 7th meeting as well.

Figure 1 – Map of Proposed land Gift (MBLU 3-52)



Attachment 1

GRANITE ST (OFF OF)**Location** GRANITE ST (OFF OF)**Mblu** 3/ 52/ / /**Acct#****Owner** DESROBERTS, MARY T**Assessment** \$28,400**Appraisal** \$28,400**PID** 483**Building Count** 1**Current Value**

Appraisal			
Valuation Year	Improvements	Land	Total
2017	\$0	\$28,400	\$28,400
Assessment			
Valuation Year	Improvements	Land	Total
2017	\$0	\$28,400	\$28,400

Owner of Record

Owner DESROBERTS, MARY T
Co-Owner
Address PO BOX 1243
 BIDDEFORD, ME 04005-1243

Sale Price \$0
Certificate
Book & Page 02323/0109
Sale Date 03/15/1978

Ownership History

Ownership History				
Owner	Sale Price	Certificate	Book & Page	Sale Date
DESROBERTS, MARY T	\$0		02323/0109	03/15/1978

Building Information**Building 1 : Section 1**

Year Built:
Living Area: 0
Replacement Cost: \$0
Building Percent
Good:
Replacement Cost
Less Depreciation: \$0

Building Photo

Building Attributes	
Field	Description
Style	Vacant Land
Model	

Grade:	
Stories:	
Occupancy	
Exterior Wall 1	
Exterior Wall 2	
Roof Structure:	
Roof Cover	
Interior Wall 1	
Interior Wall 2	
Interior Flr 1	
Interior Flr 2	
Heat Fuel	
Heat Type:	
AC Type:	
Total Bedrooms:	
Total Bthrms:	
Total Half Baths:	
Total Xtra Fixtrs:	
Total Rooms:	
Bath Style:	
Kitchen Style:	



(<http://images.vgsi.com/photos/BiddefordMEPhotos//default.jpg>)

Building Layout

(<http://images.vgsi.com/photos/BiddefordMEPhotos//Sketches/48>)

Building Sub-Areas (sq ft)	Legend
No Data for Building Sub-Areas	

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 4420
Description IND LD UD MDL-00
Zone I1
Neighborhood 0003
Alt Land Appr Category No

Land Line Valuation

Size (Acres) 7.1
Frontage 0
Depth 0
Assessed Value \$28,400
Appraised Value \$28,400

Outbuildings

Outbuildings	Legend
No Data for Outbuildings	

Valuation History

Appraisal

Valuation Year	Improvements	Land	Total
2017	\$0	\$28,400	\$28,400
2016	\$0	\$17,800	\$17,800
2015	\$0	\$17,800	\$17,800

Assessment			
Valuation Year	Improvements	Land	Total
2017	\$0	\$28,400	\$28,400
2016	\$0	\$17,800	\$17,800
2015	\$0	\$17,800	\$17,800

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Attachment 2

ESTABLISHMENT OF ZONES

V Attachment 1

City of Biddeford

Table A
Table of Land Uses

[Amended 2-2-2010 by Ord. No. 2009.98; 8-3-2010 by Ord. No. 2010.70; 9-21-2010 by Ord. No. 2010.93; 6-21-2011 by Ord. No. 2011.36;
6-21-2011 by Ord. No. 2011.37; 4-3-2012 by Ord. No. 2012.24; 4-16-2013 by Ord. No. 2013.24; 3-18-2014 by Ord. No. 2014.16; 9-6-2016 by Ord. No. 2016.74; 1-17-2017 by Ord. No. 2016.87; 6-20-2017 by Ord. No. 2017.57; 1-16-2018 by Ord. No. 2018.3; 1-16-2018 by Ord. No. 2018.5; 6-5-2018 by Ord. No. 2018.44; 10-2-2018 by Ord. No. 2018.110]

KEY:

- * Subject to Article VI, Performance Standards, of this ordinance.
- P Permitted use.
- Not permitted.
- C Conditional use. See Article VII for specific standards.
- A Accessory use.

	Article VI Section*	SR-1	CR	R-1-A	R-1-B	R-2	R-3	B-1	B-2	I-1	I-2	I-3	W-1	W-2	W-3	R-F	LR-F	M	IN ²⁰	OR	MSRD-1 ^{7,8}	MSRD-2	MSRD-3
Residential uses:																							
Accessory dwelling units* 27	78	P		P	P	P	P						P		P	P				P		P	
Accessory structure*	2	P3	P3	P3	P3	P3	P3	P	P	P	P	P	P	P	P	P			P	P	P	P	P
Boarding, rooming house*	10					C	C															C	C
Bed-and-breakfast*	9		C			C							C			C				C	P	C	P
Cluster development*	18	C	C	C	C	C	C									C17						C	
Congregate housing*	19					C	C									C				C	P	C	P
Duplex/2-family	24	C				P	P								P	C				P		P	
Home occupation*	38	C	C	C	C	C	C	C						C	C	C				C	C	C	C
Manufactured housing*	See Article VI, Section 45.																						
Mobile home park*	See Article VI, Section 45.																						
Multifamily dwelling*	47					P	P	P						P1	P					C	P	P	P
Planned unit development*	73					C	C													C	C	C	C
Single-family dwelling 11	2	P	P	P	P	P	P						P		P	P				P		P	
Commercial uses:																							
Adult business	3								C17														
Amusement center*	5							C	C											C			C
Art gallery			C												C	C				C	P	C	P
Art studio			C												C	C				C	P	P	P
Auto body shops										C		C											
Automobile graveyard, automobile recycling business, junkyard*	7									C							C						
Automobile repair, sales									P	P		C											C
Boat building, repair, marine services, sales, boat livery, marina, yacht club								P	P			C	P	P	P						C		

BIDDEFORD CODE

	Article VI Section*	SR-1	CR	R-1-A	R-1-B	R-2	R-3	B-1	B-2	I-1	I-2	I-3	W-1	W-2	W-3	R-F	LR-F	M	IN ²⁰	OR	MSRD-1 ^{1,3}	MSRD-2	MSRD-3
Building materials retail sales								P	P	P		P				C					C		P
Carwash*	14							C	C	C		A											C
Commercial gardening, commercial greenhouse*	17	C	C	C	C				P							P							
Commercial recreation*	18							C	C	C		C				C					P		P
Commercial school*	53							P	P			P									P		P
Drugstore/medical supply								P	P			P						P			P		P
Financial institution								P	P	C		P							C19		P		P
Firewood processing*	33															P	P						
Fisheries processing, storage*	34												P										
Funeral parlor								P	P	P		P											P
Gasoline service station*	36							P	P	P		C				C							
Hotel/motel*	40							P	P	P		P		P							P		P
Indoor theater								P	P	P		P									P		P
Kennel, veterinary hospital*	42								P	P		P				P							
Medical marijuana dispensaries												C23											
Medical marijuana growing facilities										C23	C23												
Neighborhood convenience store/service		C4	C4	C4	C4	P	P	P	P			P				P					P	C	
Off-street loading and parking lot and facilities, commercial parking garage	49					C	P	P	P9	P		A	P	P	P	C					P	C	P
Offices, business and professional*	52							P	P	P	P	P		P	P			P10		C	P	C	P
Planned unit developments*	73							C	C												C		C
Publishing, printing								P	P	P	P	P								C	P		P
Restaurant*	56							P	P	P		P	P	P	P	C		C			P		P
Retail store								P	P	P		P	P	P	P	C		C			P		P
Sawmill*	33															C	C						
Services								P	P	P		P	P	P	P	C		C		C	P		P
Shopping center								C	C	C		C									C		P
Telecommunications facilities	71											C				C	C						
Wholesale business									P	P	P	P											P
Industrial uses:																							
Air transportation related use											C												

ESTABLISHMENT OF ZONES

	Article VI Section*	SR-1	CR	R-1-A	R-1-B	R-2	R-3	B-1	B-2	I-1	I-2	I-3	W-1	W-2	W-3	R-F	LR-F	M	IN ²⁰	OR	MSRD-1 ¹⁸	MSRD-2	MSRD-3
Air transportation dependent use*										C	C												
Airport	4									C	C												
Bulk oil terminal*	41									C													
Contractor's storage yard										C	C					C	C						
Demolition disposal*	23																C						
Experimental research and testing laboratory	29								C	C	C	C						C	C19				C
Light manufacturing*	41								C	P	P	P											P
Light trucking dependent industry*	41								C	P	P	C											P
Manufacturing*	41									C	C	C											P
Planned unit developments*	73									C	C	C											C
Resource recovery facility																							
Recycling facilities	76									C	C												
Redemption centers									C	P							P						C
Storage of bulk gaseous fuels*	41									P	P	P											
Transportation facilities										P		C14	P		P								P
Trucking, distribution terminal*									C	P	P	C											
Warehousing and storage*	60								P	P	P	A											C
Self-storage facilities*	60							C16	C25, 26	P		C									C	C	C
Educational, institutional public uses:																							
Addiction treatment facility 22																		C					
Church, synagogue*		C	C	C	C	C	C		C							C		C			C	C	C
Civic, convention centers								C	C			C									C		C
Community centers, clubs							C	C	C	C		C									C	C	C
Day-care center, adult	22	C	C	C	C	C	C	C	P	P	P	P				C		C			C	C	C
Day-care home, adult	22	C	C	C	C	C	C		C					C	C	C	C	C			C	C	C
Day-care home, children's	22	C	C	C	C	C	C		C							C	C	C				C	C
Day-care center, children's	22	C	C	C	C	C	C	C	C	C	C	C				C		C			C	C	C
Essential services	27	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C
Fire, police station						C	C	P	P			P				C				C19		P	C
Group homes, hospice	19	C	C	C	C	P	P	P	P							C					C	C	P
Hospital*	39																	P					P
Municipal use	47.1	C	C	C	C	C	C	P	P	P	P	P	P	P	P	C	C	P		C	P	C	P
Museum, library			C					P	P			C				C		P	C19		P	C	P
Nursing home*	39	C				P	P									C		C			C	C	C
Public and private schools*	53			C	C	P	P		C							P		C			C	C	C
Public facility		C	C	C	C	C	C	P	P	C	C	P	C	C		C	C	C	C	C	P	C	P

BIDDEFORD CODE

	Article VI Section*	SR-1	CR	R-1-A	R-1-B	R-2	R-3	B-1	B-2	I-1	I-2	I-3	W-1	W-2	W-3	R-F	LR-F	M	IN ²⁰	OR	MSRD-1 ^{1,3}	MSRD-2	MSRD-3
Rehabilitation facility																		P					C
University/college*		C	C									C				C		C	P		C		P
University uses*		C										C				C		C	P		C		P
Water supply system	27	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Outdoor, resource-based uses:																							
Agriculture*	3, 31															P							
Agricultural products processing and storage*	3, 31									P						P							
Animal breeding or care	42															P							
Campground*	13															C							
Cemetery	14.1	C	C	C	C	C	C									P	C		C19				
Extractive industry*	30								P2	P2						P2	P2						
Farm stands* 13	31															P							
Timber harvesting	64		C													P	P		C19				
Golf course excluding miniature golf		P	P	P	P											P							
Parks and recreation*		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P19		P	P	P

NOTES:

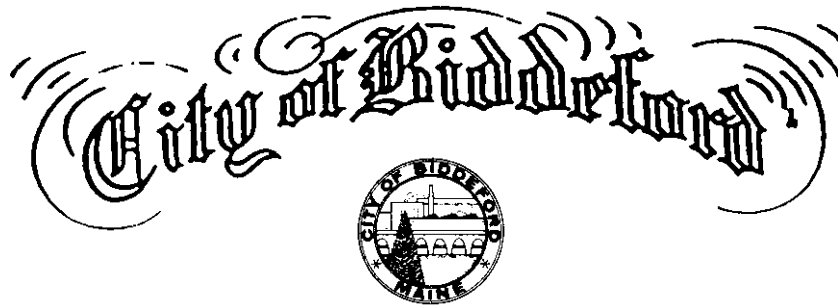
^a This column has been provided to serve as an aid in finding specific performance standards, but does not address all standards that may apply. Please consult Article VI for subsequent standards that may apply to a particular project.

All uses cited above are subject to specific lot and setback, height, and performance requirements, as well as specific notes below:

- Multifamily use shall not exceed 10 units per structure.
- Requires Planning Board approval.
- Accessory structures shall be limited to:
 - Private detached garages for the storage of no more than three automobiles.
 - Private greenhouses less than 200 square feet in floor area.
 - Private swimming pools.
 - Storage sheds, provided that they are uninhabitable and less than 200 square feet in area.
 - Decks, porches, patios, gazebos, summerhouses, and other structures intended for outdoor use, provided they are uninhabitable.
- No closer than 1,000 feet to another similar facility.
- (Reserved)
- (Reserved)
- Drive-through establishments (except as provided in Note 8) and street level residential uses are prohibited in the MSRD-1 Commercial Core District in the following areas:
 - Along both sides of Main Street between the intersection of Elm Street (Route 1) and Main Street through to the Saco City Line north of Water Street;
 - On both sides of Adams Street from Main Street to Jefferson Street;
 - On the north side of Jefferson Street from Main Street to Alfred Street;
 - On both sides of Washington Street from Main Street to Jefferson Street;
 - On both sides of Federal Street between Washington Street and Franklin Street;
 - On both sides of Franklin Street;
- Financial institutions are permitted drive-throughs limited to two lanes, are a conditional review by the Planning Board, and must adhere to the following standards:
 - Located on the side or rear of the building and never between the building and the Main Street.
 - Access drive located to minimize impact on pedestrians:
 - Not between building and the street;

ESTABLISHMENT OF ZONES

- Entrance from a side street where possible;
 - Sidewalk material carried across any driveways.
- (c) Adequate queuing land preferably separate from the parking lot.
- (d) Architectural treatment compatible with main building.
- (e) Controlled lighting that does not glare onto neighboring property.
9. Review by the Board of Appeals required for all truck loading facilities for new buildings and for changes in tenancy.
10. Limited to offices for medical professionals and associated fields.
11. Unless otherwise stated or allowed within the provisions of this ordinance, no more than one dwelling unit shall be allowed per lot.
12. (Reserved)
13. Shall be considered as a home occupation; only products grown on the premises may be sold, unless the stand is recognized as a commercial operation.
14. Transportation facilities here shall be limited to facilities associated with firms or businesses serving passenger transport, such as bus terminals, taxi stations, passenger rail stations, etc.
15. (Reserved)
16. Shall be limited to internal storage in existing buildings that require no external structural changes. No loading bays shall be constructed. Off-street parking shall be available with no fewer than one space per 20 storage units. A copy of the contract that will be offered to prospective tenants shall be submitted for review.
17. Adult businesses are restricted to that portion of the B-2 District between Dartmouth Street and Landry Street. No adult business shall be located on any lot or parcel of land with road frontage on Elm Street.
18. All subdivisions in the Rural Farm Zoning District shall be clustered, and developed in accordance with Article VI, Section 16, Cluster Developments, of this ordinance.
19. This use does not include facilities, activities, or programs conducted by or hosted by a college or university that meet the definition of "university uses." Such uses shall be considered as university uses and shall be permitted in the institutional zone subject to the requirements of the zone and the additional performance standards for colleges/universities.
20. Within that portion of the Institutional (IN) Zone subject to a Shoreland Zoning District, existing buildings, structures, and roads may be maintained, modified, or replaced but no new buildings shall be built or located and no existing buildings shall be enlarged (including the replacement of existing buildings) except as follows: The existing buildings and roads may be modified to the extent necessary to meet the requirements of applicable local, state, or federal codes or regulations, the existing sewage treatment plant may be expanded or replaced, and the existing Marine Science Center may be expanded through the construction of one additional building, provided that such changes meet all shoreland requirements and the performance standards of Article XIV.
21. See Article V, Section 7, Main Street Revitalization Districts for land uses.
22. All addition treatment facilities shall meet all applicable federal, state, and local laws and regulations. No occupancy permits shall be issued until evidence of state certification has been presented to the Code Enforcement Office.
23. All medical marijuana dispensaries and growing facilities shall be governed by and subject to the Maine Department of Health and Human Services, Division of Licensing and Regulatory Services, 10-144 CMR Chapter 122 (as amended).
24. (Reserved)
25. Internal storage fully enclosed within buildings only. Loading bays shall be located on the side or rear of buildings and shall be screened from view from public streets and any abutting residential uses.
26. Self-storage facilities in the B-2 Zone shall not be permitted northeast of the Route 1/Dartmouth Street intersection.
27. Accessory dwelling units may also be permitted in nonresidential zones where there exists a nonconforming (as to use) single-family dwelling on a lot that was in existence as of January 1, 2017. See Article VI, Section 78.



2019.46

IN BOARD OF CITY COUNCIL..MAY 7, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the LaKermesse Franco-Americaine Festival revisions to the field layout for the 2019 Festival. (See attached map)

NOTE: This item was reviewed by the Recreation Commission on April 29, 2019 and their recommendation is included in the attached Memo from Recreation Director, Carl Walsh.

Memo

To: James Bennett, City Manager
From: Carl Walsh, Recreation/Teen Director
Date: April 30, 2019
Re: LaKermesse
CC: Brian Phinney, COO

At the Recreation Commission meeting held Monday April 29, 2019 the group addressed the request presented by the president of the LaKermesse board outlined in her e-mail to you. The item considered was as follows; “request to have this amended so that we can have our Non-profit groups as well as local groups back on St Louis Field with us.” A full copy of the e-mail is below for reference.

At the meeting on April 29, 2019 the commission voted to support their desire to bring the non-profit groups in the designated areas as requested. Their vote included the following language; “local non-profit groups that are 501c3 or equivalent are acceptable.”

It is recommended that these vendors be located in the areas already designated. This includes the areas to the right of the right field foul line and the left of the left field foul line helping to protect the outfield playing surface.

Having received a copy of the map for this year’s festival there seems to be a conflict in the president’s e-mail. It states “We do not want to have amusement park vendors back on the field and they will continue to create a midway along Prospect St as they have done the last few years”. This is actually what the commission expected with the Waterhouse project complete, the Waterhouse lot is also listed as a location in the contract.

The commission recognizes the value of this long standing community event and supports LaKermesse efforts and their work to help protect the field. The commission also understands their own role in helping to protect the field for athletic purposes.

Good evening Jim,

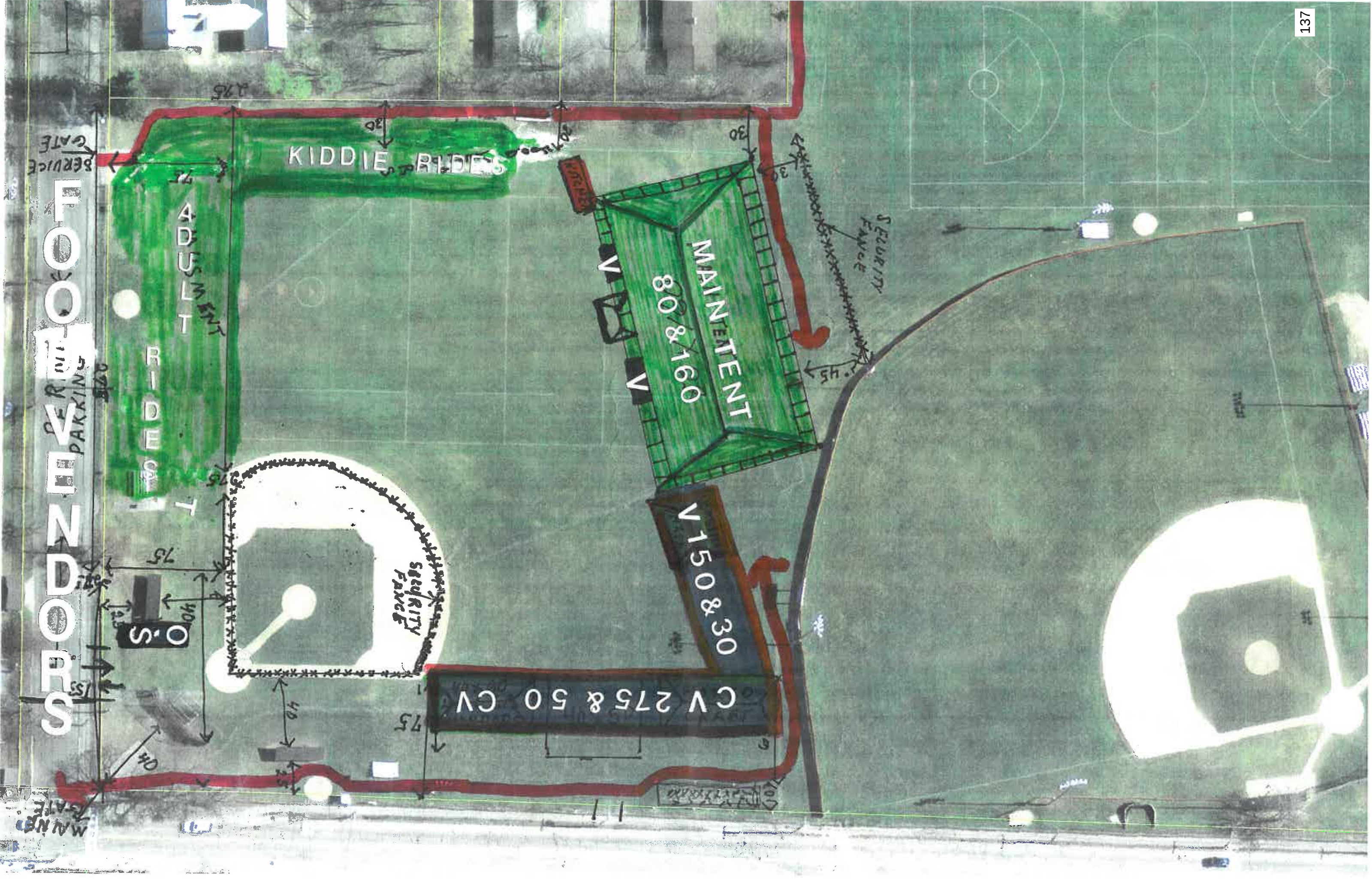
I am writing this letter to formally request to have an addendum added to the existing contract between La Kermesse Festival and the City of Biddeford around vendors on St Louis Field. In the contract, it specifies that "no food vendors" can be on the field. We would like to request to have this amended so that we can have our Non-profit groups as well as local groups back on St Louis Field with us. La Kermesse was built around these community groups and back when we were running a much larger budget, they were the center of our entire festival. We personally built their booths each year and this would be the heart of our festival. We continue to do this for several groups and would really like to have them back on the field with us, where they belong. The amendment should include "Non profit as well as local groups" i.e. the Biddeford Youth Hockey Association. We do not want to have amusement park vendors back on the field and they will continue to create a midway along Prospect St as they have done the last few years. However, we do not feel our Non profit groups belong out there in the "carnival" feel of the festival and want them back where they are visible to our patrons enjoying festivities so that they may potentially make more money.

Thank you for opening this line of communication between us and I hope that we can come to an agreement on this matter. I am more than happy to meet with any department heads who may have concerns in this matter to re-assure them of our intent. As always, the field will be protected and the addition of these groups back onto the field will be placed optimally to protect the field, but have them be visible to the public.

Thank you for your time in this matter. I look forward to hearing from you on what our next steps will be to get this matter taken care of. As always, we appreciate all of the support you provide to our organization.

Sincerely,

Jessica Quattrone
La Kermesse President



SRORD FV FOOT

KID DIE RIDES

ADULTS ONLY

RED-R

MAINTENANT
80 & 160

V 150 & 30

CV 275 & 50 CV

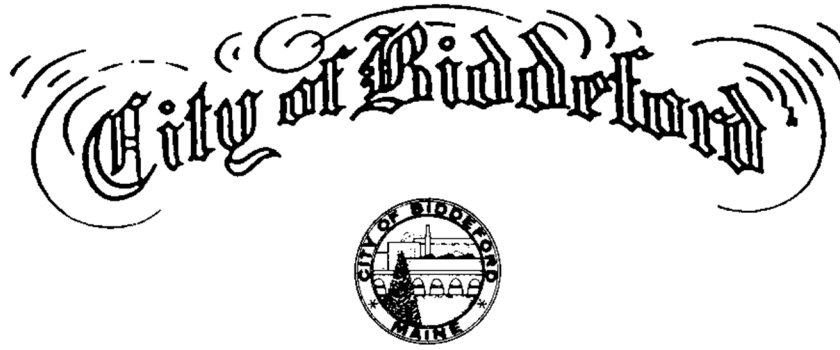
SECURITY
FENCE

SECURITY
FENCE

GATE

GATE

S.O.



2019.47

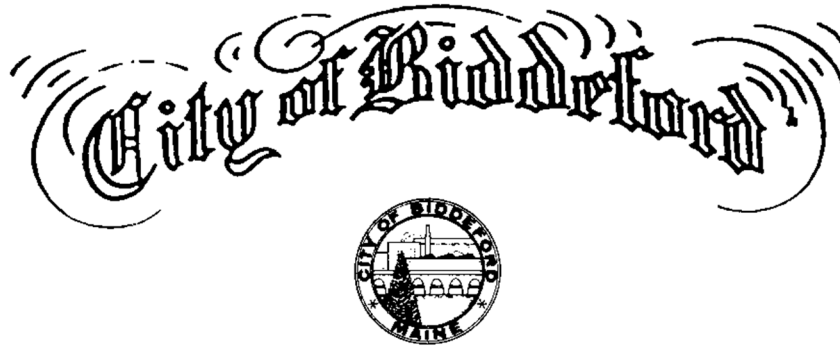
IN BOARD OF CITY COUNCIL..MAY 7, 2019

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 46, PARKS, **Section 46-11, Alcoholic beverages, fires, use of closed areas** is amended by adding or ~~deleting~~ to read as follows:

Section 46-11, Alcoholic beverages; camping and erection of structures; fires; use of closed areas.

(d) Except by Permit issued by the Recreation Director, no person may erect, setup, or maintain any tent, shack, shelter or any other structure within or on any Park as identified under Section 46-5 of this Chapter. The Recreation Director may cause the removal of any such structure that has been erected without permission.

NOTE: The Policy Committee considered this ordinance amendment at their April 22, 2019 meeting and voted unanimously to recommend approval by the Council.



2019.48

IN BOARD OF CITY COUNCIL...MAY 7, 2019

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article I, IN GERNERAL, **Section 42-1 Definitions**, is amended by adding or ~~deleting~~ to read as follows:

HAMMERHEAD TURN AROUND – Consists of two rectangular turnouts directly opposite to each other and oriented perpendicular to the street centerline.

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article I, IN GERNEAL, **Section 42-7 General Parking Prohibitions**, is amended by adding or ~~deleting~~ to read as follows:

(7) Within any portion of, and within twenty (20) feet of the approach of a Hammerhead Turnaround

(8) Within twenty (20) feet at the end of any dead end street (includes both sides and entire width)

NOTE: The Policy Committee considered this ordinance amendment at their April 22, 2019 meeting and voted unanimously to recommend approval by the Council.

Chapter 2. Administration

ARTICLE IV. BOARDS, COMMITTEES, COMMISSIONS

DIVISION 6. DOWNTOWN DEVELOPMENT COMMISSION

Sec. 2-251. Established.

[Code 1975, § 2-212]

The Biddeford Downtown Development Commission is hereby established.

Sec. 2-252. "Commission" defined.

[Code 1975, § 2-210]

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

Sec. 2-253. Composition; appointment of Commissioners; terms of office; removal of members.

[Code 1975, § 2-213; Ord. No. 99.69, 8-17-1999; amended 3-21-2013 by Ord. No. 2013.13]

(a)

The Commission shall consist of 9 members, referred to in this division as "Commissioners." Such Commissioners shall be nominated by the Mayor and confirmed by the City Council.
[Amended 3-21-2017 by Ord. No. 2017.21]

(b)

Commissioners shall serve for three-year terms. The terms of each Commissioner shall be staggered so that no more than ~~four~~ three (3) 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.

Sec. 2-254. Functions and purposes.

[Code 1975, § 2-211; amended 3-21-2013 by Ord. No. 2013.13]

It shall be the function of the Downtown Development Commission to:

(1)

Encourage and promote the expansion and development of existing commercial firms downtown and to promote and encourage the location of new commercial firms downtown.

- (2) Through the ~~Economic Development Office~~ Planning and Development Department, establish and maintain files of data and information of interest and assistance for downtown publicity and marketing.
- (3) Review downtown ordinances and recommend revisions to the Policy Committee.
- (4) Serve as coordinator for such boards, merchant groups, commissions and City departments as shall be established from time to time to study, provide analysis and make policy recommendations to City Council and other city committees, commissions and boards ~~matters~~ relating, but not limited to downtown parking, traffic circulation, historic districts, land use, public utilities, landscape, streetscape and a downtown comprehensive plan; hold downtown promotions and events; and promote and implement downtown beautification and cleanup projects.
- (5) Work with the ~~Economic Development Office~~ Planning and Development Department to gather, correlate and preserve records, statistics, surveys and other data relating to downtown land classifications and uses, buildings, commercial firms, labor, and such matters that will enable it to carry out its functions and purposes.
- (6) Perform such other functions as may be required or delegated by the Mayor and City Council.

Sec. 2-255. Filling of vacancies.

[Code 1975, § 2-214]

Vacancies on the Commission shall be filled for the remainder of the term in the same manner as original appointments are made.

Sec. 2-256. Quorum.

[Code 1975, § 2-215; amended 3-21-2013 by Ord. No. 2013.13]

~~Seven~~ A simple majority of Commissioners shall constitute a quorum.

Sec. 2-257. Required vote.

[Code 1975, § 2-216; amended 3-21-2013 by Ord. No. 2013.13]

The Commission shall act by majority vote of those present and voting. ~~The Commission by majority vote may permit a Commissioner to participate and vote in a meeting by conference call, video streaming or similar means of remote access.~~

Sec. 2-258. Annual election of Chairman.

[Code 1975, § 2-217; amended 3-21-2013 by Ord. No. 2013.13]

The Commission shall hold a meeting at the beginning of each calendar year for the purpose of electing a Chair. The Chair shall not vote except to break a tie.

Sec. 2-259. Management of Commission.

[Code 1975, § 2-218; amended 3-21-2013 by Ord. No. 2013.13]

The management of the Commission shall be vested in the Commissioners appointed and confirmed in accordance with Section **2-253**. The Commission shall be staffed by the ~~Economic Development Director~~Director of Planning and Development or designee.

Sec. 2-260. through Sec. 2-261. (Reserved)

[1]

Editor's Note: Former Section 2-260, Nomination of Director, as amended, and former Section 2-261, Director to perform assigned duties, were repealed 3-21-2013 by Ord. No. 2013.13.

Sec. 2-262. Director to supervise Commission activities.

[Code 1975, § 2-221]

The day-to-day operation and administration of the Commission shall be under the supervision of a Director.

Sec. 2-263. Chair to submit budget, reports.

[Code 1975, § 2-222; amended 3-21-2013 by Ord. No. 2013.13]

Annually, the Commission Chair shall, on or before January 1 of each year, submit a budget for the ensuing year and submit reports as requested to the Commission and Council.

Sec. 2-264. Director, Chairman to execute contracts and agreements.

[Code 1975, § 2-223]

All contracts, agreements and other matters entered into under the authority contained in this division shall be executed by the Director and Chairman of the Commission with Mayor and Council approval.

Sec. 2-265. Authority to establish subcommittees.

[Code 1975, § 2-224]

The Commission may from time to time establish subcommittees composed of such persons as the Commission shall desire to provide advice and counsel on downtown matters.

Sec. 2-266. Authority of Council to assign powers, duties.

[Code 1975, § 2-225]

The Council may assign additional powers and duties to the Commission as it deems necessary.

Sec. 2-267. Designation as agent for City.

[Code 1975, § 2-226]

The Council may from time to time designate the Commission to serve as agent for the City in matters relating to ~~the federal government, the state~~, other cities and towns, persons or corporations.

Sec. 2-268. Expenditures.

[Code 1975, § 2-227; amended 3-21-2013 by Ord. No. 2013.13]

All Commission expenditures shall comply with the City procurement policies established in the City Code of Ordinances, Procurement, Sec. 2-331 et seq.

Sec. 2-269. through Sec. 2-280. (Reserved)