SACO CITY COUNCIL WORKSHOP
MONDAY, JANUARY 9, 2017 – 6:00 PM
CITY HALL AUDITORIUM

I. CALL TO ORDER
II. PUBLIC COMMENT
III. AGENDA
   A. Biodegradable Bags Presentation by Michael Vanin, Gxt Green
   B. Single-Use Carryout Bags Discussion
   C. Biddeford’s Newspaper Ordinance ........................................... P2
   D. November Financials and Future Reporting Options .............. P11
   E. Transfer Station Process and Purchasing Policy Discussion .... P15
   F. Acceptance of the Rights of Way on the Brookside 2 Subdivision Plan ........................................... P18
   G. Financial Disclosure Protocol, Downtown Development District and TIF Guidelines, and Downtown Development District Discussion and Updates ........................................... P19
   H. Unitarian Universalist Church or Saco and Biddeford Property Acquisition Request ........................................... P60
IV. COUNCIL DISCUSSION AND COMMENT
V. EXECUTIVE SESSION
   “Be it Ordered that the City Council, Pursuant to [M.R.S.A. Title 1, Chapter 13, Subchapter 1, §405 (6)] move to enter into Executive Session to discuss: (E) Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency’s counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage.”
VI. REPORT FROM EXECUTIVE SESSION
   Language for this will be provided during Executive Session
VII. ADJOURNMENT
MEMORANDUM

TO: Mayor Michaud and City Council
FROM: Kevin L. Sutherland, City Administrator
DATE: January 5, 2017
RE: Biddeford's Newspaper Ordinance

In the Administration update from November 16th, I mentioned Biddeford’s Policy Committee was considering an ordinance to prohibit the distribution unsolicited newspapers. A memo from Biddeford’s City Solicitor was also included in that document.

Our intent is to mirror the ordinance that Biddeford adopts to make this as clear and easy to follow for businesses as possible. Our staff has identified several problem areas with the outline. They will need clarification before this is further developed and brought to you for consideration, but I’d like to have a discussion on the topic at workshop.

Attached are four documents.

Outline of an ordinance prepared by Biddeford Staff
Note from David Clark, General Manager, Mainely Media, LLC
Memo from Meghan McInnis Doyon, Special Projects Manager
Outline of ordinance with comments from Special Projects Manager
Delivery of Unsolicited Items Ordinance (Outline)

1. Purpose and definition of need: to prevent unwanted items being delivered to properties in the communities; prevent litter, damage to personal property, etc.
2. License requirement: all person and/or company desiring to deliver unsolicited items through personal delivery into driveways, yards, the public right of way and/or other means than personal delivery to the household/business entrance via doorway shall be required to have a valid license from the city.
   2.1. Application process: apply city clerk, issued administratively (no council action required)
   2.2. Annual fee: small fee to cover administration cost of issuing license and maintaining list ($50 to $100 suggested)
3. Regulations:
   3.1. Must notify annually all served of ‘opt out provision’
   3.2. Must not deliver to those ‘opt out’ requested
   3.3. Must remove all delivered but not removed from the ground within forty eight (48) hours
   3.4. Use reasonable efforts to minimize on ground deliveries at multi-family, multi-business locations
   3.5. City notification process of violations to be articulated for correction twenty four (24) hour notice
4. Violations and Penalties
   4.1. Initial alleged violation(s): notification to correct within twenty four (24) hours
   4.2. Repetitive violations: defined by xx complaints/violations within a rolling three (3) month period suggestion is five or more $100 fine per incident during the previous three months.
   4.3. Failure to cure repetitive violation: after the tenth (10) violation in any calendar year, city can use resources to remove the violation and bill the license holder directly for the cost of removal of the violation
   4.4. Revoke business license: the city may, after hearing before City Council, revoke the business license to operate for continued violations (in excess of ten (10) per year)
   4.5. Failure to obtain license: any person(s) that fails to obtain a license according to this chapter and delivers in violation of ordinance shall be fined not less than five hundred dollars ($500) or twenty dollars ($20) per location delivered to, whichever is greater.
5. Opt out provision: the city will keep and maintain the list of residences and business that desire to not receive such deliveries
   5.1. List will be dynamic and maintained in real time
   5.2. List will be publicly available and electronically accessible by license holders at all times.
6. Renewal of license: shall be administratively granted annually unless
   6.1. Written complaint is filed with the City by any person(s)
   6.2. More than ten (10) violations are alleged to have occurred during the year
   6.3. If not granted administratively, shall be granted by City Council, after public hearing
       and determination if
       6.3.1. The allegation(s) in the complaint have been found to be without merit and/or
           are reasonably corrected (or expected to be corrected) or
       6.3.2. The violations that have occurred in the past are not expected to occur in the
           future
   6.4. City Council may issue a temporary license for a period of time less than a year
7. Miscellaneous Provisions:
   7.1. Severability
   7.2. Fees, fines to be returned to city (not kept by court)
   7.3. Reasonable attorney costs to be also paid to city for violations that have been
       determined by the court system to be valid
   7.4. Non-payment of outstanding fines, fees and/or court orders shall be justification for
       non-issuance of license to operate under this chapter.
December 20, 2016

To: Kevin Sutherland, Jim Bennett  
From: David Clark, General Manager, Mainely Media, LLC  

Re: Newspaper delivery in Biddeford & Saco

Kevin/ Jim-
Thank you both again for meeting with Devin and I in your office on Monday to keep us updated on the concerns of the town councils in both of your towns in regards to our delivery of the Courier and Sunday Journal Tribune in Biddeford and Saco. Please understand that both companies take this concern very seriously and have been very responsive to these concerns to make this issue one of our top priorities in 2016 and going into 2017.

As a start, here are procedures we have in place now to address delivery concerns and these procedures have been in place for a long time now. In terms of the Courier, which I can speak for, our weekly returns and pick ups are now in the low 200-300 range each week which given the amount of papers we deliver tells me I’m at a good balance right now in terms of the amount of papers we deliver and the amount of papers that are being picked up. We constantly adjust our opt out and delivery request list so we are wasting as few papers as possible and keeping deliveries as clean as we can.

Driver procedures in place now include:
The Courier is delivered every Wednesday between 4 pm Wednesday afternoon and 12 noon Thursday. If any major weather is expected during this time frame including rain, snow, ice, or excessive wind we will delay that weeks delivery until a better delivery window can be used.

Clean up crews are sent out Friday afternoon for 4-6 hours and Saturday morning to early afternoon for 4-6 hours. Unclaimed papers are picked up by starting in major in town areas of both towns and then town outskirts and less populated areas are checked on a rotating basis from there. Any areas specifically reported to us as having issue are dealt with on Friday of that week.

Driver policy is if last weeks paper is still in the driveway when delivering this weeks paper we hold delivery of that address going forward until they call to start it again. Also any paper seen outside of a driveway on the Friday or Saturday clean up days is picked up immediately as it no longer is viable to be picked up at it’s intended location.

Our front office has two receptionist that each keep a daily log of please deliver or stop deliver for the Courier. These weekly updates are given to our drivers every Wednesday afternoon when they arrive to pick up their papers for the week to be implemented immediately. Any second calls for stops are given to me to talk with a driver to confirm that it will be taken care of that week.
Vacation calls or seasonal change of addresses are made that week and do not get reactivated until the resident calls upon their return to start the newspaper delivery again.

For larger seasonal areas like Camp Ellis, Old Orchard Beach, and Biddeford Pool we stop a majority of the weekly deliveries by late fall and respond to calls as they come in to continue delivery for remaining year round residents to avoid any issues of deliveries to residents no longer there.

For the Journal Tribune Sunday here are Devin’s procedures he currently has in place as well.

The Journal Tribune Sunday (JTS) is delivered late Saturday and early Sunday weekly. We follow several of the same procedures as the Courier. Below are some specifics to our procedures.

Cleanup procedures:
Monday, Tuesday and sometimes Wednesday, we have several people travel the routes and pick up left behind papers.
* After two consecutive weeks with papers left at the same address, we temporarily put that address on a do not deliver list.
* When a new driver starts a route, we have a person follow up with that route on Sunday afternoon to remove any do not deliver addresses that might have received a newspaper.
* We do follow a seasonal schedule in some areas.
* When snow is expected on a delivery day, we will wait until the storm is over and the average person has had time to remove snow. If a wind storm is expected or other significant weather issue arises, we delay delivery until the storm has passed before we deliver the JTS.

Requests for removal from the delivery list:
If someone calls or emails the office and requests to be removed from the delivery list, we honor that request. We write a note to the driver and update their route information accordingly.
*If we receive a call to remove a paper at a specific address, we send a staff member to remove that JTS within a 24 hour period of time.

We will begin running house ads each week in the Newspapers for 2017 for our communities to call us with any delivery related issues. It includes a phone number, email address, our office address and a request to contact us with any need to start or stop delivery. We also encourage people to report any problem areas where residents may be noticing papers that remain unclaimed in our towns.

I’m confident that with our new procedures in place we can resolve issues associated with potential problems covered by the town ordinances.
Thank you,
David Clark
General Manager
Mainely Media, LLC
MEMORANDUM

TO: Kevin L. Sutherland, City Administrator
FROM: Meghan McInnis Doyon, Special Projects Manager
DATE: January 4, 2017
RE: Additional points for consideration in newspaper ordinance

I am writing to you to provide additional discussion points for Council consideration after reviewing the proposed newspaper ordinance written by City of Biddeford staff. I hope this serves helpful for the discussion.

Concerns around scope are as follows: Deliver of Unsolicited Items Ordinance by title implies any item not wanted by residents including, but not limited to newspapers. This may be misleading and be legislating far more than that.

I believe Biddeford’s intended target is newspapers tossed out to homes that are not subscription based. Newspapers are protected by freedom on the press therefore it is tough to regulate the delivery of such and not be in violation of federal law. Other cities have tried many times throughout the years to regulate this and have not been successful. Some cities have been able to reduce the unwanted ad circulars, through signage or decals, but not anything that contained news.

Concerns around enforcement of this ordinance are as follows:
Administration: The burden of creating and maintaining an opt-out list will move from the newspaper company to the City. Not only is this shifting the responsibility from the business owner to a third party, it will be a time and money cost to the City. Additional staff to manage this process, field calls, tracks, and report will have to be budgeted for. Staff time to develop a tool to track the information will have to be allocated.

It states that the opt out list would be made public. Would residents feel comfortable with this information being shared on a publicly accessible website?

Enforcement: Currently, streets in the downtown are checked by the newspapers regularly and streets outside the downtown are checked on a rotating basis. With this new ordinance, will they have to change their business model? Additional staff would be required to check for violations. This would be a time intensive process, driving around every street in the City twice a week (delivery and pickup).

In short, the proposed ordinance will place an onerous burden on staff to enforce (Tuesdays for the Journal and Fridays for the Courier). Is this a burden that the City should take on – managing a private newspaper companies opt out list? Additionally, a total cost that includes new software for reporting, administrative time, and code enforcement time should be calculated.
Delivery of Unsolicited Items Ordinance (Outline)

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   5.1. List will be dynamic and maintained in real time
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Comment [m1]: Alternatives are:
1. Not allow licenses for business that do toss outs that have opt out membership vs opt in (the burden is on the subscriber) – not sure if this is legal
2. City of Philadelphia issues ‘circular non-delivery’ decals. If a distributor ignores decal, a ticket is issued.
3. NYC and Bridgeton, NJ requires distributors to respect notices placed by the owners. (no lawn litter)
4. Ordinance in Ridgefield Park, NJ that bars distribution of circulars to residents who haven’t opted in receiving them.

Comment [m2]: They do not check the entire City now, for example, North Saco is checked on a rotating basis per the letter. You may want to add that all streets regardless of where the street is in the City.

Comment [m3]: What does this mean? Sometimes the papers are delivered by throwing into driveways.

Comment [m4]: How is this defined?

Comment [m5]: Consider the violation not be on whether they are delivering to an opt out home, but to be on littering. If a paper is found on street or public area, it is considered littering which is $xx for each.

Comment [m6]: There is no further reference to repetitive so I am not sure this is needed.

Comment [m7]: A rolling 3 month time period would extend over a calendar year and be difficult to maintain so I would suggest 2 per month

Comment [m8]: Is this the 10th violation or 10th repetitive?

Comment [m9]: Keep it simple with a fine. Counting number of locations is time consuming.

Comment [m10]: This is an administrative burden that I am not sure we have the resources to do. There would have to be a dedicated resource for a certain numbers of hours per week and a tracking system developed and maintained. Policy wise, it is the business who is responsible to maintain an opt out list.

Comment [m11]: I believe the residents should be directed to the companies.
6. **Renewal of license:** shall be administratively granted annually unless
   6.1. Written complaint is filed with the City by any person(s)
   6.2. More than ten (10) violations are alleged to have occurred during the year
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   7.4. Non-payment of outstanding fines, fees and/or court orders shall be justification for
        non-issuance of license to operate under this chapter.

**Comment [m12]:** Making them apply every year like other businesses puts a burden on them. We are an opt in business not an opt out.

**Comment [m13]:** We get plenty of complaints so I would say that’s not a reason to not grant a license.
January 4, 2017

To: Honorable Mayor and City Councilors

From: Cheryl Fournier, Finance Director

During your meeting of December 19th, it was requested to change the format a little. Attached you will find a couple of examples for financial statement setups. If neither of these meet your expectations, please email me or bring your ideas to the meeting.

Option 1 is my preferred setup, as it shows the Year-to-date for both the current year and the prior year, which I know was an item that Kevin Roche requested in the past. I added a column to show the Budget Total for the year, to help understand the full picture. Option 1 does look at the Year-to-Date Budget vs. the Year-to-Date Actual variances. The Year-to-Date budget has been seasonally adjusted to allow for better judgment of where the City is compared to budget.

Option 2 shows the Total Budget vs. the Year-to-Date Actual variances. It gives you the remaining budget for the year and the Percentage of the Total Budget.

I am working to get a detail on the Revenue section, similar to the Budget Report we created toward the end of the budget process. I will bring that to the Council meeting.

I have written the November Financial letter using the Option 1 report.

Attached is the FY2017 City budget-to-actual comparison. The significant variances as of November 30, 2016 are as follows (41.7% of the year is complete):

A. City Clerk is running at 70.6% of budget or $52,866 below budget. The primary reason is temporary staffing is below budget by $21,830. The secondary reason is that Rental Assistance is below budget by $18,045.

B. Contingency is running at 199.7% of budget or $83,900 above budget. The primary reason is that Tax Abatements are running $63,810 above budget, but there has been $15,761 in supplemental bills to offset them. The second reason is Unit 91 costs of $39,045, which were not budgeted.

C. Fire Department is at 94.2% of budget or $101,758 below budget. The primary reason is that benefits are coming in below budget by $39,729. Additional items is that Equipment is coming in below budget by $27,554 and Maintenance and Parts is coming in at $34,209 below budget. The last payment for the rehab of the fire truck hasn’t been received.

D. Park and Recreation Department is at 106.9% of budget or $64,478 above budget. The primary reason is that salary and wages is running at $22,858 above budget. The secondary reason is that program expenses is running at $24,128 above budget. The revenue for Parks and Recreation is running $20,959 above budget.
E. Police Department is running at 87.1% of budget or $282,875 below budget. The primary reason is that salaries and overtime are running at $112,225 below budget due to open positions, which means that benefits is running at $131,846 below budget.

F. Public Works is running at 91.0% of budget or $235,203 below budget. The primary reason is that Utilities and Fuel is running below budget by $106,179. The secondary reason is that salaries and overtime are running at $49,832 below budget. Winter material was purchased later this year compared to prior years, which is approximately $100,000 worth of expenses.

G. Property Tax Revenue is running at 99.3% of budget or $145,566 due to timing.

H. Non-Property Taxes (Excise, Taxes in Lieu, Interest/Fees) is running at 118.8% of budget or $273,696 above budget. One reason is that EAN (Enterprise) is at $92,259 for July – November 2016.

The City staff has continued to maintain a high quality of service for our citizens, and look forward to continuing this high quality in the future.
### General Fund

As of November 30, 2016

<table>
<thead>
<tr>
<th>Expenditures</th>
<th>FY2016 Year-to-Date Actual</th>
<th>FY2017 Total Budget</th>
<th>FY2017 Year-to-Date Budget</th>
<th>FY2017 Year-to-Date Actual</th>
<th>FY2017 Under/(Over) Budget</th>
<th>Budget to Actual Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>53,544</td>
<td>351,541</td>
<td>146,475</td>
<td>105,926</td>
<td>40,550</td>
<td>72.3%</td>
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<td>Assessment</td>
<td>77,308</td>
<td>239,640</td>
<td>99,850</td>
<td>72,039</td>
<td>27,811</td>
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<td>Building Inspection</td>
<td>97,927</td>
<td>334,147</td>
<td>139,228</td>
<td>138,919</td>
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<td>Building Maintenance</td>
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<td>49,726</td>
<td>41,757</td>
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<td>Capital Program</td>
<td>1,459,077</td>
<td>3,691,290</td>
<td>1,841,010</td>
<td>1,879,406</td>
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<tr>
<td>City Clerk</td>
<td>125,836</td>
<td>378,911</td>
<td>179,873</td>
<td>127,007</td>
<td>52,866</td>
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<td>Contingency</td>
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<td>84,167</td>
<td>168,067</td>
<td>-83,900</td>
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<td>Council</td>
<td>6,903</td>
<td>18,712</td>
<td>7,797</td>
<td>7,780</td>
<td>16</td>
<td>99.8%</td>
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<tr>
<td>County Budget</td>
<td>1,243,927</td>
<td>1,265,983</td>
<td>1,265,983</td>
<td>1,276,339</td>
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<td>Economic Development</td>
<td>41,739</td>
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<td>105,233</td>
<td>64,317</td>
<td>40,916</td>
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<td>Finance</td>
<td>188,297</td>
<td>643,578</td>
<td>268,574</td>
<td>290,497</td>
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<td>Fire</td>
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<td>4,093,405</td>
<td>1,744,920</td>
<td>1,643,162</td>
<td>101,758</td>
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<td>Fringe Benefits</td>
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<td>0.0%</td>
<td>0.0%</td>
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<td>Information Technology</td>
<td>312,194</td>
<td>563,748</td>
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<td>246,310</td>
<td>44,206</td>
<td>84.8%</td>
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<td>Parks and Recreation</td>
<td>853,247</td>
<td>1,797,559</td>
<td>945,078</td>
<td>1,009,856</td>
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<td>106.9%</td>
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<td>Planning</td>
<td>93,864</td>
<td>227,590</td>
<td>94,829</td>
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<td>Police</td>
<td>1,515,394</td>
<td>5,023,131</td>
<td>2,190,870</td>
<td>1,907,995</td>
<td>282,875</td>
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<td>Public Works</td>
<td>2,005,293</td>
<td>6,706,615</td>
<td>2,615,430</td>
<td>2,380,227</td>
<td>235,203</td>
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<tr>
<td>School Budget</td>
<td>5,440,336</td>
<td>22,214,912</td>
<td>9,256,213</td>
<td>9,256,215</td>
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<td>Solicitor</td>
<td>58,685</td>
<td>144,425</td>
<td>50,596</td>
<td>48,692</td>
<td>1,903</td>
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<td>Supported Agencies</td>
<td>420,820</td>
<td>822,663</td>
<td>445,801</td>
<td>489,350</td>
<td>-43,549</td>
<td>109.8%</td>
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<tr>
<td>Unallocated</td>
<td>7,424</td>
<td>184,000</td>
<td>17,835</td>
<td>12,833</td>
<td>4,983</td>
<td>72.1%</td>
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<tr>
<td>Others</td>
<td>1,661</td>
<td>13,870</td>
<td>5,779</td>
<td>2,325</td>
<td>3,454</td>
<td>40.2%</td>
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<td><strong>Total Expenditures</strong></td>
<td><strong>16,830,411</strong></td>
<td><strong>49,219,623</strong></td>
<td><strong>21,845,783</strong></td>
<td><strong>21,297,038</strong></td>
<td><strong>548,746</strong></td>
<td><strong>97.5%</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Revenues</th>
<th>FY2017 Under/(Over) Budget</th>
<th>Budget to Actual Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Taxes</td>
<td>-19,772,569</td>
<td>-40,242,015</td>
</tr>
<tr>
<td>Non-Property Taxes</td>
<td>-1,606,452</td>
<td>-3,300,500</td>
</tr>
<tr>
<td>Intergovernmental</td>
<td>-908,829</td>
<td>-2,074,869</td>
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<tr>
<td>Licenses and Permits</td>
<td>-399,069</td>
<td>-779,954</td>
</tr>
<tr>
<td>Charges for Services</td>
<td>-388,752</td>
<td>-1,049,708</td>
</tr>
<tr>
<td>Other Revenues</td>
<td>-176,369</td>
<td>-205,500</td>
</tr>
<tr>
<td>Interfund Transfer</td>
<td>-360,487</td>
<td>-1,063,445</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td><strong>-23,612,527</strong></td>
<td><strong>-48,805,991</strong></td>
</tr>
</tbody>
</table>

| General Fund Total | **-6,782,116** | **413,632** | **-2,584,518** | **-3,299,998** | **715,480** | **1.3%** |
## General Fund

As of November 30, 2016

### Expenditures

<table>
<thead>
<tr>
<th>Category</th>
<th>FY2016 Year-to-Date Actual</th>
<th>FY2017 Total Budget</th>
<th>FY2017 Year-to-Date Actual</th>
<th>FY2017 Budget Remaining</th>
<th>FY2017 Percentage of Total Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>53,544</td>
<td>351,541</td>
<td>105,926</td>
<td>245,615</td>
<td>30.1%</td>
</tr>
<tr>
<td>Assessment</td>
<td>77,308</td>
<td>239,640</td>
<td>72,039</td>
<td>167,601</td>
<td>30.1%</td>
</tr>
<tr>
<td>Building Inspection</td>
<td>97,927</td>
<td>334,147</td>
<td>138,919</td>
<td>195,228</td>
<td>41.6%</td>
</tr>
<tr>
<td>Building Maintenance</td>
<td>36,758</td>
<td>119,343</td>
<td>41,757</td>
<td>77,586</td>
<td>35.0%</td>
</tr>
<tr>
<td>Capital Program</td>
<td>1,459,077</td>
<td>3,691,290</td>
<td>1,879,406</td>
<td>1,811,884</td>
<td>50.9%</td>
</tr>
<tr>
<td>City Clerk</td>
<td>125,836</td>
<td>378,911</td>
<td>127,007</td>
<td>251,904</td>
<td>33.5%</td>
</tr>
<tr>
<td>Contingency</td>
<td>98,881</td>
<td>132,000</td>
<td>168,067</td>
<td>-36,067</td>
<td>127.3%</td>
</tr>
<tr>
<td>Council</td>
<td>6,903</td>
<td>18,712</td>
<td>7,780</td>
<td>10,932</td>
<td>41.6%</td>
</tr>
<tr>
<td>County Budget</td>
<td>1,243,927</td>
<td>1,265,983</td>
<td>1,276,339</td>
<td>-10,356</td>
<td>100.8%</td>
</tr>
<tr>
<td>Economic Development</td>
<td>41,739</td>
<td>252,560</td>
<td>64,317</td>
<td>188,243</td>
<td>25.5%</td>
</tr>
<tr>
<td>Finance</td>
<td>188,297</td>
<td>643,578</td>
<td>290,497</td>
<td>353,081</td>
<td>45.1%</td>
</tr>
<tr>
<td>Fire</td>
<td>1,228,813</td>
<td>4,093,405</td>
<td>1,643,162</td>
<td>2,450,243</td>
<td>40.1%</td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td>1,462,483</td>
<td></td>
<td>23,240</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Information Technology</td>
<td>312,194</td>
<td>563,748</td>
<td>246,310</td>
<td>317,438</td>
<td>43.7%</td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>853,247</td>
<td>1,797,559</td>
<td>1,009,856</td>
<td>787,703</td>
<td>56.2%</td>
</tr>
<tr>
<td>Planning</td>
<td>93,864</td>
<td>227,590</td>
<td>104,760</td>
<td>122,830</td>
<td>46.0%</td>
</tr>
<tr>
<td>Police</td>
<td>1,515,394</td>
<td>5,023,131</td>
<td>1,907,995</td>
<td>3,115,136</td>
<td>38.0%</td>
</tr>
<tr>
<td>Public Works</td>
<td>2,005,293</td>
<td>6,706,615</td>
<td>2,380,227</td>
<td>4,326,389</td>
<td>35.5%</td>
</tr>
<tr>
<td>School Budget</td>
<td>5,440,356</td>
<td>22,214,912</td>
<td>9,256,215</td>
<td>12,958,697</td>
<td>41.7%</td>
</tr>
<tr>
<td>Solicitor</td>
<td>58,685</td>
<td>144,425</td>
<td>48,692</td>
<td>95,733</td>
<td>33.7%</td>
</tr>
<tr>
<td>Supported Agencies</td>
<td>420,820</td>
<td>822,663</td>
<td>489,350</td>
<td>333,313</td>
<td>59.5%</td>
</tr>
<tr>
<td>Unallocated</td>
<td>7,424</td>
<td>184,000</td>
<td>12,853</td>
<td>171,147</td>
<td>7.0%</td>
</tr>
<tr>
<td>Others</td>
<td>1,661</td>
<td>13,870</td>
<td>2,325</td>
<td>11,545</td>
<td>16.8%</td>
</tr>
</tbody>
</table>

**Total Expenditures**

|                     | 16,830,411                  | 49,219,623          | 21,297,038                 | 27,945,825              | 43.3%                            |

### Revenues

<table>
<thead>
<tr>
<th>Category</th>
<th>FY2016 Year-to-Date Actual</th>
<th>FY2017 Total Budget</th>
<th>FY2017 Year-to-Date Actual</th>
<th>FY2017 Budget Remaining</th>
<th>FY2017 Percentage of Total Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Taxes</td>
<td>-19,772,569</td>
<td>-40,242,015</td>
<td>-20,529,574</td>
<td>-19,712,441</td>
<td>51.0%</td>
</tr>
<tr>
<td>Non-Property Taxes</td>
<td>-1,606,452</td>
<td>-3,390,500</td>
<td>-1,733,081</td>
<td>-1,657,419</td>
<td>51.1%</td>
</tr>
<tr>
<td>Intergovernmental</td>
<td>-908,829</td>
<td>-2,074,869</td>
<td>-1,012,481</td>
<td>-1,062,388</td>
<td>48.8%</td>
</tr>
<tr>
<td>Licenses and Permits</td>
<td>-399,069</td>
<td>-779,954</td>
<td>-374,114</td>
<td>-405,840</td>
<td>48.0%</td>
</tr>
<tr>
<td>Charges for Services</td>
<td>-388,752</td>
<td>-1,049,708</td>
<td>-432,871</td>
<td>-616,837</td>
<td>41.2%</td>
</tr>
<tr>
<td>Other Revenues</td>
<td>-176,369</td>
<td>-205,500</td>
<td>-94,017</td>
<td>-111,483</td>
<td>45.8%</td>
</tr>
<tr>
<td>Interfund Transfer</td>
<td>-360,487</td>
<td>-1,063,445</td>
<td>-420,898</td>
<td>-642,547</td>
<td>39.6%</td>
</tr>
</tbody>
</table>

**Total Revenues**

|                     | -23,612,527                 | -48,805,991         | -24,597,036                | -24,208,955              | 50.4%                            |

**General Fund Total**

|                     | -6,782,116                  | 413,632             | -3,299,998                 | 3,736,870                | -8.0%                            |
MEMORANDUM

TO: Mayor Michaud and City Council
FROM: Kevin L. Sutherland, City Administrator
DATE: January 5, 2017
RE: Transfer Station Process and Purchasing Policy Discussion

In order to improve safety for both facility customers and recreation area visitors using the Foss Road fields, while also being in compliance with DEP regulations regarding access controls for such facilities, funds were allocated to relocate the transfer station facility during the 2016-2017 budget process.

To complete the necessary modifications while satisfying the aforementioned requirements but also staying significantly below the original projected costs outlined in the bond referendum, the Public Works Department performed much of the design, permitting, and construction utilizing in-house personnel. The process is outlined below.

Background:
Since 2009, Public Works staff had identified the existing Transfer Station as a high priority for replacement due to its condition, safety concerns, and location. In 2005, the abutting landfill property to the transfer station was revitalized and reused as youth athletic fields. Over the past decade, the use of these fields has grown exponentially. While great for the City, it created constant logistical and safety issues at the shared entrance and parking areas for the athletic complex and the existing Transfer Station waste storage areas. These issues were compounded by a lack of compliance with State regulation that requires that transfer stations be staffed when the facility is accessible by the public. Preliminary estimates for a new Transfer Station to serve a population of 18,000 people were more than $800,000. Staff felt that was an amount that the residents would not approve as a local bond referendum. Subsequently, in 2014, a bond referendum for $850,000 that included a new transfer station as well as tennis courts and other athletic complex enhancement did fail, by a narrow margin. Unfortunately, all of the logistical and safety issues still required addressing.
Planning:
How would Public Works address safety and compliance issues, while respecting the view of the voter that the project was too expensive? Staff went back to the drawing board and identified all possible cost saving measures and looked to the bare minimum that could be spent to relocate the transfer station. Through creative design changes, and a consideration of what could, and could not be done by DPW staff, it was determined that while not complete, the first phase of relocating the Transfer Station could be completed for as little as $320,000. This was a cost that could address the safety issues and potentially be paid for within the City’s annual capital plan.

Approval:
Staff presented the project to Council at budget time and discussed the approach that would keep the costs at a level that could be phased in over multiple years, if necessary. Concurrently, staff worked through project approval with Maine Department of Environmental Protection. Council responded positively to the savings efforts and approved funding, totaling $420,000 that could be spent on the Transfer Station beginning July 2016.

Implementation:
After securing funds through the budget process, and getting approval and permitting completed with Maine DEP, Public Works again revised the means and methods to construct the project and arrived at a total project estimate of $550,000 against the current funding of $420,000. The focus was getting as much completed as possible with the current funding, therefore giving the City flexibility on when the final components would be necessary to fund. With repeated internal conversations between engineering and operations staff, a cost/benefit analysis was done for each component of the construction to identify exactly which work was better suited for DPW staff versus utilizing outside contractors. Fortunately, Public Works performs 3-year materials and construction services bids that could be taken advantage of for this hybrid project approach. Separating cost and quantity estimates for the project into two categories, what the DPW crew could and couldn’t do, quickly showed where significant project savings could occur. This exercise lowered the project estimate to $500,000. Construction begun, but the analysis continued. As the project took shape, each remaining component was checked for more savings potential. This produced another $40,000 worth of savings, bringing the total project estimated cost to $460,000 for full completion. As of December 15th, the cost of the work at the Transfer Station has totaled $330,000. The remainder of the allocated $420,000 will be spent in the spring of 2017. Cost savings to date may allow for the early construction of the universal waste and swap shop building, limiting the need for additional project phase requests in the future.
Conclusion:
Through an adaptive approach of utilizing multiple methods to carry out design, permitting, and construction, Public Works was successful in completing the relocation of the Transfer Station. DPW Staff performed much of the project planning, preliminary design, and permitting as well as using DPW crews to supplement our ongoing 3-year contracted services agreements to construct the project.

This approach is an excellent example of controlling and minimizing costs of a project while maintaining the goals and objectives set forth by the Council. Public Works should be applauded for their efforts to bring us into compliance with the state, reduce risk of injury or fines, and save the tax payer money.

If Council was concerned about the three year time and material bid, I hope this example shows how and why it makes to continue with this process.
MEETING ITEM COMMENTARY

AGENDA ITEM: Acceptance of Rights of Way on the Brookside 2 Subdivision Plan

STAFF RESOURCE: Kevin L. Sutherland, City Administrator
Tim Murphy, City Attorney

COUNCIL RESOURCE: Councilor Roger Gay

BACKGROUND: Council reviewed this matter in September 19, 2005. At that time, the City Council voted to accept the following streets that comprise the Brookside II neighborhood: Isabella Circle, Sofia Road, Bruno Circle, and part of Winding Brook Lane. In addition, the City accepted certain open space and two drainage ponds.

The subdivision plan for Brookside II also shows two proposed 50 foot wide rights of way designated for future road extensions to two abutting parcels (land n/f Lampugnale; land n/f Tripp). It was the City Council’s intention in 2005 to accept both of these 50 foot wide rights of way as public ways, but the actual City Council Motion from 2005 does not expressly lay claim to them. It has been asserted the City’s vote in 2005 did not conclusively and unequivocally include taking title to these two Rights of Way, and thus the fee interest in the areas comprising each of the 50 foot wide rights of way does not currently rest with the City. The City still retains the right of incipient dedication, meaning a right to vote and accept proposed ways shown on a recorded subdivision plan.

To assure the two owners of abutting land of access, the staff recommends a follow up Council vote so that all ambiguity is resolved as to the title status, and that fee interest title to these two rights of way is vested in the City. Accepting them will assure that the owners and potential future developers can access two large abutting pieces of land, which was the Planning Board’s goal and the City Council’s intention when it voted in 2005.

EXHIBITS: 1. Minutes from September 19, 2006
2. Brookside 2 Subdivision plan drawing

RECOMMENDATION: Staff recommend the Council vote to accept both rights of way shown on the Brookside 2 subdivision plan.

SUGGESTED MOTION: "Be it ordered that the City accept two certain 50 foot rights of way shown on the Brookside 2 Development Plan found and recorded in Plan Book 250, Page 38 of the York County Registry of Deeds, the first right of way running in a northwesterly direction off the northerly end of Bruno Circle, said right of way lying immediately adjacent and northerly of lot 36 on said plan drawing, and the second right of way running in a southerly direction off the southerly end of Bruno Circle, said second right of way running southerly and immediately adjacent to Lot 32 shown on said plan, each right of way being marked as 50 feet in width.

"Move to approve the order."
MEMORANDUM

TO: Mayor Michaud and Saco City Councilors
FROM: William J. Mann, Economic Development Director
CC: Kevin L. Sutherland, City Administrator
DATE: January 5, 2017
RE: Financial Disclosure Protocol; Recommended Updates and Revisions to the City of Saco
Development/Districts and Tax Increment Financing Guidelines; and a Proposal for a Saco
Downtown Omnibus Municipal Development District Program

In follow up to the workshop with you on the above topic on December 19th, we have refined the
subsequently reviewed these matters with the City’s Economic Development Commission on January 5,
2017 and have incorporated the from your December 19th Workshop and any subsequent e-mail suggestions
from you as well as the comments, suggestions and recommendations of the City’s Economic Development
Commission (EDC). I would note that the EDC was generally supportive of the items referenced above.
There has been a lot of healthy discussion and constructive feedback that I believe will make the documents
clearer.

In the attached versions of the documents, the recommended changes and enhancements are reflected.
Additions are highlighted and strikethroughs show the deletions.

We look forward to continuing the discussion with the Council on the 9th of January.
Financial Disclosure Protocol

General Purpose: Clarify the information that development applicants need to provide to the City of Saco when requesting any assistance including but not limited to: the designation of a DEVELOPMENT DISTRICT - Statute: 30-A M.R.S. §§ 5221-5235 (also known as a Tax Increment Financing (TIF) District), a Credit Enhancement Agreement (CEA), a Contract Zone, or some other development benefit that involves some level of City contribution either in the form of dollars, zoning modifications, or infrastructure enhancement; the practice is simply to make that request a part of the normal Planning and Development approval process.

Applicants seeking such assistance may be required to provide the following:

- Full contact information for the Applicant; if an entity please provide for all owners/shareholders/members/partners with a 10% or greater ownership interest in the applying entity.
- A Complete list of investors identifying individual ownership interest with appropriate proof of ownership documentation
- Full contact information for any Agent(s), Accountant(s), Architect(s), Attorney(s), Engineer(s) and any other consultants who will be submitting materials on behalf of the applicant as part of their application package.
- A summary description of the proposed development, including:
  (a) A summary of the benefits to the City of Saco associated with the approval of the request.
  (b) Estimated construction cost/estimated improved value of the project real estate upon completion.
  (c) Proposed construction timeframe (estimated start/estimated end dates)
  (d) Estimated number of permanent employees (if expanding or relocating within Saco, please list number of current, number of to-be-added employees, and total number of employees at the time the project is completed).
  (e) Other such financial disclosures as the City may require from time to time.

If an application contains material that is considered by the Applicant to be proprietary and confidential under M.R.S.A. Title 5, Part 18-A, Chapter 383, Subchapter 8 §13119-A. Records confidential, the Applicant shall clearly designate the material as such, explaining why such material should be considered confidential. The Applicant must identify each page or section of the application that they believe is proprietary and confidential with sufficient grounds to justify each exemption from
release, including the prospective harm to the competitive position of the Applicant if the identified material were to be released. Under no circumstances can the entire response or price information be marked confidential.*

*Under Maine law, all information in any development application is subject to disclosure under Maine’s Freedom of Access Act; unless the Applicant demonstrates that portions of the Application materials submitted contain “financial or proprietary information” and is granted confidentiality under Maine Law. Financial or proprietary information is defined as “information that has not been publicly disseminated or which is unavailable from other sources, the release of which might cause competitive harm”. Applicants are provided an opportunity to specifically request such proprietary or financial information to be held confidential. To do this, the applicant must highlight those portions of any application materials which are to be maintained as confidential by identifying those portions of the documents as follows.

- Identify each component and portion of the narrative for which the applicant is requesting confidentiality. Text, tables, or graphics MUST be bolded and marked with asterisks and brackets (*[bold if text]*) within the narrative.

- Identify the attachment and the portion of the document for which you are requesting confidentiality. Text, tables or graphics MUST be bolded and marked with asterisks and brackets (*[bold if text]*) on the attachment. If an Applicant is requesting confidentiality for portions of a multi-page document, such as the Business Plan, the Applicant MUST also list the page numbers on all pages that contain information marked by asterisks and bold brackets.

Applications that fail to differentiate truly proprietary information from public information by indiscriminately labeling large sections or entire documents or application packages as proprietary cannot be properly protected and will not be granted confidentiality.

January 4, 2017
I. Introduction

Maine state law established Development Districts - Statute: 30-A M.R.S. §§ 5221-5235 also referred to as Tax Increment Financing (TIF) Districts, as an economic development program to promote economic development by cities and towns, and support municipal projects. Development Districts allow municipalities to provide financial assistance to local economic development projects and programs including public infrastructure, municipal economic development programs and staff, as well as business expansions - by using some or all of the new property taxes that result from new commercial or residential investment associated with the corresponding increase in property value.

The City of Saco’s Development District and Tax Increment Financing (TIF) Guidelines allow for the option of using the “incremental” taxes for economic development projects and activities, to retire bonds the City has issued, or to reimburse a developer or business for development project costs relating to a specific project using a Credit Enhancement Agreement (CEA).

The City of Saco’s Development District and Tax Increment Financing (TIF) Guidelines support investment in municipal economic development programs and activities, infrastructure investment (which is generally through the establishment of area wide or neighborhood Development Districts) and individual project site specific Development Districts to support either infrastructure or individual private project financing needs.

Infrastructure for the purposes of these Guidelines shall be meant to include, but not limited to: the design/redesign, engineering and or technical study or assessment, development, enhancement, and/or improvement, the construction and/or installation of:

- traffic engineering and/or improvements promoting safer and more efficient multi-modal transportation, in order to enhance traffic flow/movement, including signalization/signage;
- existing or new parking facilities and/or Transportation Demand Management Solutions;
- roadway construction and/or improvements;
- public lighting;
- sidewalks, trails, bicycle facilities, and all other infrastructure that may provide or enhance the mobility and safety of pedestrians and bicyclists;
- water, sewer, gas, electric, data, Broadband, and other utility or essential services which are municipally owned, operated, or administered through a public-private partnership;
- sewer lines, services, and any sewer related improvements to include but not limited to collection systems, pumping stations, treatment facilities, and Combined Sewer Overflow (CSO) abatement projects;
- storm water management improvements;
- placement of above ground utility lines or underground utility, piping, conduit, or lines.

The use of Development District tax revenues to invest in infrastructure recognizes the savings which occurs through the tax sheltering benefits of approved Development Districts.
II. Purpose

The purpose of these Guidelines is to outline standards and processes that will be used by Saco City Staff, the Saco Economic Development Commission, and the Saco City Council, in initiating or considering applications for Development/Tax Increment Financing (TIF) Districts.

Notwithstanding these Guidelines, the creation of a Development/TIF District is a policy decision of the Saco City Council, made on a case-by-case basis. The City Council may override these Guidelines if it determines that a project merits such treatment. The approval of a Development/TIF District Application is not a right under Maine law and these Guidelines do not create a right or entitlement for any Application, nor should they be interpreted to encourage any Application.

Notes: All municipally approved Development Districts must also be approved by the State of Maine Department of Economic and Community Development (DECD). In the case of Transit-Oriented Development District the approval of the State of Maine Department of Transportation (MDOT) is also required. In the case of Affordable Housing Development Districts approval is required to be obtained from the Maine State Housing Authority (MSHA).

The primary purposes for the establishment of Development/TIF District include:

A. To support Saco’s Economic Development, Comprehensive, Asset Management (Capital), and Housing Plans, and other related City Plans and Policies;

B. To stimulate the expansion of the City of Saco’s commercial and industrial tax base;

C. To create and retain quality employment opportunities for the citizens of Saco and the greater Saco Bay region;

D. To stimulate new affordable and market rate housing investment in Saco;

E. To establish standards upon which the:
   1. Saco Economic Development Department may negotiate,
   2. Saco Economic Development Commission may recommend, and
   3. Saco City Council may authorize and approve DEVELOPMENT DISTRICTS within the City of Saco.
III. Approach and Policy Requirements

Must meet or exceed the requirements identified below.

A. Approach:

There are three approaches to consider when establishing Development/TIF Districts. They include:

1. Municipal Economic Development Programs Funded Directly Through a Pay-As-You-Go Approach: Examples of municipal economic development programs include paying for economic development staff, annual funding to Saco Main Street, Inc., the Biddeford Saco Area Economic Development Corporation, the Biddeford Saco Area Chamber of Commerce and Industry, city and collaborative regional marketing/branding, and other activities allowed under the Maine Development District Statute. Statute: 30-A M.R.S. §§ 5221-5235

2. Area Wide Development Districts financed by City Bond/Debt Issuance: Issuance of municipal general obligation bonds or limited obligation bonds is a mechanism that may be used to fund a Development District program. Allowable uses are spelled out in the Maine Development District Statute. Generally, municipalities will issue debt to cover the cost of infrastructure investment.

3. Individual Site Specific Development Districts Utilizing Credit Enhancement Agreements: A CEA is a contract between a municipality and developer to assist an individual development project by using a percentage or all of the tax revenue generated by the investment to pay certain authorized project costs which could include site specific infrastructure or private individual project financing needs. Allowable project costs are spelled out in the Maine Development District Statute.

B. Policy:

1. Policy for Municipal Economic Development Programs: Requires annual review and City Council financial appropriations.

2. Policy for Area Wide Development District Locations (for City Bond and Debt Issuance)

   a. Area Wide Development Districts will be established for infrastructure investment which has applications beyond one individual project.

   b. City Development District emphasis will be placed upon the following general “Priority Revitalization Areas” to support commercial development, housing development, redevelopment, or to support buildings in need of redevelopment, address blight, or historic preservation:

      i. Designated Priority Revitalization Areas for the Purpose of these Guidelines shall include:

         • The City’s Downtown area as described in the City’s Comprehensive Plan and / or as set forth in any approved Downtown Development District.

         • The Saco Industrial Park and the Millbrook Business Park.

   c. The above list of general priority revitalization areas serve as guides to establish specific boundaries for Development Districts at time of district establishment.
d. In the City’s Priority Revitalization Areas, the costs of project specific local Permit, local Impact, and locally required infrastructure costs may be funded from incremental tax revenues generated in the designated DEVELOPMENT DISTRICT. Any such funding will be accompanied by an Agreement between the City and the Applicant who is seeking such funding in which the Applicant agrees to reimburse the City should the subject project not be completed.

NOTE: This portion of these Proposed Guidelines remains subject to review and approval for legal counsel.

3. **Policy for Market Rate Housing**: Development Districts for market rate rental housing projects must be located in the City’s Downtown priority revitalization areas to stimulate housing investment for the purpose of attracting 24/7 pedestrian activity. Pursuant to State Law, Development Districts for condominium projects are not allowed.

4. **Policy for Affordable Housing**: Affordable Housing Development / TIF Districts (AHTIF) may be designated on an area wide or site specific basis in the City’s Downtown area as described in the City’s Comprehensive Plan and/or as set forth in any approved Downtown Development District.

The Housing Committee of the Saco City Council will complete an annual assessment of housing needs and priorities. This assessment will include a determination regarding designation of an area wide AHTIF. Site specific AHTIF requests submitted by developers will be considered on a case-by-case basis. Area wide or site specific AHTIF designations must address an identified community need. State law requires that at least 25% of the district area must be suitable for residential use, development must be primarily residential, and at least 1/3 of the units must be for households at or below 120% of area median income which allows for individual mixed income projects or area wide affordable housing Development Districts.

IV. **Development Districts**

There are acreage and value caps limitations for municipalities to establish Development Districts along with term limits. Term limits include bonds which may be issued for a maximum of thirty (30) years (anticipation notes for three years). Development Districts may be designated for a maximum of thirty (30) years. The designation of a Development District requires proper notice, a local public hearing, a majority of Council approval, and State of Maine approval as detailed earlier in these Guidelines.

Notes: No Development District within a Maine municipality may exceed more than two percent (2%) of the acreage within that municipality, and

All Development Districts within a Maine municipality may not exceed more than five percent (5%) of the acreage within that municipality, and

No Development District within a Maine municipality may exceed more than two percent (2%) of the tax value within that municipality, and

All Development Districts within a Maine municipality may not exceed more than five percent (5%) of the tax value within that municipality.
A. **Eligible Expenses:** Eligible Development District expenses include design, permitting, and construction of necessary infrastructure to support a development project in an approved Development District. Other uses include the previously mentioned support of municipal economic development programs and staff, business expansions - by using some or all of the new property taxes that result from new commercial or residential investment associated with the corresponding increase in property value. A complete and current list of other eligible expenses may be found in Maine Statute: 30-A M.R.S. §§ 5221-5235 (which is subject to periodic amendment(s)). The City Council will only consider Development District proposals that further economic development goals endorsed by the community.

B. **Documentation:** Applicants requesting the establishment of a Development District and/or requesting that the City of Saco enter into a Credit Enhancement Agreement with the Applicant shall provide all documentation associated with the Application. This documentation provides the basis for reviewing the applicant’s request.

C. **Geographic Boundaries:** The City of Saco reserves the right, during the application process, to establish and/or modify, the geographic size of the Development District necessary to meet the needs of the Applicant or to meet the needs of infrastructure improvements deemed necessary by the City of Saco in accordance with State statutes.

D. **Personal Property:** Personal property value shall not be included in the calculations for Development Districts.

E. **Excess Funds:** All Credit Enhancement Agreement (CEA) shall include a provision that directs any excess funds after the CEA is satisfied to be directed to the City of Saco for Economic Development and other uses as allowed under Maine statute.

V. **Development District Application and Administration Process**

Development District Applications (whether initiated by the City or requested by a developer or business) will be considered by the Economic Development Director and Economic Development Commission, with all final approvals by City Council and the Maine Department of Economic Development. The Economic Development Director will coordinate all activities regarding applications and will guide applicants to insure that the approval process is as clear, efficient and “business friendly” as possible. The terms and specific details of each Development District and any related CEA(s) will be developed on a case-by-case basis. The Economic Development Director will negotiate for the City of Saco, on the merits of the project and this policy, following the process identified within these guidelines.

A. **Application Information and Contact:** An applicant must submit a letter with their completed application and all supporting documents to the Economic Development Department outlining the proposed project, including project financial information, along with a plan outlining the number of projected jobs that will be created with the identified project.

B. **City Approval Process:** There is a two step approval process for the designation and approval of any Development District and any related CEA within the City of Saco. This two step process includes obtaining a recommendation from the Saco Economic Development Commission and subsequent approval by the Saco City Council following a three meeting process (Workshop/First Reading;
Public Hearing; and Second and Final Reading).

Note: Approvals from the appropriate Department of the State of Maine are also required.

C. Guidelines for Determining Level of City Participation: In all instances, Applicants requesting the establishment of a Development District and/or requesting that the City of Saco enter into a CEA with the Applicant, must demonstrate:

1. That the City’s participation is economically necessary and involvement by the City is needed in order for the project to be undertaken. Justification for economic need and City involvement must be demonstrated by:
   a. The cost of public infrastructure improvements unique to the project or site;
   b. The developer demonstrates the financial capacity to undertake the project and provides evidence in support of this capacity. Evidence will include but is not limited to:
      i. Development budget and pro-forma,
      ii. Full financial disclosure in compliance with City of Saco Financial Disclosure Protocol;
   c. A need to offset economic advantages available to the corporate entity if it should build (or expand) outside of Saco;
   d. The unavailability of sufficient private or other public funding sources to meet the full capital investment needs of the corporate entity seeking assistance;
   e. The project creates significant new taxable property value equal to or greater than Seven Hundred and Fifty Dollars ($750,000) and creates or retains at least 15 new full time jobs meeting the standards of these Guidelines;
   f. Compliance with all Financial Disclosure requirements of the City of Saco, including the demonstration of the financial capacity to undertake the project by means such as commitment letters. If financing commitments await approval, a letter of intent to fund from a reputable bank or other financial entities not associated with the project indicating the uses and amounts of funds;
   g. The Applicant shall also provide the City of Saco with the fiscal year end and financial statements and federal income tax returns for two most recently ended fiscal/tax years. If self-financing is planned, the Applicant shall provide evidence in a form satisfactory to the City of Saco of the availability of adequate funds to complete the project.
   h. All Applicants shall comply with the City of Saco Codes and Ordinances of the City of Saco, and all local, state, and federal laws.

2. Although an Applicant need not meet each of the following criteria, they will be used to determine the level of participation by the City of Saco, the Applicant’s project:
   a. assists an established business in the City of Saco, thus assisting in expanding and retaining existing employment;
   b. creates or retains significant long-term, permanent employment;
   c. improves the local economy;
   d. broadens the City of Saco’s tax base;
   e. improves a blighted area or building in need of redevelopment or rehabilitated, or an area identified as a priority by the City of Saco;
   f. supports community projects;
   g. creates public benefits for other workers and/or businesses;
h. creates public infrastructure facilities which have application beyond the particular development such as traffic upgrades, sewer upgrades, public parking facilities, etc.; and/or
i. Must be suitable for commercial or arts district uses.

VI. Use of Credit Enhancement Agreements (CEA)

A. Eligibility: A Credit Enhancement Agreement (CEA) will be created if tax revenues from an approved Development District are to be used, in whole or in part, to reimburse a developer or business for development project costs. The CEA is essentially a contract between the municipality and developer or business. It is a mechanism to assist the development project by using some percentage ranging from twenty percent (20%) to one hundred percent (100%) of the incremental tax revenues generated by the new investment to pay certain authorized project costs with payments made directly to the developer or business.

1. Uses: Applicants are limited to manufacturing, assembly operations, warehousing and distribution, research and development, and major office, major tourism facilities such as hotels, amusement parks, and urban redevelopment projects. Retail uses are generally ineligible except within any designated Downtown Development District, major mixed use redevelopment projects, and in extraordinary circumstances approved by the Saco City Council.

2. Jobs: Applicant shall create, relocate, or retain at least fifteen (15) full time jobs meeting the guidelines herein within three years of Development District/TIF approval. Specific job creation, relocation, and retention requirements for each Credit Enhancement Agreement shall be negotiated by the City of Saco’s Economic Development Department, reviewed and recommended by the City of Saco’s Economic Development Commission and sent to City Council to determine if it is approved.

3. Investment: Proposed investment (new taxable value) must achieve a minimum of Seven Hundred and Fifty Thousand Dollars ($750,000) within three years of the approval of the Development District and/or Credit Enhancement Agreement. Requests for amendments, modifications, and/or Assignments of existing CEAs shall be made through City of Saco’s Economic Development Department, reviewed and recommended or not by the City of Saco’s Economic Development Commission and sent to City Council to determine if it is approved or not.

4. Quality of Employment
   a. Wages: The average hourly wage for new jobs to be created, relocated, or retained must be at a rate at least 50 percent greater than the federal minimum wage anticipated during the term of any CEA.
   b. Benefits: A competitive benefits package, including as many as possible of the following: paid holidays, vacation, sick leave time, and employee health benefits with a substantial employer contribution

5. Environmental Standards: The applicant shall ensure that high environmental standards are met and that all state, federal, and local environmental standards are met.

6. Compliance: All applicants must comply with all City of Saco Codes and Ordinances, as well as all local, state, and federal laws.

B. Basic Provisions: of all Credit Enhancement Agreements (CEA)
1. **Application Fee:** All Applicants requesting the designation of a site specific Development District or a CEA shall pay a non-refundable Application Fee of $500.00 at the time of application.

2. **Documentation:** The Applicant is required to submit:
   a. a completed Development District and Tax Increment Financing (TIF) Application
   b. an executed Administrative and Professional Fee Agreement
   c. a completed Employment Goals Sheet
   d. All financial disclosures, reporting, and other documentation as the City of Saco, the State of Maine, and/or what their legal counsel may require.

3. **Terms:** The specific terms of each CEA are negotiated, on a case-by-case basis, between the City and the applicant, as a general guideline the tax recapture for any CEA should be the lesser of:
   a. any stated financing gap as set forth in an Applicant’s Development/Project Financial Plan, or
   b. thirty percent (30%)\(^1\) of the annual tax on the incremental value captured in the Development District that is paid for by the Applicant, and
   c. All CEAs shall have explicitly set:
      i. Maximum tax recapture amounts\(^2\), and
      ii. Maximum time limits/terms, State of Maine Statute allow for terms of between one (1) and thirty (30) years; however, as a general guideline the term of a CEA should not exceed ten (10) years.
   d. These terms shall, at a minimum, be consistent with State of Maine statute.

\(^1\) In any Designated and Approved Downtown Development District Priority Revitalization Area, this amount may be increased to fifty percent (50%) of the annual tax on the incremental value captured in the Development District that is paid by the Applicant. Should an Applicant seek a Credit Enhancement of more than fifty percent (50%) of the annual tax on the incremental value captured in the Development District that is paid by the Applicant such a request will require a positive recommendation from the City’s Economic Development Commission and a Super Majority vote of the City Council for approval at the local level.

\(^2\) This amount may be increased by an amount equal to the amount of a discount established by calculating the net present value of the stream of anticipated tax revenues due to the Applicant under the terms of a proposed CEA, by a discount rate equal to the lesser of the current Prime Rate of Interest as published in the Wall Street Journal or www.bloomberg.com, discounted for the number of years of the CEA. In no event shall the Maximum Tax Recapture exceed one hundred and ten percent (110%) of the initially established Maximum Tax Recapture amount. All CEAs will be structured so that additional recaptured tax amounts above the Maximum Tax Recapture payable to an Applicant and/or amounts recaptured for longer periods shall be used by the City for purposes permitted by Maine law.

4. **Costs and Fees:** All Applicants shall pay for the City of Saco’s legal fees and any other out-of-pocket costs associated with the development and approval of a project specific Development District and any related CEA, regardless of whether it is approved or not. All CEAs’s shall provide for an annual administrative fee due to the City of Saco, equal to one percent (1%) of the annual tax recapture due to the Applicant, provided that they are in compliance with all the terms and conditions of the CEA. The fee shall be deducted from the tax recapture due to the Applicant, prior to the remittance of any amounts to the Applicant during the life of the CEA. Regardless of
the amount derived using the one percent (1%) calculation, the minimum annual administrative fee shall be two hundred and fifty Dollars ($250.00).

5. **Performance Reporting:** All CEA’s shall provide for the Applicant to submit reports and documentation in a form satisfactory to the City supporting any amounts to be paid to the Applicant per the terms of a CEA between the Applicant and the City of Saco and in order to assess an Applicant’s performance/compliance with the terms set forth in any CEA.

6. **Suspension and Recapture of Benefits:** All CEA’s shall contain provisions for the suspension, recalculation, termination and/or recapture of benefits paid to or due to the Applicant; if the Applicant does not meet compliance standards outlined in "Eligibility" above, and as set forth in the CEA between the Applicant and The City of Saco including: investment, jobs, wages, benefits, and environmental standards. All CEA’s shall also provide for the termination and/or recapture of benefits from the Applicant, if the applicant relocates all or a substantial portion of the jobs, they state they will be creating or retaining at the time of they submit an Application for a CEA, outside the City of Saco during the term of any Credit Enhancement Agreement or within five years after its end.

\[3 \text{ For the purposes of the above paragraph, substantial shall mean fifty percent (50%) or greater.}\]

7. **Level of Funding Adjustments:** During the application process and during the life of the TIF (and CEA), the applicant shall demonstrate the funds are being used at appropriate levels for the purpose intended. If the level of funds the applicant receives exceeds the projected need, the City may adjust the amount to the applicant.

VII. **Waiver of Provisions**

The City Council reserves the right under certain conditions to waive the provisions of this policy. Criteria to be considered when granting the waiver are:

A. Consistency with the Saco Economic Development and Comprehensive Plans and Vision Statements;

B. Consistency with other local, State, and Federal rules and laws;

C. Evidence of need; and

D. Capacity to carry out the project.

VIII. **Transfer of Ownership**

If the Applicant transfers ownership of property in the Development District, the Applicant must notify the City of Saco, in writing prior to finalizing the transfer. Such communications are to be directed to the Economic Development Director. The new owner must agree, in writing, to accept the provisions of the Agreement as presented to and approved by the Saco Economic Development Commission, the Saco City Council, and as necessary by the Maine Department of Economic Development; before the City Treasurer will release any further Captured Tax reimbursements.
ECONOMIC DEVELOPMENT
SACO, MAINE

An Application for a Municipal Development District

SACO DOWNTOWN OMNIBUS MUNICIPAL DEVELOPMENT DISTRICT PROGRAM

Presented to:
CITY OF SACO
DATED: January 4, 2017
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EXHIBITS:

Exhibits:
A TIF District Maps
B Statutory Requirements & Thresholds
C Assessor’s Certificate of Original Assessed Value
D-1 TIF Revenue Projections
D-2 Tax Shift Projections
E Public Hearing Notice
F Public Hearing Minutes
G Attested Council Order
I. Introduction

A. Saco’s Downtown Redevelopment Plans

The City of Saco has a long history of planning for its future growth and development. Saco completed its first Comprehensive Plan in the mid 1960s, more than 20 years before the State of Maine enacted the Growth Management Act. In 1978 the City developed a new Comprehensive Plan that led directly to the implementation of its current land use regulation system. The City adopted revisions and updates to its Comprehensive Plan in: 1987, 1999, 2011, and has just begun the process of a further update to portions of that plan focusing on our downtown and coastal waterfront. The City of Saco’s Downtown Plan was adopted in 2007 and amended in 2013.

As stated in the City of Saco Downtown Plan, as Amended September 16, 2013

“VISION: Downtown Saco in 15 to 20 years can grow to become a busy regional commercial hub with a vibrant mix of businesses, services, retail stores, offices, and residences.”

“Revitalization” was a key concept in the “1998 A Revitalization Plan for Saco Island and Downtown Saco” and the “2007 Downtown Plan”

The 2013 Downtown Plan also incorporates downtown revitalization information drawn from the 2009 Housing Strategy and 2011 Comprehensive Plan Update, both adopted by the City Council. Some major recommendations from the 1998 plan which have been implemented include:

- Create an organization to manage downtown using National Main Street approach
- Add parking near Pepperell Square
- Improve parking, parking signage, parking management
- Build passenger train station
- Rehabilitate Main Street – Pepperell Square
- New signage, orientation signage

Since 2001, Saco Main Street, Inc. (f/k/a Saco Spirit) has coordinated downtown promotions. Parking has been added and improved. Main Street and Pepperell Square have been rebuilt beautifully. New signage and orientation signage has been installed. The Saco Transportation Center now operates in a 5,500 square foot green building serving a rapidly growing passenger train service. The building also provided community meeting space, serves as a location for the dissemination of local tourism information, and as home to a local accounting firm.

We are finally beginning to see some progress on the goal of encouraging more mixed use redevelopment on Saco Island. Mil Building #4 is currently in the process of being redeveloped by Chinburg Properties, Inc. into 150 market-rate apartments and 30,000 sq. ft. of restaurant, commercial, office and creative / maker space.
The 1998, 2007, and 2013 plans called for traffic planning for Saco Island. Saco and Biddeford, with the assistance of PACTS, have begun the innovative mill district traffic study aimed at obtaining Maine Traffic Movement Permit guidance for the mill district in advance of development. The rehabilitation of Central Fire Station for mixed use and the Boiler House Lofts on Saco Island are other promising signs in the downtown.

The 2013 update of the Downtown Plan consists of this introductory page and a new Chapter 7, which focuses on housing rehabilitation and other revitalization strategies. Its 14 recommendations include:

- Promote diverse, affordable, safe, and sanitary housing.
- Continue the Code Enforcement Office’s Neighborhood Blight Prevention Program, including the multi-family inspection program, in the downtown area.
- The Water Street Improvement Project developed by the Saco Public Works Department should be pursued in order to preserve the street from eroding, to curb speeding traffic, and to improve parking.
- The City should continue to seek state funding to provide financial assistance to property owners to maintain and improve their property.
- Continue to support private development efforts to revitalize Downtown and Saco Island, including the maintenance and improvement of older residential neighborhoods.
- Develop a Revolving Loan Fund oriented toward downtown revitalization.
- Expand opportunities for weatherization programs.

NOTE: The Water Street Improvement Project has been completed and the Revolving Loan Fund has been established. All of the other efforts, listed in the 2013 Amended Downtown Plan are ongoing.

The City of Saco has been laying the plans for the continued development and redevelopment of the community’s downtown area for the last several decades with a view to: generating increased business activity, greater in-fill development, higher residential density and commercial development and spur overall economic growth. Saco’s downtown redevelopment vision plans look to achieve several goals, including, but not limited to, reconnecting Saco to the waterfront with its diverse mix of businesses and residential properties, control and soothe traffic in the area, increase pedestrian access to the downtown and surrounding areas, and recapture the vitality of the harbor by making necessary improvements and, in concert with the U.S. Army Corp of Engineers, seeing that the long overdue dredging of the Saco River occurs.

The Plans referenced above are referred herein, collectively, as the “Downtown Redevelopment Plans”. To achieve the goals contained within these plans, the City now seeks to designate a downtown omnibus tax increment financing district and adopt this development program for such district.
B. Designation of TIF District

In order to help accomplish the goals of Saco’s Downtown Redevelopment Plans, the City hereby designates the Saco Downtown Omnibus Municipal Development District (the “District”). The District is shown on Exhibit A.

II. Development Program Narrative

A. The Development Program

This development program (the “Development Program”) is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended (the “DEVELOPMENT DISTRICT Statute”). The City’s designation of the District combined with the adoption of this Development Program create a single municipal DEVELOPMENT District in order to capture the value of the real property improvements made within the District, and enable the use of taxes paid on increased assessed value in the District (“DEVELOPMENT DISTRICT Revenues”) for various municipal and other economic development projects. The Development Program will run for the same 30-year period as the District designation starting with fiscal year 2017-2018, July 1, 2017, ending June 30, 2047.

Under this Development Program, the City will capture one hundred percent (100%) of the taxes paid on increased assessed value related to real property in the District. The City will retain and utilize the DEVELOPMENT DISTRICT Revenues to fund various infrastructure improvements, public safety equipment, and other costs, all as further described in Table 1 herein.

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

- Maintain existing tax revenues;
- Achieve the vision and goals contained in Saco’s Downtown Redevelopment Plans;
- Create long-term, stable employment opportunities for area residents;
- Attract businesses and promote the economic viability and sustainability of the general economy of the Town.

Thus, the City’s designation of the DEVELOPMENT DISTRICT and pursuit of this Development Program constitute a good and valid public purpose pursuant to Chapter 206 of Title 30-A because it represents a substantial contribution to the economic well-being of the City, by providing jobs, contributing to property taxes and diversifying the region’s economic base.

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

B. The Projects

1. Municipal Projects

Development within the DEVELOPMENT DISTRICT will provide a revenue source for the City’s economic development projects. The City plans to use its portion of the DEVELOPMENT DISTRICT Revenues for several projects that will enhance the exposure and viability of the City as a vibrant place to locate a business, to visit and to work. The City plans to invest in its economy by improving municipal infrastructure and paying for economic development expenses generally. Please see Table 1 below for a complete list of authorized projects and their respective cost estimates. In order to demonstrate an implementation plan for these projects, the table also includes a responsible party for moving the project forward and the reference applicable for each project to provisions of Saco’s Downtown Redevelopment Plans.

TABLE 1
City of Saco’s Project Costs

Note: The TIF Revenues from this District are not intended to fully fund each of the projects listed below—indeed, the total project cost estimates for the projects listed below far exceed the projected TIF Revenues from this District.

<table>
<thead>
<tr>
<th>Project</th>
<th>Cost Estimate</th>
<th>Statutory Cite</th>
<th>Responsible Party</th>
<th>Downtown Planning Document Reference</th>
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</thead>
<tbody>
<tr>
<td>Project</td>
<td>Cost Estimate</td>
<td>Statutory Cite</td>
<td>Responsible Party</td>
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<td>1. General Economic Development:</td>
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<td>(1)(C)(2), (1)(C)(3)</td>
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<td>Island and Downtown Saco - 1998</td>
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<tr>
<td>b. Salary and overhead costs associated with</td>
<td>$750,000</td>
<td></td>
<td>Economic Development Director</td>
<td>Downtown Plan - 2007</td>
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<tr>
<td>economic development support staff;</td>
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<td>City of Saco</td>
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<tr>
<td>c. Prorated salary and overhead costs</td>
<td>$900,000</td>
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<td>City Council</td>
<td>Comprehensive Plan - 2011</td>
</tr>
<tr>
<td>costs associated with the City Administrator’s,</td>
<td>$450,000</td>
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<td>City Administrator</td>
<td>Saco Housing</td>
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<tr>
<td>City Administrator’s Executive Assistant, City</td>
<td>$1,500,000</td>
<td></td>
<td>Economic Development Director /</td>
<td>Strategy - 2009</td>
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<td>Planner’s and Finance Director’s efforts</td>
<td>$300,000</td>
<td></td>
<td>Economic Development Commission</td>
<td>City of Saco</td>
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<td>relating to economic development activities;</td>
<td></td>
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<td>Downtown Plan, as amended</td>
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<td>d. Prorated assessing services;</td>
<td>$150,000</td>
<td></td>
<td></td>
<td>September 16, 2013</td>
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<td>e. Economic development and planning studies</td>
<td>$450,000</td>
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<td>Economic Development Director /</td>
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<td>and plans including market analyses of various</td>
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<td>Economic Development Commission</td>
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<td>types including arts development districts, and</td>
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<td>the creation of arts districts, etc.;</td>
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<td>f. Capitalize, fund a revolving loan fund for</td>
<td>$1,500,000</td>
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<td>City Council</td>
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<td>businesses in Saco;</td>
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<td>g. Marketing Saco for economic development,</td>
<td>$900,000</td>
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<td>tourism;</td>
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<td>h. Fund tourism events;</td>
<td>$150,000</td>
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<td>i. Consultant costs, legal costs as they relate</td>
<td>$150,000</td>
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<td>to tax increment financing and economic</td>
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<td>development;</td>
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<td>j. Local grant match funding for state and</td>
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<td>federal grants relating to Economic Development</td>
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<td>projects;</td>
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<td>k. Local Agriculture/Economic Development</td>
<td>$250,000</td>
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<td>- create/support local agriculture opportunities</td>
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<td>such as a year-round Farmers’ Market and food</td>
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<td>trucks.</td>
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**Subtotal** $11,450,000
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<tr>
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<td>Public Works Director</td>
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The DEVELOPMENT DISTRICT fund would cover prorated capital, borrowing or leasing costs to fund the purchase of equipment based on the amount each piece is to be used within the District boundaries. Equipment purchased will enhance the ability to provide better, year-round conditions for businesses to thrive by providing consistent snow removal, safe access to businesses, cleaning municipal parking lots, and safe sidewalks for pedestrians. Equipment may include, but would not be limited to: sidewalk snowplow, vacuum street sweeper, plow truck, fire truck, emergency response (no police-related activities or equipment can be paid for with DEVELOPMENT DISTRICT revenues).
<table>
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<tr>
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<tbody>
<tr>
<td>a. Design and construction, ADA adjustments, lighting, crosswalks and curb from Saco Island along Main Street to the I-195 Connector, including but not limited to all cross streets within the DEVELOPMENT DISTRICT.</td>
<td>$.,____,000</td>
<td></td>
<td>Planning Director</td>
<td></td>
</tr>
<tr>
<td>b. Parking improvements and a possible central parking facility to facilitate access to the District, including acquisition of land, design, construction, and other associated costs.</td>
<td>$.,____,000</td>
<td></td>
<td>Economic Development Director</td>
<td></td>
</tr>
<tr>
<td>c. Municipal/private partnerships for pedestrian access and parking from Saco Island north to Thornton Academy.</td>
<td>$.,____,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Bicycle and Pedestrian Residential to Business Community Connections and Improvements: trail connections including, but not limited to, the current and future locations of Eastern Trail, Saco’s portions of the Biddeford &amp; Saco River Walk Trail System, bicycle parking facilities and maintenance stations, bike lanes, marking, pedestrian benches and way finding signage. This project encompasses both new capital and maintenance costs of trails inside and outside of the District including, but not limited to, the current and future locations of Eastern Trail.</td>
<td>$.,____,000</td>
<td>30-A M.R.S.A. §§5225(1)(A), (1)(B)(1), (1)(C)(6)</td>
<td>Public Works Director</td>
<td></td>
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<td></td>
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<td>Planning Director</td>
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<td></td>
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<td></td>
<td>Economic Development Director</td>
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<td></td>
<td></td>
<td></td>
<td>Bike-Ped Committee (To Be Formed)</td>
<td></td>
</tr>
<tr>
<td>Project</td>
<td>Cost Estimate</td>
<td>Statutory Cite</td>
<td>Responsible Party</td>
<td>Downtown Planning Document Reference</td>
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<td>------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>5. <strong>Bus Shelters and Transportation Amenities</strong>: Including transit service capital costs, transit vehicles, buses, vans, rail conveyances, bus shelters, benches, other transit-related equipment and infrastructure.</td>
<td>$.__,000</td>
<td>30-A M.R.S.A. §5225(1)(C)(7)(a)</td>
<td>City Administrator, Public Works Director, Economic Development Director, Planning Director, In coordination and collaboration with the Director of Biddeford-Saco - Old Orchard Beach Transit Committee</td>
<td></td>
</tr>
<tr>
<td>6. <strong>Underground Utilities</strong>: Design and construction of moving various utilities underground such as electric, broadband, fiber, phone, etc.</td>
<td>$.__,000</td>
<td>30-A M.R.S.A. §§5225(1)(A), (1)(B)(1)</td>
<td>Public Works Director, City Engineer, Water Resource Recovery Director, Economic Development Director, In coordination and collaboration with various utility providers.</td>
<td></td>
</tr>
<tr>
<td>7. <strong>Streetscape Improvements</strong>: Including but not limited to benches, sidewalks, gateway/signage/way-finding system, lighting, façade improvement program.</td>
<td>$.__,000</td>
<td>30-A M.R.S.A. §§5225(1)(A), (1)(C)(1)</td>
<td>Public Works Director, City Engineer, Water Resource Recovery Director, Planning Director, Economic Development Director</td>
<td></td>
</tr>
<tr>
<td>Project</td>
<td>Cost Estimate</td>
<td>Statutory Cite</td>
<td>Responsible Party</td>
<td>Downtown Planning Document Reference</td>
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<td>------------------------------------------------------------------------</td>
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<td>----------------------------------------------------</td>
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</tr>
</tbody>
</table>
| 8. **Road and Intersection Improvements:** Design and construction related to street reconstruction, signal adjustments and traffic calming improvements in various locations as needed, including but not limited to: | $_,___,000     | 30-A M.R.S.A. §§5225(1)(A), (1)(B)(1) | Public Works Director  
City Engineer  
Planning Director  
Economic Development Director |                                      |
|                                                                         |               |                                                    |                                                                                   |                                      |
| 9. **Stormwater and Drainage Improvements:** Upgrades and improvements. Rehabilitate existing drainage to accommodate new business development. Inflow and infiltration (I&I) removal program throughout the waste water collection system to provide increased capacity at the Waste Water Treatment Plan (WWTP) for future development. Design and construction of new stormwater drainage system including but not limited to the area of | $_,___,000     | 30-A M.R.S.A. §§5225(1)(A), (1)(B)(1), (1)(C)(2) | Water Resource Recovery Director  
Public Works Director  
City Engineer |                                      |
<table>
<thead>
<tr>
<th>Project</th>
<th>Cost Estimate</th>
<th>Statutory Cite</th>
<th>Responsible Party</th>
<th>Downtown Planning Document Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>10. Sewer Infrastructure: Upgrades and improvements. Waste water pump station capital improvement program serving DEVELOPMENT DISTRICT to provide adequate continued conveyance of sewerage to WWTP. WWTP capacity upgrades to process and tankage as required to provide adequate treatment capacity for existing and future development. Implementation of capital reserve to meet minimum control measures as required NPDESMS4 General Permit (Howard please correct if I have Permit name wrong) resulting in development activities within the City. This project includes improvements relating to sewer capacity and inflow and infiltration. This project is limited to District development-related projects and non-District-related projects only if related to business development (not residential development).</td>
<td>$<em>.</em>__,000</td>
<td>30-A M.R.S.A. §§5225(1)(A), (1)(B)(1), (1)(C)(2)</td>
<td>Water Resource Recovery Director</td>
<td></td>
</tr>
<tr>
<td>11. Natural Gas: Municipal projects associated with natural gas infrastructure installed which will provide an alternative, and likely cost competitive, energy source for existing and future business development. This project includes street and right-of-way construction.</td>
<td>$<em>.</em>__,000</td>
<td>30-A M.R.S.A. §§5225(1)(A), (1)(B)(1)</td>
<td>City Administrator</td>
<td></td>
</tr>
</tbody>
</table>

Date: January 9, 2017
<table>
<thead>
<tr>
<th>Project</th>
<th>Cost Estimate</th>
<th>Statutory Cite</th>
<th>Responsible Party</th>
<th>Downtown Planning Document Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>12. <strong>3-Phase Power:</strong> Design, construction and other work associated with installation of 3-phase power, a necessity for many businesses.</td>
<td>$._,.000</td>
<td>30-A M.R.S.A. §§5225(1)(A), (1)(C)(1)</td>
<td>Public Works Director</td>
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<td>City Engineer</td>
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<td>Economic Development Director</td>
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<td></td>
<td>Planning Director</td>
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<td></td>
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<td></td>
<td>In coordination and collaboration with various utility providers.</td>
<td></td>
</tr>
<tr>
<td>13. <strong>Broadband costs/4GLTE costs/etc.:</strong> Broadband, 4GLTE and fiber expansion and facilities/construction/design costs relating the same. In addition, the City may use TIF revenue to create free wifi for an area of City, possibly through a shared workspace.</td>
<td>$._,.000</td>
<td>30-A M.R.S.A. §§5225(1)(A), (1)(C)(1)</td>
<td>$._,.000</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>City Engineer</td>
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<td></td>
<td>Public Works Director</td>
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<td>Economic Development Director</td>
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<td>Planning Director</td>
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<td>Economic Development Director</td>
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<td></td>
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<td></td>
<td>Public Works Director</td>
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<td>City Engineer</td>
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<td></td>
<td>Planning Director</td>
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</tr>
<tr>
<td>15. Harbormaster’s Office: The Harbormaster office provide the working environment for one of the busiest launch facilities and harbors in the area. Construct new office, workshop, and storage facility. Recognizing that some costs of this office are general governmental expenses that do not relate to economic development, the first $25,000 of costs on an annual basis relating to the Harbormaster’s office shall be borne by the general fund or other revenue source.</td>
<td>$ __,000</td>
<td>30-A M.R.S.A. §§5225(1)(A), (1)(B)(1), (1)(C)(1)</td>
<td>City Administrator</td>
<td>Downtown Planning Document Reference</td>
</tr>
<tr>
<td>16. Piers, Floats, and Visitor/Tourist Boater Amenities: Replace piers and floats at <strong>Insert the list here</strong>_________________, etc., and on the Saco River. Improve boater amenities in order to attract boaters to Saco Island / downtown area, including all costs associated with an enhanced boat launch.</td>
<td>$ __,000</td>
<td>30-A M.R.S.A. §§5225(1)(A), (1)(B)(1), (1)(C)(1)</td>
<td>City Administrator</td>
<td>Downtown Planning Document Reference</td>
</tr>
<tr>
<td>17. GIS/Mapping: Geographic Information System (GIS) mapping CIP program to support ongoing maintenance and upgrade of infrastructure, including hardware, software, licensing, maintenance, training, and technical support. GIS provides critical support to existing and future development in all potential future tax increment financing districts.</td>
<td>$ __,000</td>
<td>30-A M.R.S.A. §5225(1)(C)(1)</td>
<td>City Engineer</td>
<td>Downtown Planning Document Reference</td>
</tr>
<tr>
<td>Project</td>
<td>Cost Estimate</td>
<td>Statutory Cite</td>
<td>Responsible Party</td>
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<tr>
<td>------------------------------------------------------------------------</td>
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<td>--------------------------------------</td>
</tr>
<tr>
<td><strong>18. Credit Enhancement Agreements:</strong> Future Credit Enhancement Agreements (CEAs) can be used to attract new business, encourage business expansion, and will be subject to City Council review, a minimum of one public hearing, and City Council Approval. The City Council may approve credit enhancement agreements of up to 100% reimbursement to a developer or company for up to the full term of the District in the sole discretion of the City Council. <strong>NOTE:</strong> As a general rule – every effort should be made to follow the guidance set forth in the City of Saco’s Development District and Tax Increment Financing Guidelines.</td>
<td>$3,000,000</td>
<td>30-A M.R.S.A. §5225(1)(A)</td>
<td>Economic Development Director</td>
<td>City Council</td>
</tr>
<tr>
<td><strong>19. Public Safety Building and Public Safety Equipment/Infrastructure:</strong> to the extent a new public safety building is needed to serve District development, DEVELOPMENT DISTRICT revenues may support the costs of such facility whether it is located inside the District or outside the District. If such facility will house police and fire, only the fire-related costs may be paid for with DEVELOPMENT DISTRICT revenues. In addition, fire-related safety equipment and infrastructure related to District development may be paid for with DEVELOPMENT DISTRICT revenues, including but not limited to hydrants, fire fighter gear, etc.</td>
<td><em>,</em>__,000</td>
<td>30-A M.R.S.A. §5225(1)(A); (1)(B)(1); (1)(B)(2)</td>
<td>City Administrator</td>
<td>Fire Chief</td>
</tr>
</tbody>
</table>
### Project Cost Estimate

<table>
<thead>
<tr>
<th>Project</th>
<th>Cost Estimate</th>
<th>Statutory Cite</th>
<th>Responsible Party</th>
<th>Downtown Planning Document Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>20. Land Acquisition/Redevelopment Costs:</td>
<td>$<em>,</em>__,000</td>
<td>30-A M.R.S.A. §5225(1)(A)</td>
<td>City Administrator</td>
<td>City Council</td>
</tr>
<tr>
<td>Acquisition to develop a business and/or technology park, municipally-funded commercial buildings.</td>
<td></td>
<td></td>
<td>Economic Development Director</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$<em>,</em>__,000</td>
<td></td>
<td>City Council</td>
<td></td>
</tr>
</tbody>
</table>

Note: The following projects from the above list are projects common to the Chinburg/Saco Mill No. 4 DEVELOPMENT DISTRICT and the proposed Downtown DEVELOPMENT DISTRICT that is the subject of this presentation: Need to develop a list – Pat, Howard, Bob, others in the know – will need your input here.

### C. Strategic Growth and Development

By designating the DEVELOPMENT DISTRICT and adopting the Development Program, the City is capitalizing on the tax shift benefits so that the City will not lose new tax revenue to subsidy losses and increased obligations. The DEVELOPMENT DISTRICT’s designation and implementation of the Development Program is expected to improve and boost the City’s economy generally and enable the City to accomplish the goals of the Downtown Redevelopment Plans.

### D. Improvements to the Public Infrastructure

The City will use certain DEVELOPMENT DISTRICT Revenues for improvements to public infrastructure as set forth in Table 1.

### E. Operational Components

1. **Public Facilities**

   See Table 1 for a description of public facilities.

2. **Commercial Improvements Financed Through Development Program**

   The DEVELOPMENT DISTRICT is an “omnibus” district because the City will have the option to approve credit enhancement agreements for property located within the District on a case by case basis as described in Table 1.

3. **Relocation of Displaced Persons**

   Not applicable.
4. Transportation Improvements

The City intends to improve various streets in order to facilitate and accommodate commercial business development including but not limited to

Insert the list here_________________, etc.

5. 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.

6. Plan of Operation

During the term of the DEVELOPMENT DISTRICT, the City’s Economic Development Director or The City Administrator will be responsible for all administrative matters within the purview of the City concerning the implementation and operation of the District.

III. Physical Description

This Article III addresses the conditions for approval contained in 30-A M.R.S.A. § 5223(3). The proposed ___-acre District is shown in Exhibit A. The statutory threshold limits addressing the conditions for approval mandated by 30-A M.R.S.A. § 5223(3) are set forth in Exhibit B.

IV. Financial Plan

The collective Original Assessed Value of the property in the District was ___ dollars ($__) as of March 31, 2015 (April 1, 2014). In the event of a revaluation, the City reserves the right to re-set the Original Assessed Value but only to the extent the value of Original Assessed Value assets has changed as a result of the revaluation.  

The City will capture one hundred percent (100%) of the increased assessed value of the taxable real property located within the District for the duration of the 30-year term of the DEVELOPMENT DISTRICT. The DEVELOPMENT DISTRICT Revenues so collected will fund and/or contribute to the funding of the approved projects, including each of the projects described on Table 1 hereof, which collectively increase the City’s ability to stand out in a competitive marketplace as a dynamic municipality in which to grow a business. All assessed real property value captured in the DEVELOPMENT DISTRICT will be added to the general tax rolls at the end of the DEVELOPMENT DISTRICT term.

1 Any future credit enhancement agreements must contain language that acknowledges the potential change in the Original Assessed Value due to revaluations.
Upon each payment of property taxes for property located inside the DEVELOPMENT DISTRICT, the City will deposit into a development program fund (the “Downtown Omnibus Development Program Fund” or “Development Program Fund”) the entirety of the property tax payments constituting DEVELOPMENT DISTRICT 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 will consist of a project cost account (the “Project Cost Account”). All DEVELOPMENT DISTRICT Revenues will be deposited in the Project Cost Account except to the extent that the City undertakes municipal bonded indebtedness to fund any project costs, in which case the percentage of DEVELOPMENT DISTRICT Revenues required to meet debt service obligation must be deposited into a sinking fund account (the “Sinking Fund Account”).

Estimates of the increased assessed property values of the DEVELOPMENT DISTRICT, the anticipated DEVELOPMENT DISTRICT Revenues generated by the District, and the estimated tax shift benefits are shown in Exhibits D-1 and D-2, respectively.

A. Costs and Sources of Revenues

The current and future developers owning or leasing properties located within the DEVELOPMENT DISTRICT will pay for and/or finance all private improvements located in the District through private sources. 

B. Indebtedness

The City reserves the right to finance some of its projects through public indebtedness.

V. Financial Data

The statutory requirements and thresholds for approval required by Section 5223(3) of Title 30-A in the DEVELOPMENT DISTRICT Statute are set forth in Exhibit B. Financial projections related to the District are contained in Exhibits D-1 and D-2.

VI. Tax Shifts

In accordance with the DEVELOPMENT DISTRICT Statute, the table set forth in Exhibit D-2 identifies the tax shifts that the City estimates will result during the term of the District.

VII. Municipal Approvals

A. Notice of Public Hearing

Attached as Exhibit E hereto is a copy of the Notice of Public Hearing regarding the designation of the DEVELOPMENT DISTRICT and the adoption of the Development Program for the DEVELOPMENT DISTRICT, published in the _____________________, 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 Development Program was held on January 16, 2017, in accordance with the requirements of 30-A M.R.S.A. § 5226(1).

B. Minutes of Public Hearing

The Saco City Clerk has provided an attested copy of the minutes of the January 16, 2017 public hearing before the City Council, a copy of which is contained in Exhibit F.

C. Order and Authorizing Vote

A copy of the City Council Order posted for the Public Hearing and approved by the City Council is provided in Exhibit G, attested by the City Clerk.
EXHIBITS

Exhibits:
A  TIF District Maps
B  Statutory Requirements & Thresholds
C  Assessor’s Certificate of Original Assessed Value
D-1 TIF Revenue Projections
D-2 Tax Shift Projections
E  Public Hearing Notice
F  Public Hearing Minutes
G  Attested Council Order
EXHIBIT A

TIF DISTRICT MAPS
## A. ACRE LIMITATION

<table>
<thead>
<tr>
<th>A. ACRES LIMITATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Total Acreage of Municipality</td>
<td></td>
</tr>
<tr>
<td>2. Total Acreage of Proposed Municipal DEVELOPMENT DISTRICT</td>
<td></td>
</tr>
<tr>
<td>Total Downtown acres contained in the Proposed Municipal DEVELOPMENT DISTRICT</td>
<td></td>
</tr>
<tr>
<td>3. Total Transit acres contained in the Proposed Municipal DEVELOPMENT DISTRICT</td>
<td>0</td>
</tr>
<tr>
<td>4. Total acreage of Proposed Municipal DEVELOPMENT DISTRICT counted towards 2% cap (A2-A3-A4)</td>
<td>0</td>
</tr>
<tr>
<td>5. Percentage of total acreage in proposed municipal DEVELOPMENT DISTRICT (cannot exceed 2%) Divide A5 by A1</td>
<td>0</td>
</tr>
<tr>
<td>6. Total acreage of all existing and proposed municipal DEVELOPMENT DISTRICT in the municipality. Add A2 to sum of all existing DEVELOPMENT DISTRICT acreage. <strong>Insert the list here</strong></td>
<td></td>
</tr>
<tr>
<td>7. Total acreage of an existing or Proposed Downtown DEVELOPMENT DISTRICT in the municipality</td>
<td></td>
</tr>
<tr>
<td>8. Total acreage of all existing Pine Tree Development Zone DEVELOPMENT DISTRICT in the municipality</td>
<td>0</td>
</tr>
<tr>
<td>9. Total acreage of all existing or Proposed Transit DEVELOPMENT DISTRICT in the municipality</td>
<td>0</td>
</tr>
<tr>
<td>10. Total acreage of all existing and Proposed Municipal DEVELOPMENT DISTRICT in the municipality counted toward 5% cap. Subtract A8+A9+A10 from A7.</td>
<td></td>
</tr>
<tr>
<td>11. Percentage of total acreage in all existing and proposed Municipal DEVELOPMENT DISTRICT (cannot exceed 5%) Divide A11 by A1.</td>
<td>%</td>
</tr>
<tr>
<td>12. Total Acreage of all real property in the Proposed Municipal TIF District DEVELOPMENT DISTRICT that is:</td>
<td>Acres</td>
</tr>
<tr>
<td>(Note: a, b, or c must be at least 25%)</td>
<td></td>
</tr>
<tr>
<td>a. Blighted (Divide acres by A2)</td>
<td>0</td>
</tr>
<tr>
<td>b. In need of rehabilitation/conservation (Divide acres by A2)</td>
<td>0</td>
</tr>
<tr>
<td>c. Suitable for industrial/commercial site (Divide acres by A2)</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>B. VALUATION LIMITATION</td>
</tr>
<tr>
<td>---</td>
<td>--------------------------</td>
</tr>
</tbody>
</table>
| 1. | Total Aggregate Value of Municipality (TAV)  
   *Use most recent April 1st* |
| 2. | Original Assessed Value (OAV) of Proposed Municipal DEVELOPMENT DISTRICT.  
   *Use March 31st of tax year preceding date of municipal designation* |
| 3. | Total OAV of all existing and Proposed Municipal DEVELOPMENT DISTRICTs in the municipality.  
   *Add b2 to sum of all existing TIF district OAVs*  
   *Insert the list here____________*, etc. |
| 4. | OAV of an existing or proposed Downtown DEVELOPMENT DISTRICT in the municipality. |
| 5. | OAV of all existing Pine Tree Development Zone DEVELOPMENT DISTRICTs in the municipality.  
   *0* |
| 6. | OAV of all existing or Proposed Transit DEVELOPMENT DISTRICTs in the municipality.  
   *0* |
| 7. | Total OAV of all existing and Proposed Municipal DEVELOPMENT DISTRICTs in the municipality counted toward 5% cap  
   *Subtract B4+B5+B6 from B3* |
| 8. | Percentage of total OAV to TAV in all existing and Proposed Municipal DEVELOPMENT DISTRICT (cannot exceed 5%)  
   *Divide B7 by B1*  
   *%* |

Updated 01/04/2017
EXHIBIT D-2

TAX SHIFT PROJECTIONS
EXHIBIT E

CITY OF Saco
NOTICE OF PUBLIC HEARING
EXHIBIT F

ATTESTED COPY OF PUBLIC HEARING MINUTES
EXHIBIT G

COUNCIL ORDER
MEMORANDUM

TO: Mayor Michaud and City Council
FROM: Kevin L. Sutherland, City Administrator
DATE: January 5, 2017
RE: Unitarian Universalist Church of Saco and Biddeford Property Acquisition

It is unclear whether or not the Unitarian Universalist Church located at 60 School Street belongs to the City of Saco or if it is just the property underneath the building. The UUC has continued to operate there for nearly 200 years and are considering some renovations and repairs but would like to clarify ownership. Before I expend city resources to do so, I’d like to share this with Council and get your thoughts before we move forward. I hope to bring a solution to you for the February Workshop.
Dec. 27, 2016

Mayor Ron Michaud
City of Saco
300 Main St.
Saco, ME 04072

Re: Unitarian Universalist Church

Dear Mayor Michaud:

As promised, here’s the packet of information that we have relative to our request to formalize a title, agreement or another appropriate document regarding the land where our church sits and the area adjacent to it.

I am attaching a copy of the letter we sent on Oct. 10, a copy of a letter dated Feb. 6, 1968 from Edwin Walker, Esq., a copy of a letter dated March 17, 1965 from John Bradford, Esq., a copy of UU Executive Committee meeting minutes from Dec. 1963, a copy of a letter dated Jan. 21, 1958, a copy of a report taken "from an old church scrap book" undated and the options our congregation looked at in Sept. 2016. In Sept. the members expressed a wish to acquire the largest piece of land outlined in the last attachment, but they were flexible in this matter.

As you can see, the church has raised this issue from time to time over the years. If there was ever some kind of document about this we have not located it. (We started building the Meeting House in 1825. It was finished in 1827.) In 1867 we asked permission to build a Parish Hall next to the Meeting House - again not documents. Once more in the early 1970’s we built a connector between the two buildings - apparently with some kind of OK from the City of Saco.

As we move toward our 200th birthday and enter into a plan to do extensive repairs and restoration to our building, we want to start with the good foundation of having some sort of official understanding of our position regarding the buildings and the surrounding land.

We are looking forward to meeting in workshop on Feb. 13, 2017. Please let us know if there is other information that we can provide.
Thank you for your attention to this matter.

Sincerely,

Anne Dobson, Vice President
Betsey Pace, Collector

cc. Eric B. Cote, Esq.
    Niki Norman, President.
Oct. 10, 2016

Ronald Michaud, Mayor
City of Saco
300 Main St.
Saco, ME 04072

Re: Property Acquisition

Dear Mayor Michaud:

In 1825 the town fathers invited several groups to erect buildings on town common land. Among the folks invited to do so were local churches. The Unitarians accepted that offer and in Nov. 1827, they dedicated their Meeting House on School Street. In 1867, the Second Parish Unitarian Church asked the City for land to build a Parish Hall next to the Meeting House. That building was soon completed.

When the Second Parish and the First Universalist Church of Biddeford decided to consolidate in 1964, they wanted to move to one of their buildings. They hired local attorneys to look into title to the Second Parish Unitarian property. These attorneys were not successful in securing the title.

Because of not having any proof of ownership to the buildings on School Street; the churches decided to sell the Biddeford Church and restore and add to the Saco church. In 1970, in fact they built an annex that joined the Parish Hall and the Meeting House - again with no paper assuring them of ownership, but with apparent permission of the City.

The church sits in the southern part of Pepperell Park and is in the Historic District. We are proud of our 187 and counting year history and of the contributions we have made to the City of Saco and surrounding areas.

Recently we renewed our efforts to obtain title to a parcel of land around the church. We polled our members about how large a parcel of land they would be
other information that we can provide.

Thank you for your attention to this matter.

Sincerely,

Anne Dobson, Vice President

Betsey Pace, Collector

c.c. Eric B. Cote, Esq.
Niki Norman, President.
February 6, 1968.

Delmont W. Emerson, Chairman
of the Board
Unitarian Universalist Church
29 Granite Street
Biddeford, Maine.

Dear Mr. Emerson:

Following our conversation of recent date concerning the title of the Unitarian Universalist Church to the church buildings located on School Street in Saco I think that you should discuss the following matters with the board before action is taken.

As your board already knows, title to the premises is defective in the sense that the land was never actually conveyed to the church. In one case permission was given to build the church and in the other case a lease was granted by the town of additional land which I believe was used for the building of the parish house. It is impossible to say definitely whether title to the land is in the City of Saco or in the State of Maine. Cities derive all of their powers from the State and since the land in question was a part of the old Pepperell grant, it is probable that title is in the State and will require not only action by the city fathers of Saco, but by the State of Maine to transfer title to the church.

It seems to us that both the City and State might take different views of this matter depending upon whether the church continues to occupy the land and repair or replace the buildings thereon or whether it intends to sell it possibly for some private or commercial purpose. In the former case it seems to me that it would be relatively easy, although legally complex, to get the State and the City to go along with this. In the latter case we would probably run into some opposition on the theory that you are going to acquire the land and immediately sell it so that the whole transaction would look as though the City and State were simply contributing funds to the church.

It, therefore, seems wise to determine first what your intentions are and then ask us to take whatever action seems appropriate based upon these intentions.

Very truly yours,

[Signature]

June 6, 1968.
Robert J. Penderson, Chairman
Board of Management
Unitarian Universalist Church
of Saco & Biddeford, Maine

March 17, 1965.

Gentlemen:

I understand that your plans as to the disposition of your prospective church real estate are now becoming more definite and that you are seriously thinking of selling both churches. I have not done a complete abstract of these two church properties as a part of the merger proceedings but I have sufficient information to make the following observations:

Apparently the Universalist Church building in Biddeford can be sold without delay. I say this on the basis of a copy of a deed recorded in the York County Registry of Deeds in Book 1819, Page 403, by which Pepperell Manufacturing Company, successor to Saco Water Power Company, released to the Church all conditions, reservations and restrictions in the original 1859 deed of the property which had restricted its use to "the use of the Universalist Society."

As to the Unitarian property on School Street, strangely enough there appears to have been no deeds on record to the Unitarian Church. By deed recorded in the York County Registry of Deeds in Book 64, Page 178, in 1799 what is now Pepperell Park was taken "for a training field and burying ground." In the same deed a separate one acre tract was set aside for a meeting house but the meeting house location is quite evidently that where the First Congregational Church stands on Main Street. There seems to be no deed at all of any lands in this area to the Unitarian Church. It is conceivable although unlikely that land might have been deeded to individuals as de facto trustees but without knowledge of the names of such persons it is almost impossible to find such deeds without checking the entire grantor schedule of the City of Saco. In any event I doubt that this was done.

If you are seriously contemplating selling your property, you will be well advised to get the title in marketable condition as soon as possible. This is likely to be a fairly lengthy process since I am not certain in
my own mind that a deed from the City of Saco would be sufficient; court action might well be required. A good deal would depend on what buyer was interested. If some public group like an historical society were to take the property over, probably they would worry far less about the state of the title than some private individual buying it for commercial or residential reasons.

I will be very glad to discuss this in more detail with any members of your board who would like more information.

Very truly yours,

JDB: d
January 21, 1958

Mr. Robert Penderson,
48 Elm Street,
Saco, Maine.

Dear Robert:

I have your letter of the 20th in reference to the title of the church property at Pepperell Park. At my first opportunity I will see if we can find the record in the City Clerk's office, although I am doubtful that such a search will prove fruitful. It is my opinion that the title to your property should be unquestioned, but if a would be purchaser is dissatisfied with the title I have no doubt but what the present City Government or any City Government in the future would give a quit claim deed to the church.

As soon as I have something definite I will let you know, and if you come across any further information in the meantime please let me know.

Very truly yours,

Charles W. Smith

CWS:N
General Sources

1 - Saco City Records, printed, continuous since 1867, some earlier.
2 - Saco and Biddeford Directories.
   1840 (McArthur Library)
   1866, 1872, (?) 1904, 1908, 1930 (Dyer Library)
3 - Old newspapers.
4 - Sometimes Pepperellboro Records.
5 - York County Atlas, 1872
6 - History of York County, 1880
7 - Maine Registers,
8 - Final reference.
   Registry of Deeds.
   Registry of Probate.

For those not conversant with these books:
   History of Saco and Biddeford, Folsom, 1830.
   Old Times in Saco, Owen, 1891.

Vill Second Parish
April 2, 1827
Voted that the Town grant to the Second Parish in Saco the use of that lot of land lying between the Academy and land of Jonathan Tucker extending back from the fence ninety feet, for the purpose of building a Meeting house thereon; provided said Parish procure a confirmation of said grant by the Legislature of the State and provided said Parish keep a sufficient passage way open by the side of said Meeting house to the Burying ground and provided further that a house be built within two years from this time agreeably to the Request of John Fairfield and others.

Vill Second Parish
March 29, 1866
Voted That the town grant the request of the Second Parish in Saco and that the Selectmen be instructed to give a lease to the Second Parish in Saco of a portion of the lot of land formerly occupied by the Thornton Academy on which to build a vestry.
To: Members and Board UUCSB

From: Anne D.

Re: Land, Lots of Land

Sorry for that awful groaner of a heading. Couldn’t resist!

Attached is a rough drawing of what our options seem to be relative to asking the City to officially deed over some land to the UUCSB.

We need your in-put about which option would be best for us. City Councilor Eric Cote is helping us with this issue and is awaiting our preference before he moves forward.

Some things we should consider are a) the church is in the Historic District so approval would be needed to add parking areas(s); b) we estimate extra mowing costs to be about $800 a year if acquire the “big lot” option.

We’ll be discussing this in various church groups. However individual comments are also needed so that we can make to best choice. Contact me at 282-6600 with comments and questions.

Thanks,

Anne D.