SACO CITY COUNCIL MEETING
TUESDAY NOVEMBER 12, 2019 – 6:30 PM
CITY HALL AUDITORIUM

I. CALL TO ORDER

II. RECOGNITION OF MEMBERS PRESENT

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC COMMENT

V. ADMINISTRATIVE UPDATE

VI. COUNCIL DISCUSSION AND COMMENT

VII. EXECUTIVE SESSION

“Be it Ordered that the City Council enter into executive session, pursuant to [M.R.S.A. Title 1, Chapter 13, Subchapter 1, §405(6)]: (E) Consultation with Counsel regarding City Administrator Search

VIII. REPORT FROM EXECUTIVE SESSION

Language for this will be provided during Executive Session

IX. ADJOURNMENT

SACO CITY COUNCIL WORKSHOP
TUESDAY NOVEMBER 12, 2019 – FOLLOWING 6:30 MEETING
CITY HALL AUDITORIUM

I. CALL TO ORDER

II. AGENDA ITEMS

A. City Hall Vehicles – Budget Amendment #4 P2
B. School Street Purchase - Budget Amendment #5 P4
C. WRRD Resiliency Improvements – Engineering Services P6
D. City Street Acceptance Request – Outlook Drive P14
E. Chapter 15 – Fund Balance P33
F. Discuss Future Meetings and Agendas

III. ADJOURNMENT

Hearing Assistance Devices are available at the back of the Auditorium.
If you are interested in addressing the Mayor and Council in the public comment session, please add your name to the roster at the back of the room.
MEETING ITEM COMMENTARY

AGENDA ITEM: Budget Amendment # 4 City Hall Vehicles

COUNCIL RESOURCE: Councilor Marshall Archer

STAFF RESOURCE: Richard Lambert, Director of Code Enforcement

BACKGROUND: The Code Enforcement Department uses several vehicles to get to inspections in the course of the day. One of those vehicles, the 2009 Ford Crown Victoria Police vehicle, has started incurring significant repair bills and needs further work including brakes. With the addition of Irish Griffith and the Multi-Family Inspection program, as well as several additional field listers in Assessing Department, the department is in need of one replacement vehicle and one additional staff vehicle to be shared between Codes and Assessing. We have priced out two options, one of which includes moving towards the City Council Goal of a reduction in our Carbon Footprint. The prices range from $16,800 per vehicle for an all gas Chevrolet Equinox/Terrain type vehicle to a high of $24,600 per vehicle for a Toyota RAV 4 Hybrid. We also received prices for a used Toyota Prius Hybrid, but these vehicles have limited use on construction sites. Total price for 2 gas models is $33,600 whereas total price for Hybrid RAV 4’s is $49,158.

Revenues for permits are well ahead of projections. Total revenue as of 10-31-19 is $202,588.74 which is 56.5% of budget where we are at 33% of fiscal year.

EXHIBITS: Light Fleet Comparison

RECOMMENDATION: City staff recommends approval.

SUGGESTED MOTION

“Be it Ordered that City Council approves the first reading of ‘Budget Amendment # 4 F2020’ and move to schedule a second and final reading for December 16, 2019.”

“I move to approve the order”.

\
<table>
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<th>Mileage</th>
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MEETING ITEM COMMENTARY

AGENDA ITEM: Budget Amendment # 5 – School Street Purchase

COUNCIL RESOURCE: Councilor Lynn Copeland

STAFF RESOURCE: Ryan Sommer, Director of Parks & Recreation

BACKGROUND: 12 School Street was purchased on August 27, 2019. This facility will be the home of a Teen Center on the first floor and Adult and Senior programming on the second floor. The Parks and Recreation Department strives to ensure that the programs offered are for everyone and this facility will enhance our community and programs. This facility will start out as a 6 day a week operation with the teen program running Monday thru Saturday. Senior programs will be offered during the day time and adult programs will be offered in the evening. Once the teen center is up and running strong, we will open the facility 7 days a week.

EXHIBIT: Budget Amendment Request Form

RECOMMENDATION: City staff recommends approval.

SUGGESTED MOTION “Be it Ordered that City Council approves the first reading of ‘Budget Amendment #5 FY2020 – School Street Purchase and move to schedule a second and final reading for December 16, 2019’.

“I move to approve the order”.

November 12, 2019
## City of Saco

**FY 2020 Budget Amendment Request Form**

### Revenue & Appropriation

**Amendment # 5 - School Street Purchase**

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### Summary

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**Notes:** This is a one-time purchase. However, with an expansion of the city's facilities, we will need to factor in higher utilities and maintenance costs for next year. As a capital investment, this item qualifies as an appropriate use of surplus.

Finance Director certifies that funds are available:

*Signature*

11/5/2019

Glenys Salas, Finance Director

Approved by Council:

Date:
MEETING ITEM COMMENTARY

AGENDA ITEM: WRRD Resiliency Improvements- Engineering Services

COUNCIL RESOURCE: Councilor Micah Smart

STAFF RESOURCE: Howard Carter- WRRD Director

BACKGROUND: The City of Saco’s Water Resource Recovery Department (WRRD) recently conducted a study to evaluate improvements to the Water Resource Recovery Facility (WRRF) located on Front Street and adjacent to the Saco River. The study is summarized in the August 2019 report by Tighe & Bond titled “Water Resource Recovery Facility Effluent Pump Station, Wet-Weather Treatment Improvements, and Climate Adaptation Plan.” The WRRF’s direct proximity to the tidally influenced Saco River puts this facility at significant risk to the effects of sea level rise as well as flooding during extreme weather events.

EXHIBIT: WRRD Resiliency Improvements-Engineering Services for Preliminary Design (30 Percent) and Permitting

RECOMMENDATION: City staff recommends approval.

SUGGESTED MOTION “Be it ordered that City Council authorize the City Administrator to approve the Tighe & Bond 30 Percent design proposal for the sum of $280,000 dollars. This is to be funded 50 percent from CSO Impact fees and 50 percent from Sewer impact fees.”

“I move to approve the order”.
October 24, 2019

Mr. Howard Carter
Water Resource Recovery Department Director
68 Front Street
Saco, ME 04072

Re: Water Resource Recovery Facility Resiliency Improvements – Engineering Services for Preliminary Design (30 Percent) and Permitting

Dear Mr. Carter:

Tighe & Bond is pleased to submit this proposal for engineering services relative to the preliminary design and permitting of the Water Resource Recovery Facility Resiliency Improvements Project.

The Scope of Work and Fee presented within this letter are based upon our project understanding described below.

Project Understanding

The City of Saco’s Water Resource Recovery Department (WRRD) recently conducted a study to evaluate improvements to the Water Resource Recovery Facility (WRRF) located on Front Street and adjacent to the Saco River. The study is summarized in the August 2019 report by Tighe & Bond titled "Water Resource Recovery Facility Effluent Pump Station, Wet-Weather Treatment Improvements, and Climate Adaptation Plan." The WRRF's direct proximity to the tidally influenced Saco River puts this facility at significant risk to the effects of sea level rise as well as flooding during extreme weather events.

The facility has recently experienced known hydraulic impacts due to increases in wet weather sewerage flows and higher than normal tide elevations. Hydraulic backups throughout the plant process can be visually observed during periods of high tide and heavy rainfall. These concerns have prompted the City to seek measures for resiliency to protect the facilities and personnel from the effects of climate change. The recent study evaluated three sources of the flooding that could potentially impact the operation of the WRRF including increased wastewater flows, stormwater collected at the site, and sea level rise. The study also provided recommendations for improvements to increase resiliency of the facilities, maximize flow to the plant, and improve wet weather treatment.

The key goals of this improvement project for the City of Saco are to:

- Increase resiliency of the WRRF to flooding impacts from the following factors: sea level rise, quantity of wastewater entering the facility, and site stormwater management.
- Maximize wet weather flow to the plant and provide storage to reduce the activity of CSO #004.
- Develop a plan to provide improved treatment for wet weather flows at the WRRF to improve the effectiveness of the Wet Weather Treatment process.

As depicted in Figure E-2 of the report, the conclusions included recommendations for improvements in four areas to the WWRF as follows:
• 11 MGD Effluent Submersible Pump Station
• Wet Weather Storage Facility
• Site grading and drainage improvements and Sheet Pile Flood Wall
• Trailer Mounted Stormwater Pumping System

The City of Saco wishes to advance the project by conducting preliminary design activities to include more detailed site investigations and analyses to better define the scope and cost of the project. By advancing the project, the City will also be better positioned to secure grant funding to defray the project costs.

Scope of Work

1.1 Task 1 - Site Investigations

1.1.1 Kick off Meeting/Site Visit
Conduct a kick-off meeting and site visit to observe the conditions and assess physical constraints of the site for layout of construction equipment. We will review project objectives and document any decisions via summary notes.

1.1.2 Wetlands Delineation
Perform a wetlands survey in all potential areas of disturbance, including the wet weather storage facility site (tank), sewer and drainage pipe locations, seawall, pump station, and existing facility entrance drive. The survey will be performed by a Tighe & Bond certified wetlands scientist. Marker flags will be tagged in the survey and shown on the base plan.

1.1.3 Survey
Perform a field survey of the site. The survey will include topography, wetland boundaries (if applicable), and site features as appropriate for preparation of a base plan.

1.1.4 Geotechnical Investigations
Perform a geotechnical evaluation of the site’s subsurface conditions for foundation support of the proposed tank, pump station, and seawall. The following test borings have been identified:

- Five test borings will be advanced around the perimeter of the proposed tank to a depth of 60 feet or to refusal, whichever is shallower. A 5-foot rock core will be taken in borings which encounter refusal within a depth of 20 feet. If refusal is encountered at depths greater than 20 feet, then one 5-foot rock core will be taken in one boring.
- Four test borings will be advanced along the proposed inlet and outlet piping from the proposed tank to a depth of 15 feet. No rock cores will be taken for these locations.
- Three test borings will be advanced along the proposed seawall. No rock cores will be taken for this location.
- One test boring will be advanced in the location of the proposed pump station. No rock cores will be taken for this location.

A Tighe & Bond engineer will mark out the proposed locations prior to performing the required utility clearance notification and observe and document the test borings.
It is assumed that the test borings can be completed within seven days. Borings not completed within this time frame will be completed under a contract amendment. An ATV drill rig was assumed in the development of subsurface investigation costs, but the costs exclude any sitework necessary for access to the boring locations. Note that soil sampling for potential contamination is not included in this effort.

1.1.5 Geotechnical Evaluation and Recommendations
Tighe & Bond will prepare a geotechnical evaluation letter report that provides the following:

- **Proposed Development** – Provide a brief description of the proposed structures and site grading.
- **Subsurface Conditions** – Provide a description of observed subsurface conditions, including exploration logs and a subsurface exploration location plan.
- **Subsurface Suitability** – Provide an evaluation of the subsurface conditions with regard to their suitability as a bearing stratum to support foundations. This evaluation will be based upon review of the SPT data and visual observation of the subsurface conditions.
- **Foundation and Slab Requirements** – Provide recommendations regarding suitable foundation types for the subsurface conditions encountered and a commentary on building code provisions as they pertain to foundation design, including frost depth and minimum footing dimensions.

For the purposes of this proposal, it is assumed that the structure will be founded on non-cohesive and reasonably dense soils suitable to support a conventional, shallow spread footing foundation system. If actual subsurface conditions require a deep foundation or ground improvement to support the proposed structure, additional explorations, laboratory testing, and analyses may be required under a revised scope and fee.

- **Bearing Pressure and Settlement** – Provide an allowable bearing pressure and estimated elevation for the anticipated stratum. Provide an estimate of anticipated total and differential settlements under the recommended allowable bearing pressures.
- **Foundation Drainage** – Provide recommendations for foundation drainage, if necessary.
- **Seismic Design Criteria** – Identify the seismic design parameters as specified in the Maine State Building Code, including Site Class and mapped spectral response accelerations for short and 1-second periods. This will include a brief review of the liquefaction susceptibility of the soil based on the SPT data and groundwater depth. If a more detailed evaluation to estimate the factor of safety against liquefaction and anticipated seismic induced settlements is recommended based on the results of this brief review, the additional cost for this evaluation will be mutually agreed upon under a contract amendment.

- **Geotechnical Construction Recommendations** - Provide commentary concerning geotechnical aspects of construction. This will include excavation and backfilling, temporary excavation support and dewatering, suitability of site soils for re-use as backfill, and foundation and slab subgrade preparation.

1.1.6 Flow and Tide Monitoring Program
We proposed to install continuous flow meters at up to seven locations to measure wastewater flow over a 5-week period to calibrate the plant hydraulic model. Meters will be field located and are proposed on the influent sewers to the WRRF on Front Street and from Tappan Valley.
We will utilize the services of a sub-consultant to install the flow meters and provide weekly maintenance of the flow meters.

1.1.7 Pre-Demolition Assessment of Existing Storage Buildings

Tighe & Bond will conduct a pre-demolition asbestos and hazardous materials audit from within the proposed buildings to be demolished. We will provide these services of a licensed Maine Asbestos Inspector to conduct the following tasks during a one-day site visit:

- Perform an inspection of interior areas of the existing garage to be demolished
- Collect bulk samples of suspect asbestos containing materials (suspect ACMs) encountered
- Analyze, via polarized light microscopy with dispersion staining (PLM) analysis, up to 20 bulk samples by a Maine certified laboratory. Typically, but contingent upon quantity, a minimum of three negative results are needed in order to confirm the absence of asbestos in homogenous suspect materials. This method is widely utilized and generally consistent with the Asbestos Hazard Emergency Response Act (AHERA) regulations for identifying asbestos in schools. Analysis, via four to five-day laboratory turnaround, will confirm the presence or absence of asbestos content from the suspect ACMs encountered.
- Inventory hazardous building materials that may require segregation and special disposal during the renovation process. These typically include mercury containing sources, fluorescent light tubes / ballasts, and oil containing equipment. Sampling of oils or chemicals is currently not proposed, nor warranted at this time.
- Collect up to 3 paint chip samples to be analyzed for lead content by Atomic Absorption Spectrophotometry Analysis (AAS). The lead paint chip sampling will not be comprehensive in nature and will be used as a guideline to determine compliance with the OSHA Lead in Construction Standard during renovation activities. The paint chip sample findings presented will be limited to those materials tested.
- Incorporate our findings into a technical memorandum explaining the results. The report will contain an inventory table listing each suspect ACM encountered and bulk sample results as well as general locations within the garage where samples were collected. The same data will be incorporated into technical specifications and made part of the contract documents.

1.2 Task 2 Preliminary Design

1.2.1 30% Design

Prepare design drawings incorporating geotechnical and survey information. The intent is to provide a solid definition of the scope of work that would be carried into the next phases of work for final design, bidding and construction.

The preliminary design deliverable will include the following:

- Hydraulic profile and process design criteria
- Preliminary design drawings (30%) including select plans and sections for new work (general site/civil, mechanical, structural, and electrical) and demolition work
- Process flow diagrams and process instrument diagrams (PFD/P&IDs)
- Discussion of control system philosophy and integration of new work into existing system
• Specifications for major equipment components
• Overall project schedule - Sequence of construction / MOPO considerations
• Engineer’s Opinion of Probable Construction Costs

For this project, we anticipate 31 drawings will be prepared for the preliminary design package as identified below:

• General Sheets (4 Sheets)
• Existing Conditions Plan
• Site Plan
• Floodwall Plan & Detail
• Boat Ramp Plan & Details
• Grading & Drainage Plan
• Drainage, Outfalls, Check valves & Retaining Wall Details (4 shts)
• Demolition Plan - 1 Building at Tank Location
• Tank Site Part. Plan
• Tank Details - 1
• Tank Details - 2
• Tank Details - 3
• Site Details -1 (Tank)
• Site Details - 2 (Tank)
• Pump Station - Civil Sheets (1 sheet)
• Pump Station - Mechanical Sheets (2 sheets)
• Pump Station - P&ID (1 Sheet)
• Structural Sheets (3 Sheets)
• Electrical Sheets (4 sheets)

1.2.2 Basis of Design Memorandum
Prepare a Draft Basis of Design Memorandum summarizing the influent flows and plant hydraulics, design details of the proposed pump station, tank, seawall, drainage system, and retaining wall including the preliminary drawings and the preliminary opinion of probable construction cost. We will also develop a sequence of construction to consider maintenance of plant operations (MOPO) to minimize disturbance to the facilities.

1.3 Task 3 Permitting
Assist the WRRF in preparing applications for the necessary permits associated with the proposed resiliency project. Tighe & Bond will accompany the City to a preapplication meeting with the Maine Department of Environmental Protection to confirm the permits that may be necessary for this project.

Based on initial review we have identified the following permit requirements:

• MEDEP National Resources Protection Act (NRPA)
• Army Corp of Engineers (ACOE) NRPA Review
• Historic/Archaeologic Review & Compliance (if direct wetland impacts)
• Letter Notification to the Native American Tribes
• MEPDES Permit Modification
• Saco River Corridor Act through Saco River Corridor Commission
• MEDEP Permits
  o MEDEP Land Use Permit
• Local Permits
  o Zoning Permit
  o Planning Board Permit

Assumptions
The following items have been assumed for this proposal:

• Permit Application Fees have not been included in this scope.
• City will coordinate and obtain rights of access to the land adjacent to the WRRF.
• Tree clearing to provide drill rig access to the proposed tank site or sewer main locations is not included.
• Site soil contamination, remediation, or disposal services are not included.
• Snow or ice removal for site investigations is not included in this scope of work.
• Final design and bidding and construction administration/observation services are not included in this proposal.

Fee
Tighe & Bond will perform these services for a lump sum fee of $280,000, invoiced monthly based on percentage complete. In the event that the scope of work is increased for any reason, the lump sum fee to complete the work shall be mutually revised by written amendment. Our attached Terms and Conditions is part of this letter agreement.

For information purposes, the below summary provides the anticipated break out of the project. The summary is presented to give the City of Saco a better understanding of how the project budget was developed. Invoices will be submitted based on the total project fee and not individual line item budgets.

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Summary of Engineering Fee

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Schedule
The proposed schedule is as follows:

Project Award: October 1, 2019
Project Kick-off Meeting: October 2, 2019
Site Investigations: October / November 2019
Draft 30% Design Drawings: May 2020
Project Completion: June 2020

If you have any questions, or wish to discuss the proposal, please contact me at 207-232-6071 / DBisson@tighebond.com or Miles Moffatt at 413-572-3208 / MMoffatt@tighebond.com.

Very truly yours,

TIGHE & BOND, INC.

Dan Bisson, PE
Senior Project Manager

Peter J. Grabowski, PE
Vice President

Enclosures: Tighe & Bond Terms & Conditions

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MEETING ITEM COMMENTARY

AGENDA ITEM: City Street Acceptance Request: Overlook Drive

COUNCIL RESOURCE: Councilor Roger Gay, Ward 2

STAFF RESOURCE: Emily Cole-Prescott, City Planner

BACKGROUND: In July 2019, Jim Treptow, representing J. Thomas Scrivener LLC for Heath Overlook, requested review of city street acceptance of Overlook Drive. The Planning Board approved the Heath Overlook subdivision in 2016, which was at that time, proposed to be phase one of three in that area. Since that time, the developer has decided not to pursue the second and third phases of what had been originally planned, instead looking to pursue land preservation options. As of a recent update from the developer, approximately 60 acres adjacent to Overlook Drive will be donated to the Nature Conservancy of Maine. As constructed, the subdivision consists of eleven new lots and one previously existing lot served by a dead-end street, sewer, public water, and sidewalks.

This review was completed following procedures of Chapter 186 of the City’s ordinances. Legal and engineering review of the deeds is complete.

At their meeting on October 29, 2019, the Planning Board made a positive recommendation for city street acceptance, contingent upon installation of a street light. The street light has since been installed, so the developer’s obligations have been met.

EXHIBITS:
1. Memo to City Council dated November 5, 2019
2. Request Letter from Jim Treptow
3. Deeds & As-Built

RECOMMENDATION: The Planning Board has forwarded a positive recommendation to the City Council.

SUGGESTED MOTION: No motion for workshop.
Motion wording that would be used for Consent Agenda: “Move to accept Overlook Drive as a city street.”
TO: City Council

FROM: Emily Cole-Prescott, City Planner

CC: Jim Treptow, J. Thomas Scrivener LLC
    Joe Laverriere, City Engineer

RE: Overlook Drive: Planning Board Recommendation – City Street Acceptance Request

DATE: November 5, 2019

In July 2019, Jim Treptow, representing J. Thomas Scrivener LLC for Heath Overlook, requested review of city street acceptance of Overlook Drive. The Planning Board approved the Heath Overlook subdivision in 2016, which at that time, proposed to be phase one of three in that area. Earlier this year, the Board granted preliminary approval for phases two and three. Since that time, the developer has decided not to pursue the second and third phases of what had been originally planned, instead looking to pursue land preservation options. As constructed, the subdivision consists of eleven new lots and one previously existing lot served by a dead-end street, sewer, public water, and sidewalks.

Jim Treptow has presented an update on the land donation to the Nature Conservancy: “J. Thomas Scrivener, LLC and The Nature Conservancy of Maine have entered into an agreement whereby Mr. Scrivener will be donating the entirety of the remaining acreage adjacent to Heath Overlook Phase 1. This donation will be without restriction. The intent and purpose of this donation is to offer a buffer for the Heath. This land encompasses approximately 60 acres. This land will be owned and managed by the Nature Conservancy of Maine, and Mr. Scrivener is relinquishing all rights and interests. The proposed closing date for the transaction is November 2019, but in no case later than December, 31, 2019.”

The developer has fulfilled the obligations of original approval and of the Public Works Department’s punch list. The Planning & Development Department followed procedure outlined in Chapter 186 of the City’s ordinances to review the request. The City Attorney and City Engineer have reviewed the deeds and as built plans and found them acceptable.

At their meeting on October 29, 2019, the Planning Board made a positive recommendation for city street acceptance, contingent upon installation of a street light. The street light has since been installed, so the developer’s obligations have been met.
J. Thomas Scrivener, LLC  
P.O. Box 95  
3060 Route 97, Suite 250  
Glenwood, MD 21738

City of Saco  
Emily Cole-Prescott  
City Planner  
300 Main Street  
Saco, Maine 04072

Re: Health Overlook, Saco Maine  
Project Dedication Request

Dear Ms. Cole-Prescott,

Please accept this as our formal request, as the developer of the Heath Overlook Subdivision, to commence the process of dedication of street, utilities, and storm water management facilities to the City of Saco.

It is our understanding that upon receipt of this request, the City Engineer will examine the status of this infrastructure, which were completed on behalf of the developer by Chase Excavating, and will prepare a final check list to be used by the contractor and developer to prepare the improvements for final approval by the City Staff, the City Planning Committee and the City Council.

Please call or email with any questions or comments and thank you for your cooperation in this matter.

Very truly,

James R. Treptow for
J. Thomas Scrivener, LLC.
October 28, 2019

Timothy S. Murphy, Esq.
P Prescott Jameison Murphy Law Group
37 Beach Street
Saco, ME 04072

Re: Heath Overlook Subdivision

Dear Tim:

Enclosed please find the following, pertaining to the Heath Overlook subdivision in Saco:

1. Utility Easement Deed from Michael Morneault, Jr. and Nicole L. Morneault to the City of Saco;

2. Utility Easement Deed from J. Thomas Scrivener, LLC to the City of Saco;

3. Release Deed from J. Thomas Scrivener, LLC to the City of Saco; and

4. Deed of Dedication for Overlook Drive from J. Thomas Scrivener, LLC to the City of Saco.

Thank you for your attention and assistance with this matter. Please do not hesitate to call me with any questions.

Sincerely,

Benjamin T. McCall

BTM/gw
Encl.
cc: James Treptow;
Emily C. Prescott

~ Over 60 Years of Service ~
After recording return to:

Timothy S. Murphy, Esq.
37 Beach Street
Saco, ME 04072

UTILITY EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, that MICHAEL MORNEAULT, JR. and NICOLE L. MORNEAULT, whose mailing address is 3 Overlook Drive, Saco, Maine 04072, does, FOR CONSIDERATION PAID, hereby RELEASE, to the CITY OF SACO, a municipal corporation organized under the laws of the State of Maine, whose mailing address is 300 Main Street, Saco, Maine 04072, the perpetual rights and easements to use, install, repair, inspect, operate, maintain, rebuild, replace, and remove certain pipes and mains, along with all necessary fixtures and appurtenances for conveying and transmitting both sewage and water, in a certain strip of land being more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HERIEN BY REFERENCE

IN WITNESS WHEREOF, Michael Morneault, Jr. and Nicole L. Morneault, have caused this instrument to be executed, as of this 25th day of October, 2019.

[Signatures]

Witness: Michael Morneault, Jr.
Witness: Nicole L. Morneault

STATE OF MAINE
YORK, ss.

Dated: 10-25-2019

Then personally appeared before me the above-named Michael Morneault, Jr. and Nicole L. Morneault, and acknowledged the foregoing instrument to their free act deed.

Westley Tucker
Notary Public, State of Maine
My Commission Expires 11-21-2023
Notary Public / Attorney at Law

STATE OF MAINE
CUMBERLAND COUNTY
THENCE along a tangent curve concave to the northwest and Lot 11 as defined by the following curve elements: having a radius of 525.00 feet, an arc length of 76.82 feet and a chord which bears S 34°03’38” W, a distance of 76.75 feet to the Point of Beginning.

The 20-foot wide utility easement over Lot 11 contains approximately 3,490 square feet.

Bearings herein are Grid North, Maine State Plane Coordinate System, West Zone 1802, NAD83.

Reserving to the Grantor, its heirs, successors, and assigns, the use and enjoyment of the above-described Easement Area for such purposes only as will in no way interfere with the perpetual use of the easement rights set forth herein.
UTILITY EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, that J. THOMAS SCRIVENER, LLC, a Maine limited liability company with a mailing address of 409 Alfred Street, Biddeford, Maine 04005, does, FOR CONSIDERATION PAID, hereby RELEASE, to the CITY OF SACO, a municipal corporation organized under the laws of the State of Maine, whose mailing address is 300 Main Street, Saco, Maine 04072, the perpetual rights and easements to use, install, repair, inspect, operate, maintain, rebuild, replace, and remove certain pipes and mains, along with all necessary fixtures and appurtenances for conveying and transmitting both sewage and water, in a certain strip of land being more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREFORTH BY REFERENCE

IN WITNESS WHEREOF, J. Thomas Scrivener, LLC, has caused this instrument to be executed by J. Thomas Scrivener, its Manager, as of this 25th day of October, 2019.

J. THOMAS SCRIVENER, LLC

[Signature]
WITNESS

[Signature]
J. Thomas Scrivener, its Manager,
thereunto duly authorized

STATE OF MARYLAND
HOWARD, ss.
Dated: 10/25/19

Then personally appeared before me the above-named J. Thomas Scrivener, in his capacity as Manager of J. Thomas Scrivener, LLC, and in his said capacity acknowledged the foregoing instrument to be the free act and deed of the said Company.

[Signature]
Notary Public / Attorney-at-Law
EXHIBIT A

A certain 20-foot wide utility easement over land located on the southeasterly side of Overlook Drive in the City of Saco, County of York, State of Maine and being depicted as Lots 8, 9, and 10 on a plan entitled “Subdivision Plan of Heath Overlook Subdivision, Route 112 – Buxton Road, Saco, Maine for J. Thomas Scrivener, LLC, 3060 Route 97, P.O. Box 95, Glenwood, MD 21738” dated October 9, 2019 by Sebago Technics, Inc. to be recorded at the York County Registry of Deeds.

Said utility easement being more particularly bounded and described as follows:

BEGINNING at an existing 5/8-inch rebar with plastic cap inscribed “STI PLS 2009” at the southwesterly corner of Lot 10 on the southeasterly side of Overlook Drive at land to be conveyed to the City of Saco;

THENCE N 29°52’07” E, along the southeasterly side of Overlook Drive, Lot 10, Lot 9 and Lot 8, a distance of 253.56 feet to an existing 4-inch granite monument with drill hole at a point of curvature;

THENCE along a tangent curve concave to the southeast, the southeasterly side of Overlook Drive and Lot 8, as depicted on the above-referenced plan, as defined by the following curve elements: having a radius of 175.00 feet, an arc length of 47.95 feet and a chord which bears N 37°43’07” E, a distance of 47.80 feet to an existing 5/8-inch rebar with plastic cap inscribed “STI PLS 2009” at land now or formerly of Adam L. McNaughton and Lindsay C.G. McNaughton as described in a deed recorded in the York County Registry of Deeds in Book 15821, Page 430 and Book 17868, Page 860;

THENCE S 55°44’57” E, along land now or formerly of Adam L. McNaughton and Lindsay C.G. McNaughton, a distance of 16.48 feet to a point;

THENCE along a circular curve concave to the southeast and through Lot 8 as defined by the following curve elements: having a radius of 155.00 feet, an arc length of 46.49 feet and a chord which bears S 38°27’37” W, a distance of 46.31 feet to a point of tangency;

THENCE S 29°52’07” W, through Lot 8, Lot 9 and Lot 10 a distance of 255.31 feet to a point at land to be conveyed to the City of Saco;

THENCE N 55°08’41” W, along land to be conveyed to the City of Saco, a distance of 20.08 feet to the Point of Beginning.

The 20-foot wide utility easement contains approximately 6,033 square feet.

Bearings herein are Grid North, Maine State Plane Coordinate System, West Zone 1802, NAD83.
Reference is made to plan titled “Subdivision Plan of Heath Overlook Subdivision, Route 112 – Buxton Road, Saco, Maine for J. Thomas Srivener, LLC, 3060 Route 97, P.O. Box 95, Glenwood, MD 21738” dated October 10, 2015 and revised through April 4, 2016, by Sebago Technics, Inc. and recorded at the York County Registry of Deeds in Plan Book 381, Page 32, further revised on October 9, 2019 as an as-built drawing, to be recording in said York County Registry of Deeds.

Reserving to the Grantor, its heirs, successors, and assigns, the use and enjoyment of the above-described Easement Area for such purposes only as will in no way interfere with the perpetual use of the easement rights set forth herein.
After recording return to:

Timothy S. Murphy, Esq.
37 Beach Street
Saco, ME 04072

__________________________
Space Above This Line For Recording Data

RELEASE DEED

KNOW ALL PERSONS BY THESE PRESENTS, that J. THOMAS SCRIVENER, LLC, a Maine limited liability company with a mailing address of 409 Alfred Street, Biddeford, Maine 04005, does, FOR CONSIDERATION PAID, hereby RELEASE to the CITY OF SACO, a municipal corporation organized under the laws of the State of Maine, whose mailing address is 300 Main Street, Saco, Maine 04072, a certain lot or parcel of land, located in the City of Saco, County of York, and State of Maine, being more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREBY BY REFERENCE

IN WITNESS WHEREOF, J. Thomas Scrivener, LLC, has caused this instrument to be executed by J. Thomas Scrivener, its Manager, as of this 25th day of October, 2019.

J. THOMAS SCRIVENER, LLC

__________________________
WITNESS

__________________________
By: J. Thomas Scrivener, its Manager,
thereunto duly authorized

STATE OF MARYLAND
HOWARD, ss.

Dated: 10/25/19

Then personally appeared before me the above-named J. Thomas Scrivener, in his capacity as Manager of J. Thomas Scrivener, LLC, and in his said capacity acknowledged the foregoing instrument to be the free act and deed of the said Company.

__________________________
Notary Public / Attorney at Law

[Stamp]
EXHIBIT A

J. Thomas Scrivener, LLC
To
City of Saco, Maine
Overlook Drive
Saco, Maine

A certain lot or parcel of land located on the southeasterly side of Overlook Drive in the City of Saco, County of York, State of Maine and being depicted on a plan entitled “Subdivision Plan of Heath Overlook Subdivision” dated October 10, 2015 and revised through April 4, 2016, by Sebago Technics, Inc. and recorded at the York County Registry of Deeds in Plan Book 381, Page 32.

The lot or parcel of land being more particularly bounded and described as follows:

Beginning at an existing 5/8-inch rebar with plastic cap inscribed “STI PLS 2009” at the westerly corner of Lot 10 and the southeasterly side of Overlook Drive, both as shown on the above-referenced plan;

THENCE S 55°08’41” E, along Lot 10, a distance of 241.42 feet to an existing 5/8-inch rebar with plastic cap inscribed “STI PLS 2009” at land now or formerly of David Boothby as described in a deed recorded in the York County Registry of Deeds in Book 8639, Page 242;

THENCE S 35°17’03” W, along land now or formerly of David Boothby, a distance of 111.66 feet to an existing 5/8-inch rebar with plastic cap inscribed “STI PLS 2009” at Lot 11;

THENCE N 50°39’08” W, along Lot 11, a distance of 60.23 feet to an existing 5/8-inch rebar with plastic cap inscribed “STI PLS 2009”;

THENCE N 12°20’59” W, along Lot 11, a distance of 52.12 feet to an existing 5/8-inch rebar with plastic cap inscribed “STI PLS 2009”;

THENCE N 21°31’11” W, along Lot 11, a distance of 74.99 feet to an existing 5/8-inch rebar with plastic cap inscribed “STI PLS 2009”;

THENCE N 55°08’21” W, along Lot 11, a distance of 77.24 feet to an existing 5/8-inch rebar with plastic cap inscribed “STI PLS 2009” on the southeasterly side of Overlook Drive;

THENCE N 29°52’07” E, along the southeasterly side of Overlook Drive, a distance of 30.11 feet to the Point of Beginning.

Said lot containing approximately 15,549 square feet.
Said lot also being subject to a 20-foot wide utility easement being described as follows:

Beginning at an existing 5/8-inch rebar with plastic cap inscribed “STI PLS 2009” at the westerly corner of Lot 10 and the southeasterly side of Overlook Drive;

THENCE S 55°08’41” E, along Lot 10, a distance of 20.08 feet to a point;

THENCE S 29°52’07” W, through the lot to be conveyed to the Inhabitants of the City of Saco, Maine, a distance of 30.12 feet to a point at Lot 11;

THENCE N 55°08’21” W, along Lot 11, a distance of 20.08 feet to an existing 5/8-inch rebar with plastic cap inscribed “STI PLS 2009” on the southeasterly side of Overlook Drive;

THENCE N 29°52’07” E, along the southeasterly side of Overlook Drive, a distance of 30.11 feet to the Point of Beginning.

Said utility easement contains approximately 602 square feet.

Bearings herein are Grid North, Maine State Plane Coordinate System, West Zone 1802, NAD83.

Reference is made to a deed to Grantor from James M. Marcotte, Sr. and Susan M. Marcotte, dated March 21, 2006, and recorded in the York County Registry of Deeds in Book 14794, Page 554.
After recording return to:

Timothy S. Murphy, Esq.
37 Beach Street
Saco, ME 04072

DEED OF DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS, that J. THOMAS SCRIVEN, LLC, a Maine limited liability company with a mailing address of 409 Alfred Street, Biddeford, Maine 04005, does, FOR CONSIDERATION PAID, hereby grant, convey, and release to the CITY OF SACO, a municipal corporation organized under the laws of the State of Maine, whose mailing address is 300 Main Street, Saco, Maine, with QUITCLAIM COVENANTS, a certain lot or parcel of land, located in the City of Saco, County of York, and State of Maine, being more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREFIN BY REFERENCE

INTENDING HEREBY to also transfer, without further claim, all its right, title and interest in any and all sidewalks, manholes, sewers, drains, pipes, conduits, wires, supports, and other attendant and/or connected utility infrastructure and support equipment found or located within said Overlook Drive for the benefit and use of the City of Saco and the public.

IN WITNESS WHEREOF, J. Thomas Scrivener, LLC, has caused this instrument to be executed by J. Thomas Scrivener, its Manager, as of this 25th day of October, 2019.

J. THOMAS SCRIVENER, LLC:

WITNESS:

[Signature]

[Print Name]

[Signature]

J. Thomas Scrivener, its Manager, thereunto duly authorized
STATE OF MARYLAND
HOWARD, ss.

Dated: 10/23/2019

Then personally appeared before me the above-named J. Thomas Scrivener, in his capacity as Manager of J. Thomas Scrivener, LLC, and in his said capacity acknowledged the foregoing instrument to be the free act and deed of the said Company.

Marian Jacobs
Notary Public / Attorney at Law
EXHIBIT A

J. Thomas Scrivener, LLC
To
City of Saco, Maine
Overlook Drive
Saco, Maine

A certain 50-foot wide strip of land, commonly known as Overlook Drive, located on the northeasterly side of Buxton Road, State Route 112 in the City of Saco, County of York, State of Maine and being depicted on a plan entitled “Subdivision Plan of Heath Overlook Subdivision,” dated October 10, 2015 and revised through April 4, 2016, by Sebago Technics, Inc. and recorded at the York County Registry of Deeds in Plan Book 381, Page 32. Said Overlook Drive being more particularly bounded and described as follows:

Beginning at an existing 4-inch square granite monument with drill hole on the northeasterly side of Buxton Road at Lot 11 as depicted on the above-referenced plan;

THENCE N 45°40′21″ W, along the northeasterly side of Buxton Road, a distance of 70.00 feet to an existing 4-inch square granite monument set at Lot 1 and a point of curvature as depicted on the above referenced plan;

THENCE along a tangent curve concave to the north, the northwesterly side of Overlook Drive, and Lot 1 as defined by the following curve elements: having a radius of 10.00 feet, an arc length of 15.74 feet and a chord which bears N 89°14′35″ E, a distance of 14.16 feet to an existing 4-inch square granite monument with drill hole at a point of tangency;

THENCE N 44°09′31″ E, along the northeasterly side of Overlook Drive and Lot 1, a distance of 123.41 feet to an existing 4-inch square granite monument at a point of curvature and Lot 2 as depicted on the plan referenced above;

THENCE along a tangent curve concave to the northwest, the northwesterly side of Overlook Drive and Lot 2 as defined by the following curve elements: having a radius of 475.00 feet, an arc length of 118.47 feet and a chord which bears N 37°00′49″ E, a distance of 118.16 feet to an existing 4-inch square granite monument with drill hole at a point of tangency;

THENCE N 29°52′07″ E, along the northwesterly side of Overlook Drive, Lot 2, Lot 3, Lot 4 and Lot 5, a distance of 397.31 feet to an existing 4-inch granite monument with drill hole at a point of curvature;

THENCE along a tangent curve concave to the south, the northwesterly side of Overlook Drive, Lot 5 and Lot 6 as defined by the following curve elements: having a
radius of 225.00 feet, an arc length of 194.03 feet and a chord which bears N 54°34'24" E, a distance of 188.07 feet to an existing 4-inch square granite monument with drill hole at a point of reverse curvature and Lot 7 as depicted on the above-referenced plan;

THENCE along a tangent curve concave to the northwest, the northwesterly side of Overlook Drive and Lot 7 as defined by the following curve elements: having a radius of 10.00 feet, an arc length of 14.00 feet and a chord which bears N 39°10'11" E, a distance of 12.88 feet to an existing 4-inch square granite monument with drill hole at a point of tangency;

THENCE N 00°56'19" W, along Lot 7, a distance of 42.49 feet to an existing 5/8-inch rebar with plastic cap inscribed “STI PLS 2009”;

THENCE N 86°55'22" E, along Lot 7, a distance of 50.03 feet to an existing 5/8-inch rebar with plastic cap inscribed “STI PLS 2009”;

THENCE S 00°56'19" E, along Lot 7, a distance of 39.65 feet to an existing 4-inch square granite monument at a point of curvature;

THENCE along a tangent curve concave to the northeast, the northerly side of Overlook Drive and Lot 7 as defined by the following curve elements: having a radius of 10.00 feet, an arc length of 16.08 feet and a chord which bears S 47°00'29" E, a distance of 14.40 feet to an existing 4-inch square granite monument with drill hole at a point of tangency;

THENCE N 86°55'22" E, along the northerly side of Overlook Drive and Lot 7, a distance of 61.14 feet to an existing 4-inch square granite monument with drill hole at remaining land of J. Thomas Scrivener, LLC as described in a deed recorded in the York County Registry of Deeds in Book 14794, Page 554;

THENCE S 03°04'38" E, along remaining land of J. Thomas Scrivener, LLC and the southeasterly terminus of Overlook Drive, a distance of 50.00 feet to an existing 4-inch square granite monument with drill hole at land now or formerly of Adam L. McNaughton and Lindsay C.G. McNaughton, as described in a deed recorded in the York County Registry of Deeds in Book 15821, Page 430 and Book 17868, Page 860;

THENCE S 86°55'22" W, along land now or formerly of Adam L. McNaughton and Lindsay C.G. McNaughton, and the southeasterly side of Overlook Drive, a distance of 100.00 feet to an existing 4-inch square granite monument with drill hole set at a point of curvature;

THENCE along a tangent curve concave to the southeast, along land now or formerly of Adam L. McNaughton and Lindsay C.G. McNaughton, the southeasterly side of Overlook Drive and Lot 8, as depicted on the above referenced plan, as defined by the following curve elements: having a radius of 175.00 feet, an arc length of 174.26 feet and
a chord which bears S 58°23'45" W, a distance of 167.15 feet to an existing 4-inch square granite monument with drill hole at a point of tangency;

THENCE S 29°52'07" W, along Lot 8, Lot 9, Lot 10, land to be conveyed to the City of Saco and Lot 11 as depicted on the plan referenced above, a distance of 397.31 feet to an existing 4-inch square granite monument at a point of curvature;

THENCE along a tangent curve concave to the northwest, the southeasterly side of Overlook Drive and Lot 11 as defined by the following curve elements: having a radius of 525.00 feet, an arc length of 130.94 feet and a chord which bears S 37°00'49" W, a distance of 130.60 feet to an existing 4-inch square granite monument with drill hole at a point of tangency;

THENCE S 44°09'31" W, along the southeasterly side of Overlook Drive and Lot 11, a distance of 123.62 feet to an existing 4-inch square granite monument at a point of curvature;

THENCE along a tangent curve concave to the southeast, the southeasterly side of Overlook Drive and Lot 11 as defined by the following curve elements: having a radius of 10.00 feet, an arc length of 15.68 feet, and a chord which bears S 00°45'25" E, a distance of 14.12 feet to the Point of Beginning.

Said right of way containing approximately 50,325 square feet or 1.15 acres.

Bearings herein are Grid North, Maine State Plane Coordinate System, West Zone 1802, NAD83.

The within conveyance is made subject to those certain rights and easements granted by Grantor to Central Maine Power Company and to any other utility by deeds duly recorded in the York County Registry of Deeds.

Reference is made to a deed to Grantor from James M. Marcotte, Sr. and Susan M. Marcotte, dated March 21, 2006, and recorded in the York County Registry of Deeds in Book 14794, Page 554.
### AS BUILT STRUCTURE TABLE

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<th>Num.</th>
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### UTILITY NOTES:
- Terrain and address coordinates should be used with caution. Review elevation data before proceeding with development.
- Site may contain utilities not depicted on the property. Contact affected utility companies before starting any development.
- Contact the Maine Board of Surveyors for more information.

### SURVEYOR'S STATEMENT:
- Survey performed by Sebago Technics, Inc.
- Surveyor's fee: $10,000

### GENERAL NOTES:
- Survey completed in accordance with Maine Board of Surveyors standards.
- All points are located using Global Positioning System (GPS) technology.
- Points may have varying degrees of accuracy.

### SCALE:
- 1" = 1000'
Chapter 15 – Fund Balance
Overview of Chapter 15

I. City of Saco Trust Funds
II. Lucia Kimball Deering Hospital Fund
III. Arrest Forfeiture Funds
IV. Unassigned Fund Balance Policy
Recommended Changes

• Change Article III to “Asset Forfeiture Fund”, which is the correct name

• Increase the Unassigned Fund Balance Maximum

• Add a list of other funds and reference relevant chapters so that there is a cohesive list of all Funds specified in the City Code
  • Economic Development Fund (under Chapter 4)
  • Camp Ellis & Bayview Funds (under Chapter 118)
  • Etc.
Unassigned Fund Balance Purpose

The City's unassigned fund balance represents those funds held in reserve to cover:

• Unexpected expenditure needs and emergencies,
• Revenue shortfalls, and
• Seasonal cash flow variations
Unassigned Fund Balance Limits

It is the policy objective of the City that the audited unassigned fund balance should be a maximum of 10% of the following year's general fund budget as adopted by the Saco City Council.

The minimum unassigned fund balance should be set at one month's budgeted expenditures or 8.33% of the annual budget.
How is the Unassigned Fund Balance Calculated?

• The Unassigned Fund Balance is equal to the Unassigned Fund Balance in the General Fund less deficits in all other governmental funds

• Found on page 43 of the 2018 CAFR
Recent History of the Unassigned Fund Balance

2018 CAFR, Management Discussion & Analysis, page 35
Why Update the Maximum Unassigned Fund Balance?

• Improve the City’s Bond rating
• Improve the City’s ability to offset tax increases during economic downturns
• Improve cash flow to be able to frontload expenses during the summer building season
• Increase funding available for the cost of natural disasters in a changing climate
• A recommendation of our City Auditors
What Should the Maximum Balance Be?

• **Recommendation**: Two Months’ Expenditures, or 16.67% of the following years’ budget

• Reasonable target in the current economic environment

• GFOA recommends an unassigned fund balance that is at least 2 months’ expenditures
Why Not Higher than 16.67%?

• Saco does not have risk factors GFOA identifies as requiring a higher fund balance:
  • Volatile tax base (such as dependence on sales tax)
  • Excessive risk from natural disasters
  • Dependence on federal or state grant funding

• 16.67% is attainable in the current economic climate through capture of revenue and overlay surplus without the need to raise tax rates
Minimum Unassigned Fund Balance

• **Recommendation:** Retain minimum fund balance at 8.33% of the following year’s budget (1 month’s expenditures)

• In cases where fund balance falls below the minimum, Council is obligated to make up the deficit within 3 budget cycles

• Retaining a low minimum fund balance enhances the Council’s ability to use fund balance to offset tax increases during an economic slow-down

• With a fund balance at or above minimum in the last few fiscal years, Saco has had ample funding to meet all obligations (including natural disasters)
Recommended Language

It is the policy objective of the City that the audited unassigned fund balance should be a maximum of 10% 16.67% of the following year's general fund budget as adopted by the Saco City Council.

The minimum unassigned fund balance should be set at one month's budgeted expenditures or 8.33% of the annual budget.