



# City Council Meeting and Workshop

## October 21, 2013

### Agenda

#### 5:30 P.M. Workshop

- A. Lewiston/Auburn Economic Growth Council – Clint Deschene
- B. Flea Market/Garage Sale Ordinance – Eric Cousens and Sue Clements-Dallaire

#### 7:00 P.M. City Council Meeting

#### Pledge of Allegiance

- I. Consent Items** – All items listed with an asterisk (\*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.

**1. Order 92-10212013\***

Appointment of Wardens and Ward Clerks for the November 5, 2013 Election.

**2. Order 93-10212013\***

Authorizing the City Manager to transfer funds from Auburn's salary account (sick leave donations) to 9-1-1's salary account.

**3. Order 94-10212013\***

Approving the request for temporary sign placement for the Auburn Ski Association.

**4. Order 95-10212013\***

Approving the request for temporary sign placement for the St. Dom's Academy.

#### II. Minutes

- October 7, 2013 Regular Council Meeting

#### III. Reports

##### Mayor's Report

##### City Councilors' Reports

##### City Manager Report

- Council Orientation
- Pending workshops

**Finance Director, Jill Eastman** – September 2013 Monthly Finance Report

#### IV. Communications, Presentations and Recognitions

- Portrait presentation – Former Mayor Normand Guay
- Proclamation – Recognizing Chief of Police, Phil Crowell for being elected President of the Maine Chiefs of Police Association.

# Auburn City Council Meeting & Workshop

## October 21, 2013

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**V. Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*. Time limit for open sessions, by ordinance, is 45 minutes.

### **VI. Unfinished Business**

#### **1. Order 77-09162013**

Adopting the addendum to the City of Auburn's Joint Purchasing and Procurement Policy that was adopted by City Council on January 2, 2013.

#### **2. Ordinance 12-10072013**

Adopting the General Assistance overall maximums. Second reading.

#### **3. Ordinance 13-10072013**

Adopting the General Assistance Ordinance. Second reading.

### **VII. New Business – No New Business**

### **VIII. Executive Session - None**

**IX. Open Session** - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

### **X. Adjournment**

**Executive Session:** On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

- A. Discussion of personnel issues
- B. Discussion or consideration by a school board of suspension or expulsion
- C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency
- D. Labor contracts
- E. Contemplated litigation
- F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;
- G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and
- H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



# City Council Workshop Information Sheet

City of Auburn

**Council Workshop Date:** October 21, 2013

**Item** A

**Author:** Clint Deschene, City Manager

Item(s) checked below represent the subject matter related to this workshop item.

**Comprehensive Plan**    **Work Plan**    **Budget**    **Ordinance/Charter**    **Other Business\***    **Council Goals\*\***

\*\*If Council Goals please specify type:    *Safety*    *Economic Development*    *Citizen Engagement*

**Subject:** Economic Development Support Services

**Information:** The Council made funding for Economic Development Support Services to LAEGC contingent upon a contract within 5 months. City Manager, Mayor, City of Lewiston, LAEGC, Auburn Business Development Committee, and Lewiston Development Committee have been meeting to format a proposed scope of services. Included in the packet is the proposed contract with a scope of services.

First and foremost it is my recommendation that this item be discussed at more than one workshop. I would urge the Council to select a meeting with no other issues to be discussed. Ultimately if that meeting could occur in the next 3 weeks the City is positioned for a formal vote at the second meeting in November.

This is not an all or nothing list, meaning the Auburn Council is under no obligation to negotiate for all of these. This is 3 party agreement of Lewiston, Auburn, and LAEGC. LAEGC will provide services to each of the two cities. Efficiently speaking it is logical that Lewiston and Auburn agree to the same services. This level of collaboration will take some effort but there is a basis of a solid agreement proposed.

As you evaluate I recommend that you consider the following:

1. Is this a service you feel we are currently provided or is it a new service? Or both?
2. Does the service enhance economic development in a direction that is a value to our community? If not what is unnecessary or missing?
3. Is the service a good value? (Please note the attached cost allocation.)
4. Are there good measures for the service and a sufficient time within the agreement to make significant progress?
5. Is the service offered better because Lewiston and Auburn purchase cooperatively?

And of course consider your own areas that you feel should be reviewed.

**Financial:** Potentially yes, but still to be fully determined.

**Action Requested at this Meeting:** Discussion

**Previous Meetings and History:** N/A

**Attachments:**

Joint Economic Development Services Contract  
LAEGC Scope of Services  
Cost Summary

*\*Agenda items are not limited to these categories.*

# JOINT ECONOMIC DEVELOPMENT SERVICES CONTRACT

CITY OF AUBURN, MAINE  
CITY OF LEWISTON, MAINE  
AND  
LEWISTON-AUBURN ECONOMIC GROWTH COUNCIL

Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and among the following:

- A. The **CITY OF AUBURN**, a corporate body politic located in Androscoggin County, State of Maine, with a mailing address of 60 Court Street, Auburn, Maine 04210 ("Auburn");
- B. The **CITY OF LEWISTON**, a corporate body politic located in Androscoggin County, State of Maine, with a mailing address of 27 Pine Street, Lewiston, ME 04240 ("Lewiston"); and  
  
(Lewiston and Auburn together sometimes are referred to herein as the "Cities" in the plural and the "City" in the singular)
- C. The **LEWISTON-AUBURN ECONOMIC GROWTH COUNCIL**, a private non-profit corporation with a place of business and mailing address of 415 Lisbon Street, Lewiston, Maine 04243-1188 ("LAEGC").

## RECITALS

The LAEGC was formed in 1981 by the Cities of Auburn and Lewiston, Maine, and their respective development entities, the Auburn Business Development Corp. ("ABDC") and the Lewiston Development Corporation ("LDC"), to provide economic development services, activities, functions, planning, and personnel for the Cities, ABDC, and LDC. LDC and ABDC are private, non-profit corporations created to foster economic development within their respective municipality.

Over the years since its inception and under the direction of the LAEGC Board of Directors, the original functions of LAEGC have evolved and new functions which would otherwise have been performed by Lewiston and Auburn have been assigned to or assumed by the LAEGC.

The Cities and LAEGC are interested in formally establishing the relationship, interests and services between the parties with respect to joint economic development activities. Specifically, the parties, through this Agreement and its Appendices, seek to collaborate on the development of economic strategy and goals, to discuss matters of joint policy, and to provide for the joint and efficient delivery of economic development services for the communities.

The Bylaws of LAEGC assure membership and participation by elected and appointed officials of both cities and the development corporations through members who serve, as incident to their status, on the Board of Directors of LAEGC. The Board of Directors is also comprised of individuals who are intended to represent various business and community interests within the communities. In order to enhance the communication and focus of the Cities' economic development activities and to administer the provisions and services of this Agreement, the Cities will create a Joint Economic Development Services Committee ("JEDS Committee"). The LAEGC will work with and communicate to the JEDS Committee on matters of economic development policy, strategy, goals and performance of contracted services.

Given the aforesaid, the parties hereto wish by this Agreement to confirm certain matters relating to the functions and responsibilities of LAEGC and the responsibilities of Lewiston and Auburn with respect to those functions and to LAEGC, and to provide for the prospects that new functions and services may be assigned to LAEGC by one or both of the Cities.

In consideration of the matters described above and of the benefits and obligations set forth in this Agreement, the parties hereto agree that the recital clauses set forth above are true and correct and are incorporated herein by reference as though set forth verbatim herein, and they further agree as follows:

#### **SECTION ONE** **SCOPE OF SERVICES**

LAEGC agrees to perform on behalf of each of Lewiston and Auburn, and Lewiston and Auburn each agrees to have performed by LAEGC, the joint functions and/or services listed on **EXHIBIT A** attached hereto which each of Lewiston and Auburn would otherwise have had to perform or would have contracted with others to perform. All services are expected to be contracted and provided on a joint or shared basis. Further, Lewiston and Auburn together may, in writing and with the written consent of LAEGC, allow LAEGC to perform other functions provided that Lewiston and Auburn compensate LAEGC for such other functions as the parties hereto shall agree. Lewiston and Auburn each recognizes that LAEGC's services performed for Lewiston and Auburn are not exclusive; LAEGC performs other functions on its own behalf and on behalf of others.

#### **SECTION TWO** **BEST EFFORTS**

LAEGC shall exercise, for the benefit of Lewiston and Auburn, its best efforts, knowledge, and skill in planning and performing the functions and services mentioned above and all other services incident to such planning and performance. To that end, LAEGC shall employ staff with the requisite skills to perform such functions expeditiously and professionally. The Cities and LAEGC shall determine a mutually satisfactory mechanism to measure LAEGC's performance, and, once that mechanism is created, LAEGC shall reasonably adhere to that mechanism.

SECTION THREE  
POLICIES, PROCEDURES, AND PROTOCOLS

LAEGC shall adopt such policies, procedures, and protocols as are reasonably necessary in order for LAEGC to effectively perform the functions set forth herein and in order for LAEGC to professionally and expeditiously provide its services to Lewiston and Auburn.

SECTION FOUR  
TERM OF AGREEMENT

The term of this Agreement shall be five (5) years beginning \_\_\_\_\_, 2013 (the "Commencement Date"), and expiring \_\_\_\_\_, 2018, unless it is earlier terminated as provided herein or it is extended by agreement of the parties (the "Term").

SECTION FIVE  
COMPENSATION OF LAEGC

Lewiston shall compensate LAEGC for its services provided to Lewiston at the annual rate of \$\_\_\_\_\_.00 for fiscal year 2015, with the fiscal year being July 1, 2014, to June 30, 2015. Such amount shall be paid in twelve (12) equal monthly installments beginning on the Commencement Date and continuing on the same day of each month thereafter. LAEGC may increase the annual rate for each subsequent fiscal year of the Term but such annual increase shall never exceed \_\_\_% per annum.

Auburn shall compensate LAEGC for its services provided to Auburn at the annual rate of \$\_\_\_\_\_.00 for fiscal year 2015, with the fiscal year being July 1, 2014, to June 30, 2015. Such amount shall be paid in twelve (12) equal monthly installments beginning on the Commencement Date. LAEGC may increase the annual rate for each subsequent fiscal year of the Term but such annual increase shall never exceed \_\_\_% per annum.

As provided in the Scope of Services, in the event LAEGC consents to perform additional services requested of it by one or both of the Cities, the requesting City or Cities and LAEGC shall agree on reasonable compensation to LAEGC for such additional services in addition to the compensation mentioned above.

SECTION SIX  
DEFAULT BY LEWISTON AND/OR AUBURN

In the event that Lewiston and/or Auburn violates any of the terms of this Agreement to be performed by one or both of them, LAEGC shall provide to the City which violated the term of this Agreement written notice of the violation and that City shall have ten (10) days to cure any failure to make a timely payment as set forth herein and thirty (30) days to cure any other failure to timely perform. Failing such a timely cure LAEGC shall have as a remedy against the defaulting City the right to accelerate the Compensation owed to LAEGC by that City as provided herein for the remainder of the Term, assuming an annual increase of \_\_\_% for each remaining year of the term, and such accelerated sum shall be immediately due and payable. Notwithstanding the foregoing, LAEGC shall not be required to provide more than two such notices of a failure to make a timely payment to any one of the Cities within any one calendar year, and LAEGC shall send a copy of any such notice of violation to the City which has not violated any terms of this Agreement.

SECTION SEVEN  
DEFAULT BY LAEGC

In the event that LAEGC violates the material terms of this Agreement to be performed by it with respect to one or both of Lewiston and Auburn, the City whose term of this Agreement has been violated shall provide to LAEGC (with a copy to the other City) written notice of the violation and LAEGC shall have thirty (30) days from the date such notice is received to cure the violation, but if the violation is of such a nature that it cannot reasonably be cured within thirty (30) days, LAEGC must, within thirty (30) from the date such notice is received, diligently begin and expeditiously pursue a curing of the violation. Failing such a timely cure or failing to diligently begin and expeditiously pursue such a cure, LAEGC shall be in default of this Agreement as to the City whose term of this Agreement has been violated, and that City may terminate this Agreement with respect to that City and that City shall no longer owe any compensation to LAEGC except compensation due to LAEGC for any period prior to the termination.

SECTION EIGHT  
INSURANCE

LAEGC shall maintain appropriate insurance coverage throughout the term of this Agreement in an amount, form, and with carriers reasonably satisfactory to Lewiston and Auburn. This shall include comprehensive general liability covering bodily injury and property damage, Worker's Compensation insurance at statutory limits, employee dishonesty coverage, and vehicle liability covering all vehicles and their operators. LAEGC shall name Lewiston and Auburn as additional insureds on a primary and non-contributory basis with respect to all liability insurance and shall upon request provide to Lewiston and Auburn evidence of such insurance reasonably satisfactory to Lewiston and Auburn.

SECTION NINE  
MAINTENANCE OF RECORDS - FURNISHING OF REPORTS

LAEGC shall maintain records of its endeavors on behalf of Lewiston and Auburn and LAEGC shall submit reports to both Lewiston and Auburn of LAEGC's activities and expenditures relating to the functions assigned to it by Lewiston and Auburn annually at a time and place convenient to each of Lewiston and Auburn. Lewiston and Auburn may require more frequent reports, but no more frequently than three times during each fiscal year. Each such report shall include year to date internally prepared financial statements for the period immediately preceding the reporting date. At the end of each fiscal year LAEGC shall submit to both Lewiston and Auburn audited financial statements for that fiscal year.

SECTION TEN  
SEVERABILITY

Each provision of this Agreement shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this Agreement shall be prohibited, invalid or ineffective under applicable law, such provision shall be ineffective only to the extent of such prohibition or invalidity without invalidating the remainder of such provisions or the remaining provisions of this Agreement.

SECTION ELEVEN  
ASSIGNMENT

Anything in this Agreement to the contrary notwithstanding, no party to this Agreement shall have the right to assign this Agreement in whole or in part without the prior written consent of the other parties.

SECTION TWELVE  
ENTIRE AGREEMENT

This Agreement contains the entire agreement among the parties hereto with respect to the subject matter hereof, supersedes all prior written Agreements and negotiations and oral understandings, if any, and may not be amended, supplemented or discharged except by an instrument in writing signed by all of the parties hereto.



**SECTION THIRTEEN**  
**GOVERNING LAW**

The parties hereto hereby submit to the jurisdiction of the courts of the State of Maine and of the United States of America, located within the State of Maine, in connection with any suit or proceeding arising hereunder or under this Agreement. This Agreement shall be construed in accordance with, and governed by, the laws of the state of Maine without giving effect to the conflict of laws principles thereof.

**SECTION FOURTEEN**  
**NOTICE**

All notices, requests and demands to or upon the respective parties hereto shall be deemed to have been given or made (i) three (3) business days after its deposit in the mail, first class mail, certified and postage prepaid, or (ii) in the case of facsimile telephonic notice, on the next business day after its transmission if a copy of the notice has promptly been sent to the recipient by overnight carrier or (iii) upon actual receipt, whichever occurs first, in each case addressed as set forth at the beginning of this Agreement.

**SIGNATURES ON FOLLOWING PAGE**

**IN WITNESS WHEREOF**, the City of Auburn has caused this instrument to be signed and sealed by \_\_\_\_\_, its \_\_\_\_\_, thereunto duly authorized; the City of Lewiston has caused this instrument to be signed and sealed by \_\_\_\_\_, its \_\_\_\_\_, thereunto duly authorized; and the Lewiston-Auburn Economic Growth Council has caused this instrument to be sealed with its corporate seal and signed in its corporate name by its President, thereunto duly authorized, all of this the date set forth above.

**CITY OF AUBURN**

\_\_\_\_\_  
Witness

By \_\_\_\_\_  
\_\_\_\_\_, its \_\_\_\_\_

**CITY OF LEWISTON**

\_\_\_\_\_  
Witness

By \_\_\_\_\_  
\_\_\_\_\_, its \_\_\_\_\_

**LEWISTON-AUBURN ECONOMIC  
GROWTH COUNCIL**

\_\_\_\_\_  
Witness

By \_\_\_\_\_  
\_\_\_\_\_, its President

09-04-13

**SCOPE OF SERVICES**  
**for**  
**Delivery of Joint Economic Development**  
**on behalf of the**  
**Cities of Auburn and Lewiston**  
**by the**  
**Lewiston-Auburn Economic Growth Council**

The Cities of Auburn and Lewiston have contracted with the LAEGC for the provision of certain economic development-related services for the communities. The LAEGC through the Economic Development Services Contract and this Scope of Services agrees to provide, perform and/or undertake said services, functions or responsibilities and to be compensated for the costs/hours associated therewith.

The responsibilities, services, functions and tasks listed are organized by two methods. The first is by general function/service area. Within each function/service area there is a description of perennial (ongoing) responsibilities assigned to the LAEGC. The second is by specific tasks, projects or initiatives contracted for within general service/function areas. These will include more particular task descriptions, schedules, anticipated activities and expected outcomes. The specific tasks list may vary from year to year.

The LAEGC shall be responsible for performing the contracted services/functions and shall coordinate and communicate with the Cities, through the Joint Lewiston-Auburn Economic Development Committee (JEDC) on its progress and results. The LAEGC and the JEDC will also be responsible for assigning and negotiating new functions or tasks on an annual basis.

Each area/listing shall include a **HEADING** and description and then be organized as follows:

**FUNCTIONS/SERVICES** (general)

**Tasks/Projects** (specific)

*Anticipated Activities*

*Expected Outcomes*

Summary of Estimated Hours of Service and Allocated Cost (see attached summary)

# **SCOPE OF SERVICES**

## **FY2015 – FY2017**

### **1. ECONOMIC DEVELOPMENT STRATEGY**

Description: The cities are interested in developing and adopting an Economic Development Strategy (EDS) for the community. The EDS will reflect the economic development goals of the cities and specific tasks/approaches recommended to achieve the goals. Once adopted the EDS will need to be implemented and annually reviewed/updated to reflect progress, changing priorities, goals and economic conditions.

#### **FUNCTIONS/SERVICES:**

- ❖ Collaborate with the Cities, Economic Development Stakeholders, Partner Organizations and the community at large
- ❖ Monitor economic trends (local, state and national) to assess opportunities and priorities
- ❖ Implement and maintain the joint Economic Development Strategy
- ❖ Track and measure progress of strategic initiatives and goals
- ❖ Periodically coordinate a review of the EDS

#### ***Anticipated Activities:***

- 1) Annual Economic Development Strategy implementation
- 2) Annual EDS Progress/Results Report to Cities
- 3) Annual Review (w/Joint Economic Development Committee) of EDS goals, priorities and initiatives

#### **Tasks/Projects:**

1. Development of a joint Lewiston-Auburn Economic Development Strategy
  - 1.1. Develop process for Overall Economic Development Strategy development
  - 1.2. Identify and engage stakeholders and community
  - 1.3. Establish Steering/Advisory Committee
  - 1.4. Develop Draft Economic Development Strategy
  - 1.5. Review/Adopt Strategy by Cities' Joint Economic Development Committee

#### ***Expected Outcome(s):***

- Joint Economic Development Strategy for Lewiston and Auburn

## **2. JOINT ECONOMIC DEVELOPMENT COORDINATION**

Description: LAEGC shall facilitate and promote the joint approach, appearance and implementation of the “public sector side” of economic development in the cities. LAEGC will work to coordinate efforts on projects, interests and/or issues that are of a joint nature. LAEGC will act as steward of and monitor the application of the Joint Economic Development Protocol.

### **FUNCTIONS/SERVICES:**

- ❖ Lead and support cities in joint economic development activities
- ❖ Maintain Joint Economic Development Protocol and TIF Policy
- ❖ Manage competition between the two cities

### ***Anticipated Activities:***

- 1) Facilitate periodic review of Joint Economic Development Protocol and TIF Policy
- 2) Lead implementation of Joint Economic Development Protocol
- 3) Track client contacts and results
- 4) Recommendation to Cities of issues, projects, processes or policies that would enhance joint economic development

### **Tasks/Projects:**

1. Review of Joint Economic Development Protocol and TIF Policy

### ***Expected Outcome(s):***

- Revised Joint Economic Development Protocol and TIF Policy

### **3. MARKETING and PROMOTION**

Description: LAEGC shall be responsible for marketing and promotion of Lewiston and Auburn for business attraction and economic development purposes. The LAEGC will act as a clearinghouse for other community marketing efforts seeking to support, coordinate and reduce duplication in the collective efforts. LAEGC shall be vested with maintaining the branding of the cities and work collaboratively to establish and promote the “brand”. In its marketing and promotion activities that LAEGC shall employ traditional media (electronic and print) advertising, internet mediums, social media, press releases, public events and announcements, etc. The LAEGC will promote and represent the communities both locally, regionally, statewide, and beyond as appropriate. The LAEGC will also work to recognize and celebrate the economic achievements of the cities, businesses and citizens.

#### **FUNCTIONS/SERVICES:**

- ❖ Marketing and promotion of the communities and their assets
  - Coordinate with and support Downtown and Industrial/Trade/Logistics/Transportation marketing and promotion efforts.
  - Coordinate with and support Visitor/Tourism promotion efforts within and outside of the community.
  - Assist in the marketing and promotion of the Auburn-Lewiston Municipal Airport
- ❖ Recognition/celebration of the communities’ economic progress
- ❖ Maintenance of Economic Development website and social media sites
- ❖ Actively lead/coordinate community branding “image” efforts
- ❖ Collaborate/Participate with other community promotion efforts
- ❖ Advisory Group for Economic Development Marketing and Promotion
  - Engage stakeholders, interested business representatives and marketing professionals to provide advice and guidance in marketing/promotion efforts

#### ***Anticipated Activities:***

- 1) Development of Annual Marketing and Promotion Plan
- 2) Maintenance and Publication of Joint Marketing Materials
- 3) Creation and Maintenance of Websites and Social Media sites
- 4) Development of and attendance at Marketing and Promotion Events
- 5) Facilitate/Organize the Annual Business to Business Trade Show
- 6) Preparation and Issuance of Media Releases/Events
- 7) Creation of an Economic Development Marketing Advisory Group

#### **Tasks/Projects:**

1. LAEGC will work with the cities and Great Falls TV to explore the use of the cities’ public access capabilities and resources in economic development marketing and promotion.
  - 1.1. Explore necessary methods, structure and/or agreements to incorporate Great Falls TV operations and personnel within the LAEGC
  - 1.2. Assess and report on uses and benefits of the capabilities and resources of Great Falls TV in economic development promotion and marketing efforts (not including public access promotion)

#### ***Expected Outcome(s):***

- Report to the Joint Economic Development Committee on the viability and use of public access resources for joint economic development
- Annual Marketing and Promotion plan

#### **4. BUSINESS DEVELOPMENT, ATTRACTION and RETENTION**

Description: LAEGC shall be responsible for leading, coordinating and supporting public sector and private sector efforts to grow, improve and retain businesses in Lewiston-Auburn. LAEGC will focus on helping to create a positive business and community friendly environment which encourages the growth and location of business in the cities. LAEGC shall serve as a central point of contact/resource for businesses development for the cities. LAEGC will also monitor, track and inventory economic development trends and resources to guide the cities in overall economic development efforts.

##### **FUNCTIONS/SERVICES:**

- ❖ Facilitate/serve as central point of contact/support for new business development and attraction
- ❖ Assist existing business retention and/or expansion
- ❖ Maintain regional database of development sites and real estate properties
- ❖ Assist clients in conducting site searches and facilitate tours of the community
- ❖ Monitor issues/resources affecting the effectiveness of business development
- ❖ Serve as agent/administrator of the commercial/industrial parks controlled by local development corporations.
- ❖ Coordinate and support the administration of the cities' industrial/commercial parks.
- ❖ Encourage the involvement of the private and non-governmental sectors in economic development efforts
- ❖ Focus on capitalizing, promoting and attracting transportation and logistics related growth.

##### ***Anticipated Activities:***

- 1) Seek and support new business development. Track #'s of businesses assisted, outcomes, common trends and noted community needs/issues
- 2) Maintain and update inventory of developable properties in the industrial, commercial and downtown sectors of the cities
- 3) Identification of issues, regulations and/or regulations which may negatively or positively impact business development in Lewiston-Auburn
- 4) Provide an annual report of business development to Joint Economic Development Committee

##### **Tasks/Projects:**

##### ***Expected Outcome(s):***

- Annual report of business development to the Joint Economic Development Committee

## **5. TARGETED GROWTH OPPORTUNITIES**

Description: The Cities of Lewiston and Auburn have numerous economic, geographic, and social strengths in the pursuit of economic development. In order to maximize economic growth potential the cities seek to target specific growth opportunities. LAEGC will work jointly with the Cities, business community and stakeholders to lead, promote and support the growth efforts of targeted economic opportunities. Targeted opportunities shall be identified in the Economic Development Strategy and/or as determined to be in the best interests of the communities. LAEGC efforts will include the employment of industry/sector specific marketing plans and methods, identification and pursuit of specific businesses and/or business growth. Efforts to increase targeted growth areas will include a mix of expansion of existing businesses and new business.

### **FUNCTIONS/SERVICES:**

- ❖ Lead, undertake and support joint community efforts for targeted growth opportunities
- ❖ Assist the communities in identifying targeted growth opportunities
- ❖ Market and promote targeted growth opportunities

### ***Anticipated Activities:***

- 1) As determined by specific growth opportunities, plans and goals

### **Task/Projects:**

1. Industrial, Trade, Logistics and Transportation (ITLT) Growth
  - 1.1. Create an ITLT Advisory Group
    - 1.1.1. Identify Stakeholders
    - 1.1.2. Recruit Members
    - 1.1.3. Provide Staff Support
  - 1.2. Develop an ITLT Attraction and Marketing Plan
    - 1.2.1. Identify community strengths and opportunities for ITLT growth
    - 1.2.2. Create collateral materials
    - 1.2.3. Attend/sponsor events targeting ITLT markets and businesses
  - 1.3. Act as contact and resource for ITLT businesses seeking to expand or locate in the community
    - 1.3.1. Provide targeted technical assistance for ITLT businesses
2. Examine the creation of a Port Authority
  - 2.1. Evaluate the mechanisms and benefits of establishing a port authority including legal and organizational requirements and develop recommendations.
  - 2.2. Issue a report of findings and recommendations

### ***Expected Outcome(s):***

- Assignment of Staff Resource for Industrial, Trade, Logistics and Transportation Growth and Development
- ITLT Attraction and Marketing Plan
- Appointment of ITLT Advisory Group
- Quarterly Report to Joint Economic Development Committee (JEDS) of ITLT Activities
- Report to the JEDS on creation of a Port Authority



## **6. COMMUNITY DEVELOPMENT - DOWNTOWN**

Description: The Cities recognize that the true definition of economic development includes addressing community issues and needs which influence the growth and development of the community. Such issues are outside traditional economic development activities (financing, marketing, infrastructure, site location, etc.). Community development may include planning, social, educational, regulatory, or capacity issues. These issues are important to the total economic development strategy of a community. Efforts to impact/improve community development issues may take the form of specific planning and/or project activities. LAEGC will provide support and coordination to community development efforts in Lewiston and Auburn. Also, LAEGC will, from time to time, be engaged to lead and/or perform specific community development functions or projects.

### **FUNCTIONS/SERVICES:**

- ❖ Support community development efforts/initiatives of the Cities.
- ❖ Assist the communities in identifying issues or projects which negatively influence the economic development of the cities.
- ❖ Lead initiatives and/or perform projects which have been determined needed to improve the economic development of the Cities.

### ***Anticipated Activities:***

- 1) As determined by specific projects and/or assignments

### **Tasks/Projects:**

1. Joint Downtown Development
  - 1.1. Develop Joint Downtown Advisory Committee
    - 1.1.1. Identify stakeholders
    - 1.1.2. Recruit members
    - 1.1.3. Provide staff support
  - 1.2. Coordinate/support special events and activities
  - 1.3. Act as downtown ombudsman
  - 1.4. Participate, lead and/or support downtown planning efforts
    - 1.4.1. Help implement existing plans
    - 1.4.2. Evaluate downtown zoning and regulatory requirements
      - 1.4.2.1. Parking, aesthetics, sign requirements, complete streets, etc.
    - 1.4.3. Coordinate with City Staffs to make recommendations for relevant amendments or adoption of regulations
  - 1.5. Provide/coordinate downtown promotion and marketing
  - 1.6. Identify and solicit grants related to downtown and neighborhood activities and plans

### ***Expected Outcome(s):***

- Assignment/creation of staff resource for downtown development
- Development of joint downtown development programs and activities

## **7. PROJECT FINANCING and PORTFOLIO MANAGEMENT**

Description: LAEGC shall develop and manage financing resources and programs designed to provide “gap” and other financing for businesses locating or expanding in Lewiston-Auburn. LAEGC shall act as a clearinghouse for entrepreneurs and businesses seeking business financing. LAEGC shall coordinate/collaborate with public and private lending organizations and programs to provide assistance and guidance to clients. LAEGC shall administer and manage the cities business lending/grant programs, as assigned. LAEGC will endeavor to identify, develop and expand the amount and availability of business support resources in the community.

### **FUNCTIONS/SERVICES:**

- ❖ Act as a business financing clearinghouse for the Cities
- ❖ Serve as a guide to businesses seeking financial resources in support of growth or development
- ❖ Seek and advocate for additional community resources targeted for economic development
- ❖ Manage assigned loan/grant programs from the Cities, development corporations, State/Federal agencies or private institutions
- ❖ Staff support of LAEGC Loan Committee/business financing advisory group

### ***Anticipated Activities:***

- 1) Creation and appointment of Joint LAEGC Loan Committee/business financing advisory group
- 2) Loan program and portfolio management and administration
- 3) Annual Report of loan program(s) activity and results to Joint Economic Development Committee
- 4) Review and recommendation (as appropriate) to Cities of Loan Program Guidelines

### **Tasks/Projects:**

*Expected Outcome(s):*

## **8. ADMINISTRATION, ADVOCACY and GOVERNANCE**

Description: LAEGC shall provide staff support and administration to the overall economic development (other than described above) program of the Cities and the community as a whole. Additionally, it is recognized that LAEGC has certain administrative responsibilities associated with the management, operation and governance of the organization. Similarly, the LAEGC serves as the administrative support for other development related agencies serving Lewiston-Auburn including, but not limited to, the Auburn Business Development Corporation (ABDC), Lewiston Development Corporation (LDC), and the Lewiston and Auburn Railroad Company (LARR). LAEGC provides support services to these entities as requested and upon mutually agreed terms and conditions. This area of service is meant to encompass these administrative functions and responsibilities, as well as those services, needs and projects which may arise from time to time.

### **FUNCTIONS/SERVICES:**

- ❖ Provide logistical support (agendas/minutes/accounting, etc.) to LAEGC and development corporations
  - Including Auburn Business Development Corporation, Lewiston Development Corporation, Lewiston-Auburn Railroad Company
  - Staff and support numerous (currently 10) standing committees of the LAEGC and Development Corporations
- ❖ Provide technical assistance/support to city staff and airport manager in negotiating incentives/lease terms relating to economic development projects
- ❖ Administer the Foreign-Trade Zone (F-TZ)
- ❖ Serve as Liaison for economic development to the Auburn-Lewiston Airport Committee
- ❖ Support and coordinate the goals and efforts of L/A Future Forum and Benchmark L/A
- ❖ Advocate for the economic interests of the Cities
- ❖ Support other economic/community development-related issues, initiatives and projects that arise and as requested by the Cities

### ***Anticipated Activities:***

- ❖ ***Coordinated and efficient administration of the Cities joint economic development programs and activities***

### **Tasks/Projects:**

1. Lead a discussion and review of how the Cities can best organize and implement joint advocacy for economic development issues and interests

### ***Expected Outcome(s):***

- Report to the Joint Economic Development Committee on joint advocacy dialogue and recommendations

## **Reference Documents:**

### **Services Agreements –**

- ❖ Auburn Business Development Corporation
- ❖ Lewiston Development Corporation
- ❖ Lewiston-Auburn Railroad Corporation

**Coordination Memorandum** re: Business Attraction Coordination with State of Maine – Department of Economic and Community Development (DECD), Maine & Co., etc.

Joint Economic Development Services Agreement

Allocated Hours/Costs Summary

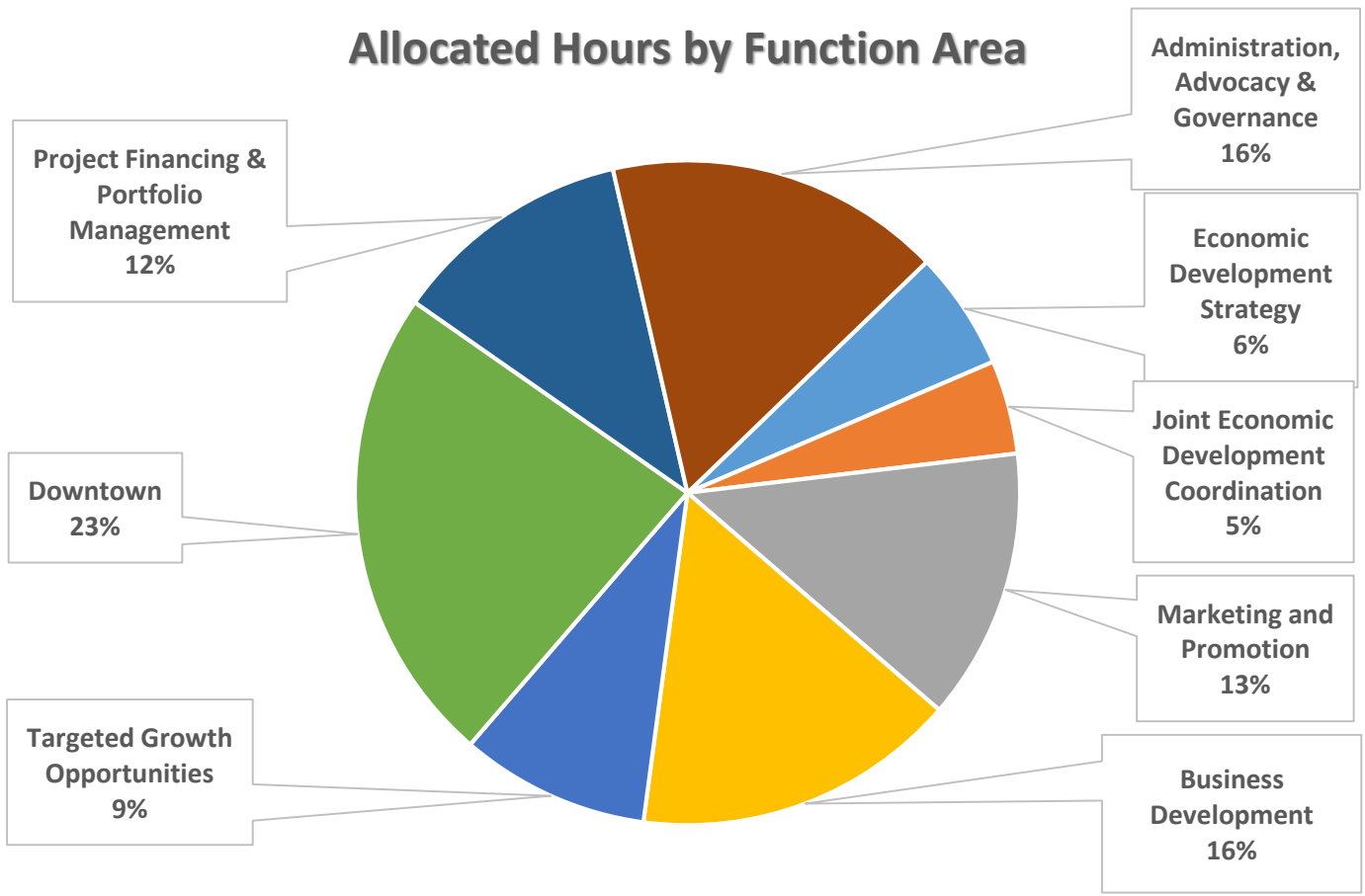
Preface: The allocated hours and costs are organized in accordance with the Functions and Services areas of the Scope of Services. All hours and costs are estimated. Estimates were developed by assigning a percentage of LAEGC staff time, by position, to the respective areas. Amounts shown are total allocated costs and hours. **The stated amounts are projected as of 10-1-13 and should not be considered final contract amounts.** Total revenue sources/amounts, scope of services and allocated percentages will need to be discussed and determined prior to establishing actual contract amounts.

Functions/Services Areas	Allocated Hours <sup>1</sup> (estimated annual)	Allocated Costs <sup>2</sup> (estimated annual)	Projected Cities Share <sup>3</sup>	Projected Each City Share <sup>4</sup>
<b>1. Economic Development Strategy</b>	529	\$34,590 <sup>(a)</sup>	\$21,833	\$10,917
<b>2. Joint Economic Development Coordination</b>	395	\$27,313	\$17,240	\$8,620
<b>3. Marketing and Promotion</b>	1,425	\$79,228 <sup>(b)</sup>	\$50,009	\$25,004
<b>4. Business Development, Attraction and Development</b>	1,501	\$94,853	\$59,871	\$29,936
<b>5. Targeted Growth Opportunities</b>	787	\$55,199	\$34,842	\$17,421
<b>6. Community Development: Downtown Development</b>	2,142	\$140,085	\$88,422	\$44,211
<b>7. Project Financing and Portfolio Management</b>	1,286	\$70,009	\$44,190	\$22,095
<b>8. Administration/Governance</b>	1,662	\$98,165	\$61,962	\$30,981
<b>Sub-Total =</b>				\$189,185
<b>Adjustment =</b>				\$ 203
<b>TOTALS =</b>	<b>9,727</b>	<b>\$599,442</b>	<b>\$378,369</b>	<b>\$189,388</b>

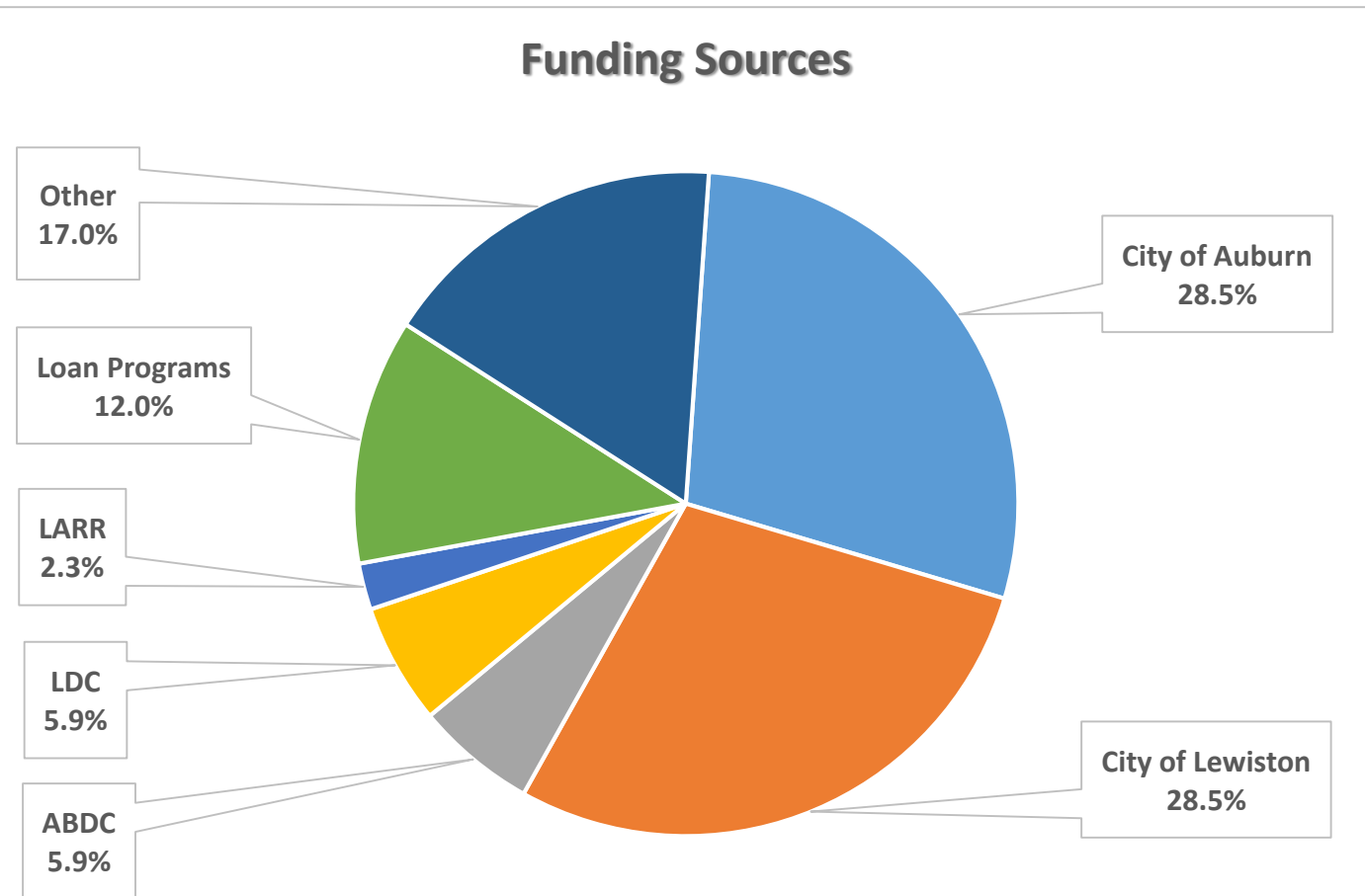
**Notes:**

- 1 Allocated costs include salaries, payroll taxes, benefits costs, and overhead apportioned across all hours and service areas.
- 2 Estimated budget expenditures used for the allocated costs includes a mix of both current and projected costs including salaries.
- 3 Projected Cities share is based upon current % of the budget net of revenues from producing activities.
- 4 Each city share is based upon 50/50 apportionment of projected budget less earned revenues.
- (a) \$6,500 for outside consultant services, if needed, is not included in the proposed budget.
- (b) Only \$11,000 budgeted for advertising/promotion/collateral materials, and \$7,000 for the image campaign, etc.

## Allocated Hours by Function Area



## Funding Sources





# City Council Workshop Information Sheet

City of Auburn

**Council Workshop Date:** October 21, 2013

**Item** B

**Author:** Sue Clements-Dallaire, City Clerk

Item(s) checked below represent the subject matter related to this workshop item.

Comprehensive Plan    Work Plan    Budget    Ordinance/Charter    Other Business\*    Council Goals\*\*

\*\*If Council Goals please specify type:    Safety    Economic Development    Citizen Engagement

**Subject:** Proposed changes to the Flea Market and Garage Sale Ordinances

**Information:** Throughout the year, various requests come in from various individuals or organizations wanting to hold fundraising or community events which by definition would fall under a flea market. Because of our current fee for flea markets, many have been discouraged from holding their events. We have also had numerous requests from individuals wanting to hold a garage sale at a church or school however our current ordinance does not allow garage sales to be held on commercial property. With the proposed changes, we can accommodate those requests.

**Financial:** N/A

**Action Requested at this Meeting:** Discussion

**Previous Meetings and History:** Public input meeting August 8, 2013

**Attachments:**

Proposed flea market ordinance change

Proposed garage sale ordinance change

\*Agenda items are not limited to these categories.

## **Article VI. Flea Markets**

### **Sec. 24-123. Permit Required; Application**

No flea market shall be conducted without a permit, which shall be obtained by the owner or duly authorized agent of the premises where the flea market is to be located by submitting a completed application to the City Clerk's office upon forms provided for such purpose.

### **Sec. 24-124. Provisions of Section 24-2 Not Applicable**

Notwithstanding the provisions relating to peddlers under section 24-2, individual participants in a flea market need not secure a peddler's license.

### **Sec. 24-125. Reoccurring Sales of Personal Property**

No person may conduct any sale of personal property for more than two periods not to exceed three days each within a six month period, even on their own property, without first obtaining a permit to operate a flea market.

### **Sec. 24-126. Exemptions**

A Flea Market held in approved auditoriums, churches, halls, gymnasiums, convention centers, arenas, or a legally existing business raising money for a charitable cause, may do so without any additional fees if held for no more than three consecutive days and not more than twice in a six month period, however written notification must be provided to the City Clerk prior to the event. This notification must include the name of the applicant; his/her residence and business address; telephone number; the location of the event; dates; times; and a list of vendors who will be selling or offering for sale any services, goods, wares and merchandise. Food shall not be sold at a flea market unless all applicable licenses have been obtained or the food sales are otherwise exempt from licensing.



## Article XVII. Garage Sales

### Sec. 24-460. Permit Required

No person shall sell or offer for sale personal property from any residential premises except as permitted by this article. Only the sale of donated personal property and the sale of personal property owned, used and maintained for personal use only by the seller, and not for resale to the public, shall be permitted to be sold from residential premises, and only after issuance to the seller of a permit for such purposes, as follows:

- a. A permit may be obtained from the City. The fee for a permit shall be paid in accordance with the business fee schedule as established by the City Council.
- b. No permit shall be issued for sales of personal property upon residential premises for a period of more than three consecutive days, and no more than two permits shall be issued for such sales upon residential premises in any six month period. Permits required under this article shall be on forms furnished by the City. Two or more people may hold a garage sale jointly at one location upon obtaining a permit. The person who resides at the location where the yard sale is to be held shall be listed as the applicant.

### Sec. 24-261. Charitable Garage Sales

A sale of donated personal property and the sale of personal property owned, used and maintained for personal use only by the seller(s), and not for resale to the public, shall be permitted to be sold from a church, school, civic or fraternal organization, and only after issuance to the seller of a permit for such purposes, as follows:

- a. A permit may be obtained from the City. The fee for a permit shall be paid in accordance with the business fee schedule as established by the City Council.
- b. No permit shall be issued for sales of personal property upon a church, school, civic or fraternal organization for a period of more than three consecutive days, and no more than two permits shall be issued for such sales at those locations in any six month period. Permits required under this article shall be on forms furnished by the City.

### Sec.24-462. Neighborhood Garage Sales

- a. A neighborhood garage sale is permitted under this ordinance.
- b. When applying for a garage sale permit, the organizer or one of the participants in the garage sale shall list his/her address as a the location of record where the garage sale shall take place. In addition, the names and addresses of all of the participants shall be listed on the permit application.
- c. For the purposes of the ordinance, a neighborhood garage sale shall be considered as a single event and the permit charge shall be the same as for a single garage sale.
- d. Neighborhood garage sale permits are valid for the same periods as other garage sales and no more than one neighborhood garage sale on the same street may take place in any six month period.

### Sec. 24-463. Signs

Notwithstanding any other municipal provisions relating to signs, one single-faced sign containing not more than four (4) square feet in total area may be placed upon a residential premise where the sale of personal property has been permitted for duration of the sale only.

### Sec. 24-464. Exemption

The provisions of this article shall not apply to sales of personal property made under court order or process.

## **Sec. 24-8. Definitions**

*Garage Sale* –The sale of used household or personal goods held on the seller’s own premises. Also known as a yard sale, barn sale, moving sale, tag sale.



# City Council Agenda Information Sheet

## City of Auburn

**Council Meeting Date:** October 21, 2013

**Order** 92-10212013\*

**Author:** Sue Clements-Dallaire, City Clerk

Item(s) checked below represent the subject matter related to this workshop item.

**Comprehensive Plan**    **Work Plan**    **Budget**    **Ordinance/Charter**    **Other Business\***    **Council Goals\*\***

\*\*If Council Goals please specify type:    *Safety*    *Economic Development*    *Citizen Engagement*

**Subject:** Appointment of Wardens and Ward Clerks

**Information:** The City Clerk nominates Wardens and Ward Clerks to be appointed by the City Council. One Warden and one Ward Clerk are to be appointed for each polling place.

Peter Letourneau	Warden	Ward 1	Washburn School
Jane Audet	Warden	Ward 4	Fairview School
Norman McKeone	Warden	Ward 5	Sherwood Heights School

There are still position Warden and Ward Clerk positions to fill. Once filled, I will bring those forward at the November 4, 2013 City Council meeting.

**Financial:** N/A

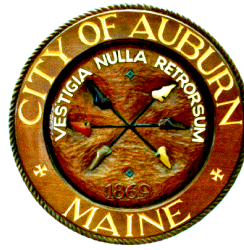
**Action Requested at this Meeting:** Recommend passage

**Previous Meetings and History:** N/A

**Attachments:** Order 92-10212013\*

\*Agenda items are not limited to these categories.

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER 92-10212013

**ORDERED**, that the City Council hereby appoints the following individuals as Wardens and Ward Clerks for the November 5, 2013 Election:

Peter Letourneau	Warden	Ward 1	Washburn School
Jane Audet	Warden	Ward 4	Fairview School
Norman McKeone	Warden	Ward 5	Sherwood Heights School



# City Council Agenda Information Sheet

City of Auburn

**Council Meeting Date:** October 21, 2013

**Order** 93-10212013\*

**Author:** Sue Clements-Dallaire, City Clerk

Item(s) checked below represent the subject matter related to this workshop item.

Comprehensive Plan    Work Plan    Budget    Ordinance/Charter    Other Business\*    Council Goals\*\*

\*\*If Council Goals please specify type:    Safety    Economic Development    Citizen Engagement

**Subject:** Authorizing the City Manager to transfer funds from Auburn's salary account (sick leave donations) to 9-1-1's salary account.

**Information:** L/A 9-1-1 has set up a sick bank for an employee who is battling cancer. Throughout this battle this individual has exhausted all of their accrued time. The City of Lewiston has opened up the sick bank for donations from its employees and we are hoping to do the same in Auburn.

**Financial:** N/A

**Action Requested at this Meeting:** Recommend passage.

**Previous Meetings and History:** N/A

**Attachments:**

Order 93-10212013

\*Agenda items are not limited to these categories.

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 93-10212013**

ORDERED, that the City Council hereby authorizes the Finance Director to transfer from Salary Reserve to LA911 an amount to cover donated sick time to a LA911 employee.



# City Council Agenda Information Sheet

City of Auburn

**Council Meeting Date:** October 21, 2013

**Order** 94-10212013\*

**Author:** Sue Clements-Dallaire, City Clerk

Item(s) checked below represent the subject matter related to this workshop item.

**Comprehensive Plan**    **Work Plan**    **Budget**    **Ordinance/Charter**    **Other Business\***    **Council Goals\*\***

\*\*If Council Goals please specify type:    *Safety*    *Economic Development*    *Citizen Engagement*

**Subject:** Temporary sign request – Auburn Ski Association

**Information:** The Auburn Ski Association’s Annual Ski Swap is to be held on November 17th. They would like to place 2 temporary signs to advertise the event. Please see the attached letter for details.

**Financial:** N/A

**Action Requested at this Meeting:** Recommend passage

**Previous Meetings and History:** Annual request

**Attachments:**

Letter from Jodd Bowles  
Order 94-10212013\*

\*Agenda items are not limited to these categories.

City of Auburn Me

October 1, 2013

Dear Mayor and Council -

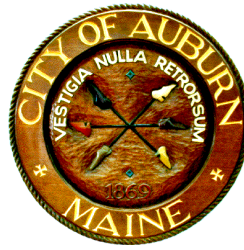
The Auburn Ski Association (ASA) will be holding their annual Ski Swap on Sunday November 17<sup>th</sup>, 9:00-2:00 p.m. at the Auburn Middle School Cafeteria and Gym. We would like permission to place signs to inform the public of this annual event in the following locations. The public locations are: one across the street from Auburn Hall next to the Advanced Orthotics sign and the other at the intersection of Turner Street and Lake Auburn Avenue below Starbucks. The signs are the same size (4'x8') and construction (plywood painted white with the date, time and location of the event some have a graphic of a skier) that we have been using for over a decade.

The Auburn Ski Association is a non-profit organization that promotes skiing and snowboarding in the Auburn area. The organization helps fund the Edward Little High School and the Auburn Middle School alpine and Nordic ski programs, as well as the Snow-Mad Freestyle program, Lost Valley Ski Racing Club and Special Olympics skiing. ASA awards college scholarships each year to a male and female graduating from Edward Little High School and helps athletes who need financial support to pursue skiing (i.e., US Ski Team) by granting them funds for equipment, training and associated travel costs. Also, ASA collaborates with and supports the development of Nordic programs and trails in our city.

Jodd Bowles



Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 94-10212013**

ORDERED, that City Council hereby approves the Auburn Ski Association request to place two temporary signs for their Annual Ski Swap which will be held on Sunday, November 17<sup>th</sup> and 11<sup>th</sup>, 2012. One will be placed across the street from Auburn Hall next to the Advanced Orthodics sign and the other at the intersection of Turner Street and Lake Auburn Avenue below Starbucks. The signs are both 4' x 8' and are the same that they have been using for over a decade.



# City Council Agenda Information Sheet

City of Auburn

**Council Meeting Date:** October 21, 2013

**Order** 95-10212013\*

**Author:** Sue Clements-Dallaire, City Clerk

Item(s) checked below represent the subject matter related to this workshop item.

Comprehensive Plan    Work Plan    Budget    Ordinance/Charter    Other Business\*    Council Goals\*\*

\*\*If Council Goals please specify type:    Safety    Economic Development    Citizen Engagement

**Subject:** Temporary sign request – St. Dominic Academy

**Information:** Saint Dominic Academy is requesting approval from the City Council to place a temporary sign at the intersection of Mount Auburn Avenue in front of Starbucks from October 28<sup>th</sup> through November 10<sup>th</sup>.

**Financial:** N/A

**Action Requested at this Meeting:** Recommend passage

**Previous Meetings and History:** Annual event.

**Attachments:**

Letter of request

Picture of sign

Order 95-10212013

\*Agenda items are not limited to these categories.



# SAINT DOMINIC ACADEMY

*Donald Fournier, Principal*

*Donald Bilodeau, Assistant Principal*  
Grades Pre K-6  
17 Baird Avenue  
Lewiston, Maine 04240  
207-783-9323 fax: 207-783-9491

*Joline Girouard, Assistant Principal*  
Grades 7-12  
121 Gracelawn Road  
Auburn, Maine 04210  
207-782-6911 fax: 207-795-6439

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To Susan Clements-Dallaire (Auburn City Council):

St. Dominic Academy is holding its 8<sup>th</sup> Annual Holiday Festival at our High School campus in Auburn on Saturday November 9<sup>th</sup>, 2013. St. Dominic's mission is to educate students according to the highest moral and educational standards. We anticipate several hundred attendees at this year's Holiday Festival that will include crafts, baked goods, games and activities for all ages. It is one of our largest events of the year and helps us raise needed funds to support our educational mission.

We would like to get permission from the Auburn City Council to place a sign for the Holiday Festival on Mt. Auburn Avenue in Auburn beside Starbucks from October 28<sup>th</sup> through November 10<sup>th</sup>, 2013. Enclosed is a photo of the sign.

Please let me now if you need anything (Donna Cote at 207-345-3124 - [dcote@unum.com](mailto:dcote@unum.com)).

Thank you for your time and your support. May God bless you!

Sincerely,

Donna Cote  
Committee Chair - Saint Dominic Academy Holiday Festival





# St. Dom's

GRACELAWN ROAD, AUBURN

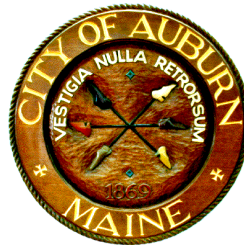
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# Holiday Festival

Saturday, Nov 9th

9 AM - 3 PM

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 95-10212013**

ORDERED, that the City Council hereby approves the request for Saint Dominic Academy to place a temporary sign for its Holiday Festival to be held on Saturday November 9, 2013, be placed on Mount Auburn Avenue beside Starbucks from October 28<sup>th</sup> through November 10<sup>th</sup>, 2013.

## IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 181

Mayor LaBonte called the meeting to order at 7:10 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Crowley had an excused absence. All other Councilors were present.

### I. Consent Items\* - None

### II. Minutes

- September 3, 2013 Regular Council Meeting
- September 16, 2013 Regular Council Meeting
- September 30, 2013 Special Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to approve the minutes of September 3<sup>rd</sup>, September 16<sup>th</sup>, and September 30<sup>th</sup>, 2013. Passage 6-0.

### III. Reports

**Mayor's Report** – reported

**City Committee Reports** – Councilor Young reported on Great falls TV.

**Councilor Reports**- Councilor Crowley submitted a written report.

### IV. Communications, Presentations and Recognitions

- Recognition of *The Auburn Running Club*, for winning the State meet for the 2013 Auburn Parks and Recreation Summer Track and Field Program
- Breast Cancer Awareness Month
- Domestic Violence Month

### V. Open Session

No one from the public spoke.

### VI. Unfinished Business

#### 1. Ordinance 11-09162013

Amending the Code of Ordinances Chapter 52, Article 5, Stopping, Standing and Parking, Division I Generally Sec. 52-181 Parking in City owned-lots. Second reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes.

Public comment – no one from the public spoke.



**IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 182**

\*Passage 5-1 (Councilor Walker abstained).

**2. Order 78-09162013**

Appointing Charles Morrison to the L/A Cable TV Advisory Board with a term expiration of January 1, 2015 as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Young.  
Passage 6-0.

**3. Order 79-09162013**

Appointing Michael Dixon to the Zoning Board of Appeals as a full member with a term expiration of October 1, 2016 as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Passage 6-0.

**4. Order 80-09162013**

Appointing Judith Webber to the Auburn Housing Authority with a term expiration of October 1, 2018 as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.  
Passage 6-0.

**5. Order 81-09162013**

Appointing Robert Bowyer to the Planning Board with a term expiration of January 1, 2016 as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Young.  
Passage 6-0.

**6. Order 82-09162013**

Appointing Ann Parker to the Community Development Block Grant (CDBG) Loan Committee with a term expiration of October 1, 2016 as nominated by the Appointment Committee.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry.  
Passage 6-0.

**VII. New Business**

**7. Order 83-10072013**

Authorizing the City Manager to use funds in the amount up to \$50,000 from an inactive special revenue account to fund ICT's Network Security and Planning and Permitting's Traffic Pole projects with any unused funds being transferred to the general fund account.

**IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 183**

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes.

Motion was made by Councilor Walker and seconded by Councilor Gerry to amend the order to now read; "ORDERED that the City Council hereby authorizes the City Manager to use funds in the amount of \$61,000 from an inactive special revenue account to fund ICT's Network Security project and Planning and Permitting's Traffic Pole projects with any unused funds being transferred to the facilities CIP for FY 13/14.

Passage of the amendment, 6-0.

Public comment – Joe Gray, Sopers Mill Road.

Passage of the order as amended, 6-0.

**8. Order 84-10072013A and Order 84-10072013B**

Approving the reallocation and prioritization of FY14 CIP funds related to City Buildings.

Motion by Councilor LaFontaine and seconded by Councilor Walker (Order 84-10072013B).

Public comment – no one from the public spoke.

Passage 6-0.

Motion by Councilor LaFontaine and seconded by Councilor Young (Order 84-10072013A).

Public comment – no one from the public spoke.

Passage 6-0.

**9. Ordinance 12-10072013**

Adopting the General Assistance overall maximums. First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.

Public comment – no one from the public spoke.

\*Passage 6-0.

**10. Ordinance 13-10072013**

Adopting the General Assistance Ordinance. First reading.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.

Public comment – no one from the public spoke.

\*Passage 6-0.

**11. Order 85-10072013**

Approving the renewal of an Auto Graveyard/Junkyard permit for Bucks Auto - Public hearing.



**IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 184**

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Public Hearing – no one from the public spoke.  
Passage 6-0.

**12. Order 86-10072013**

Approving the renewal of an Auto Graveyard/Junkyard permit for Morris Auto Parts – Public hearing.

Motion was made by Councilor Young and seconded by Councilor LaFontaine to postpone this item and public hearing until November 4, 2013. Passage 6-0.

**13. Order 87-10072013**

Approving the renewal of an Auto Graveyard/Junkyard permit for M & P Auto Parts – Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Public Hearing – no one from the public spoke.  
Passage 6-0.

**14. Order 88-10072013**

Approving the renewal of an Auto Graveyard/Junkyard permit for Randy's Auto Parts-Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Public Hearing – no one from the public spoke.  
Passage 6-0.

**15. Order 89-10072013**

Approving the renewal of an Auto Graveyard/Junkyard permit for Isadore T. Miller, Division of Schnitzer NE – Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Public Hearing – no one from the public spoke.  
Passage 6-0.

**16. Order 90-10072013**

Approving the renewal of an Auto Graveyard/Junkyard permit for Prolerized New England Company, LLC (formerly known as Maine Metal Recycling) – Public hearing.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker.  
Public Hearing – no one from the public spoke.  
Passage 6-0.

**VIII. Executive Session**

## IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 185

- Discussion regarding contemplated litigation, pursuant to 1 M.R.S.A. §405(6)(E) with possible action to follow.

Motion was made by Councilor LaFontaine and seconded by Councilor Shea to enter into executive session. Passage 5-1 (Councilor Gerry opposed), 7:52 P.M.

The Mayor declared Council out of executive session at 8:06 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Shea for passage of Resolve 07-10072013 calling upon the Lewiston-Auburn Transportation Committee to call upon the Maine Department of Transportation to assist actively in monitoring the performance of the contract between the Lewiston-Auburn Transportation Committee and Western Maine Transportation Systems, Inc., for the Citylink bus service to assure that existing violations of maintenance and safety standards are promptly cured and that there is effective oversight of the Citylink system in the future. Passage 5-1 (Councilor Gerry opposed).

- Discussion of a personnel issue (the City Manager's Review), pursuant to 1 M.R.S.A. §405(6)(A) with possible action to follow.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to enter into executive session. Passage 4-2 (Councilor Gerry and Walker abstained), 8:15 P.M.

The Mayor declared Council out of executive session at 8:41 P.M.

Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to authorize a \$2,000 wage adjustment for the City Manager pursuant to the employment contract of the City Manager. Passage 4-2 (Councilors Walker and Gerry opposed). This becomes Order 91-10072013.

- Discussion regarding an Economic Development matter, pursuant to 1 M.R.S.A. §405(6)(C) with possible action to follow.

This matter was discussed and resolved in executive session during the workshop.

### **IX. Open Session – no one from the public spoke**

\* Motion was made by Councilor LaFontaine and seconded by Councilor Hayes to suspend the rules and confirm the votes originally taken by a show of hands of items #1. Ordinance 11-09162013, #9. Ordinance 12-10072013, and #10. Ordinance 13-10072013 with a roll call vote in accordance to the City Charter.

### **X. Adjournment**

**IN COUNCIL SPECIAL MEETING OCTOBER 7, 2013 VOL. 33 PAGE 186**

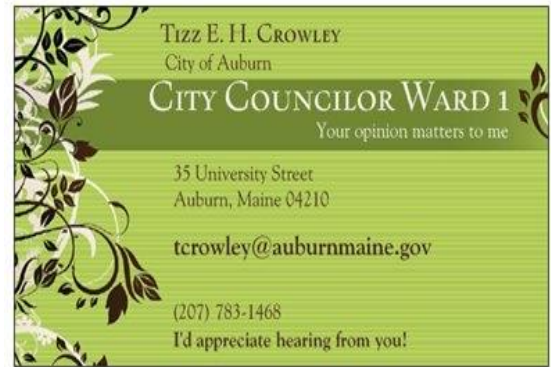
Motion was made by Councilor LaFontaine and seconded by Councilor Shea to adjourn.  
Passage 6-0. 8:50 P.M.

A True Copy.

ATTEST *Susan Clements-Dallaire*  
Susan Clements-Dallaire, City Clerk

## Auburn Ward 1 Report for Meeting Monday 2013.10.21

**Prepared:** Wednesday 2013.10.16  
**TO:** Residents of Auburn and the Auburn City Council  
**FROM:** Tizz E. H. Crowley- Auburn City Council Ward 1

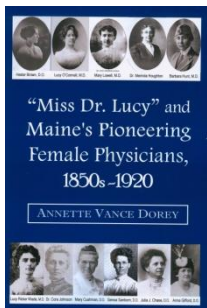


**“Thank you”-** Thank you to my friends at **Naral’s** for inviting me to your holiday celebration this past Monday. The Dashami festival holiday is celebrated in commemoration of the victory of truth over evil. Think “American Thanksgiving” when we count our blessings.

Thank you to the **Woman’s Literary Union** for opening the Foss Mansion to the participants at Sunday’s walk, **October 20<sup>th</sup>**. What a delightful way to end the program... with refreshments in such a lovely setting. Plan to join Auburn Economic Development Specialist, **Alan S. Manoian**, for an informative, engaging, healthy, and entertaining **Walking Tour of Downtown Auburn’s Historic Main Street and Elm Street District**. As part of Auburn-Lewiston’s United in Pink for Breast Cancer Awareness, let’s join together and take a memorable and meaningful walk together to explore and celebrate the balance and harmony that brings beauty and good health to life and to our cities. Walking Tourists meet in front of the Roak Block, Main Street, Auburn. The program will end at the Woman’s Literary Union on Elm Street.

Thank you to the **Auburn residents who attended community conversations**. I particularly appreciate how many people from ward 1 attended those in our neighborhoods but also reached out to other locations in the community. Thank you so much **Mary Sylvester** for being a fabulous facilitator.

**Thursday, October 24<sup>th</sup> Public Consignment Auction** Sale to be conducted at the Auburn-Lewiston Municipal Airport Storage site, 2355 Hotel Road starting at 9am. Items for sale include construction and road maintenance equipment, fire engines, vehicles, Zamboni and grounds equipment.



**Monday, October 28<sup>th</sup>** 6pm at City Hall – Be sure to come and enjoy local author, Ms. Annette Dorey. Her talk’s title is "Challenges of Our Early Female Physicians," She will talk about the nature of our early medical care and the challenges faced by women who sought medical degrees. As part of our PINK PRESENCE Ms. Dorey will do a little tribute to those early Maine female physicians who were struck down by cancer. Come hear the profiles of local women from “*Miss Dr. Lucy*” and *Maine’s Pioneering Female Physicians*. The event is free and the community of all ages is invited to attend. Refreshments will be served.

**Visiting Hours-** Visiting Hours at the Auburn Public Library continue on Thursday, October 24<sup>th</sup> from 5-7pm and Tuesday, November 12<sup>th</sup> from 2-4 pm.

As a Councilor I get calls and questions from Auburn residents. There are members of the City Council who feel **customer service concerns** are not part of a Councilors role. I strongly disagree. If residents have concerns and questions, I welcome the calls and emails. While the City Council may make policy we are accountable to the residents of Auburn. **Excellent customer service is a core value for me**. So I will follow up on trash complaints, missing traffic signs, health concerns from unvaccinated cats, and more. I also appreciate the time every resident gives me when I’m at a community event or local activity. Thank you for sharing your

opinion. I would also strongly suggest every Auburn residents sign up for e-alert notices regarding Auburn issues. It's easy- go to the City website and click on "**Alert me**" in the upper right hand corner of the screen.

Another easy way to get information or report a concern is to use the City website. In the upper right corner of the home page, there are two buttons "**Report It**" used for a complaint or concern and "**Request it**" if you need information. From my personal experience, staff does an awesome job responding quickly. This is much easier than writing an email and these requests are tracked.

**Enjoy Fall Walks in Ward 1.** Fall is such a beautiful time in Auburn. Get out and enjoy , but there are some Trail Etiquette Reminders. With fall being a busy time on the trails I'd like to remind all users to please follow these trail etiquette reminders.

**The most important rule is** to always be considerate of other trail users!

- Ride single file and be predictable: travel in a straight line. If you are biking fast, slow down near turns or when faced with passing pedestrians.
- Yield to the slower trail user (Example: Bicyclists yield to pedestrians).
- Move well off the trail when stopped.
- Use hand signals.
- Remove litter from the trail.

When passing other trail users:

- Slow down.
- Give an audible warning, "passing on your left".
- Pass on the left.



**October is National Breast Cancer Awareness Month.** As you know Auburn and Lewiston have been united in pink. Thank you to both Mayor LaBonte and Mayor Macdonald for the joint proclamation. Thank you to Ward 5 City Councilor Leroy Walker for being a partner at every event and with each project. Thank you to Dottie Perham Whittier and Howard Kroll for your support and efforts on the cities' websites.

There are still a number of PINK RIBBON events. Check out the latest update at

[http://www.auburnmaine.gov/CMSContent/City\\_Council/Tizz/BREAST\\_CANCER\\_AWARENESS\\_CALENDAR - 2013 - FINAL pdf.pdf](http://www.auburnmaine.gov/CMSContent/City_Council/Tizz/BREAST_CANCER_AWARENESS_CALENDAR_-_2013_-_FINAL_pdf.pdf)

**In closing,** "When black cats prowl and pumpkins gleam, may luck be yours on Halloween." An Old Irish Saying

#### **Halloween Safety Tips...**

- When visiting a haunted house always bring something extra for UNEXPECTED guests.
- Always leave your BROOM by the front door...
- Stay far away from the SCARY LADY in tight SPANDEX impersonating a witch!!!
- And Most Importantly Remember..... Don't DRINK and FLY!!!

**Have a Happy Halloween!**



# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Financial Services



**TO: Clinton Deschene, City Manager**  
**FROM: Jill Eastman, Finance Director**  
**REF: September 2013 Financial Report**  
**DATE: October 16, 2013**

The following is a discussion regarding the significant variances found in the City's September financial report. Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department.

The City has completed its third month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 25.0% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

### **Revenues**

Revenues collected through September 30th, including the school department were \$26,071,791, or 36.01%, of the budget. The municipal revenues including property taxes were \$22,240,476, or 42.57% of the budget which is less than the same period last year by 0.32%. The accounts listed below are noteworthy.

- A. September 15<sup>th</sup> the first installment for real estate taxes were due. The current year tax revenue is at 46.59% as compared to 46.59% last year.
- B. Excise tax for the month of September is at 28.33%. This is a \$29,706 increase from FY 13. Our excise revenues for FY14 are 3.33% above projections as of September 30, 2013.
- C. State Revenue Sharing for the month of September is 22.99% or \$379,235. The city received \$36,741 this month compared to \$51,987 FY 13, \$78,872 FY12, \$69,586 FY11, and \$60,412 FY10. This is 29.3% decrease from this September to last September.

- D. Homestead Exemption is 77.0% of budget at the end of September. We received 75% of our allotted amount in September and the balance in June.
- E. Business and Non-Business Licenses and Permits are at 34.1% of budget due to various licenses and permits coming in higher than anticipated.

**Expenditures**

City expenditures through September 2013 were \$12,331,270 or 34.12%, of the budget. This is 2.04% higher than the same period last year. Noteworthy variances are:

- A. Debt Service payments were up by \$367,198 – which is for 2012 Bond principal and interest payments.
- B. ICT is at 41.89% of budget as compared to 16.8% for FY 13. The software licensing payments were made in September for FY 14 and were paid in October in FY 13. Next month this department should level out as compared to FY 13.

**Investments**

This section contains an investment schedule as of September 30th. Currently the City's funds are earning an average interest rate of .22%.

Respectfully submitted,



Jill M. Eastman  
Finance Director

**CITY OF AUBURN, MAINE**  
**BALANCE SHEET - CITY GENERAL FUND, WC AND UNEMPLOYMENT FUND**  
**AS of September 2013, August 2013, and June 2013 (unaudited)**

	UNAUDITED Sept 30 2013	UNAUDITED Aug 31 2013	Increase (Decrease)	UNAUDITED JUNE 30 2013
<b>ASSETS</b>				
CASH	\$ 21,551,814	\$ 1,270,170	\$ 20,281,644	\$ 11,225,627
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	668,743	773,253	(104,510)	1,115,890
TAXES RECEIVABLE-CURRENT	21,017,081	40,724,287	(19,707,206)	89,723
DELINQUENT TAXES	666,420	670,317	(3,897)	543,772
TAX LIENS	1,022,476	1,116,799	(94,323)	1,391,484
NET DUE TO/FROM OTHER FUNDS	1,588,983	4,633,101	(3,044,118)	1,817,784
<b>TOTAL ASSETS</b>	<b>\$ 46,515,516</b>	<b>\$ 49,187,926</b>	<b>\$ (2,672,410)</b>	<b>\$ 16,184,280</b>
<b>LIABILITIES &amp; FUND BALANCES</b>				
ACCOUNTS PAYABLE	\$ (65,289)	\$ (145,633)	\$ 80,344	\$ (529,178)
PAYROLL LIABILITIES	13,285	275,249	(261,964)	(93,082)
ACCRUED PAYROLL	(4,655)	(413,929)	409,273	(1,047,863)
STATE FEES PAYABLE	(25,288)	(29,838)	4,550	(31)
ESCROWED AMOUNTS	(41,865)	(41,865)	-	(41,865)
DEFERRED REVENUE	(22,346,601)	(42,152,027)	19,805,426	(1,858,354)
<b>TOTAL LIABILITIES</b>	<b>\$ (22,470,414)</b>	<b>\$ (42,508,043)</b>	<b>\$ 20,037,629</b>	<b>\$ (3,570,373)</b>
FUND BALANCE - UNASSIGNED	\$ (23,179,270)	\$ (5,588,931)	\$ (17,590,339)	\$ (11,522,954)
FUND BALANCE - RESTRICTED FOR WORKERS COMP & UNEMPLOYMENT	1,001,137	1,001,137	0.16	776,017
FUND BALANCE - RESTRICTED	(1,866,970)	(1,866,970)	-	(1,866,970)
<b>TOTAL FUND BALANCE</b>	<b>\$ (24,045,103)</b>	<b>\$ (6,679,884)</b>	<b>\$ (17,365,219)</b>	<b>\$ (12,613,907)</b>
<b>TOTAL LIABILITIES AND FUND BALANCE</b>	<b>\$ (46,515,516)</b>	<b>\$ (49,187,926)</b>	<b>\$ 2,672,410</b>	<b>\$ (16,184,280)</b>



**CITY OF AUBURN, MAINE**  
**REVENUES - GENERAL FUND COMPARATIVE**  
**THROUGH September 30, 2013 VS September 30, 2012**

REVENUE SOURCE	FY 2014 BUDGET	ACTUAL REVENUES THRU SEPT 2013	% OF BUDGET	FY 2013 BUDGET	ACTUAL REVENUES THRU SEPT 2012	% OF BUDGET	VARIANCE
<b>TAXES</b>							
PROPERTY TAX REVENUE-	\$ 42,844,641	\$ 19,959,812	46.59%	\$ 42,121,141	\$ 19,622,750	46.59%	\$ 337,062
PRIOR YEAR REVENUE	\$ -	\$ 313,006		\$ -	\$ 262,106		\$ 50,900
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 482,575	\$ 371,573	77.00%	\$ 514,584	\$ 377,161	73.29%	\$ (5,588)
ALLOWANCE FOR ABATEMENT	\$ -	\$ -		\$ -	\$ -		\$ -
ALLOWANCE FOR UNCOLLECTIBLE TAXES	\$ -	\$ -		\$ -	\$ -		\$ -
EXCISE	\$ 3,068,500	\$ 869,371	28.33%	\$ 3,018,500	\$ 839,665	27.82%	\$ 29,706
PENALTIES & INTEREST	\$ 140,000	\$ 20,982	14.99%	\$ 140,000	\$ 19,191	13.71%	\$ 1,791
<b>TOTAL TAXES</b>	<b>\$ 46,535,716</b>	<b>\$ 21,534,744</b>	<b>46.28%</b>	<b>\$ 45,794,225</b>	<b>\$ 21,120,873</b>	<b>46.12%</b>	<b>\$ 413,871</b>
<b>LICENSES AND PERMITS</b>							
BUSINESS	\$ 47,300	\$ 11,448	24.20%	\$ 39,900	\$ 21,238	53.23%	\$ (9,791)
NON-BUSINESS	\$ 338,300	\$ 120,033	35.48%	\$ 260,700	\$ 140,373	53.84%	\$ (20,340)
<b>TOTAL LICENSES</b>	<b>\$ 385,600</b>	<b>\$ 131,481</b>	<b>34.10%</b>	<b>\$ 300,600</b>	<b>\$ 161,611</b>	<b>53.76%</b>	<b>\$ (30,130)</b>
<b>INTERGOVERNMENTAL ASSISTANCE</b>							
STATE-LOCAL ROAD ASSISTANCE	\$ 440,000	\$ -	0.00%	\$ 378,000	\$ 114,011	30.16%	\$ (114,011)
STATE REVENUE SHARING	\$ 1,649,470	\$ 379,235	22.99%	\$ 2,400,000	\$ 583,328	24.31%	\$ (204,093)
WELFARE REIMBURSEMENT	\$ 53,000	\$ -	0.00%	\$ 53,083	\$ 11,131	20.97%	\$ (11,131)
OTHER STATE AID	\$ 22,000	\$ -	0.00%	\$ 21,000	\$ 18,054	85.97%	\$ (18,054)
CITY OF LEWISTON	\$ 155,000	\$ -	0.00%	\$ 158,362	\$ -	0.00%	\$ -
<b>TOTAL INTERGOVERNMENTAL ASSISTANCE</b>	<b>\$ 2,319,470</b>	<b>\$ 379,235</b>	<b>16.35%</b>	<b>\$ 3,010,445</b>	<b>\$ 726,524</b>	<b>24.13%</b>	<b>\$ (347,289)</b>
<b>CHARGE FOR SERVICES</b>							
GENERAL GOVERNMENT	\$ 140,240	\$ 29,148	20.78%	\$ 130,955	\$ 26,293	20.08%	\$ 2,855
PUBLIC SAFETY	\$ 366,152	\$ 23,384	6.39%	\$ 263,102	\$ 34,609	13.15%	\$ (11,225)
EMS AGREEMENT	\$ 100,000	\$ 25,000	25.00%	\$ 100,000	\$ 16,667	16.67%	\$ 8,333
<b>TOTAL CHARGE FOR SERVICES</b>	<b>\$ 606,392</b>	<b>\$ 77,532</b>	<b>12.79%</b>	<b>\$ 494,057</b>	<b>\$ 77,569</b>	<b>15.70%</b>	<b>\$ (37)</b>
<b>FINES</b>							
PARKING TICKETS & MISC FINES	\$ 40,000	\$ 4,599	11.50%	\$ 45,000	\$ 5,612	12.47%	\$ (1,014)
<b>MISCELLANEOUS</b>							
INVESTMENT INCOME	\$ 20,000	\$ 86	0.43%	\$ 30,000	\$ 9,570	31.90%	\$ (9,484)
INTEREST-BOND PROCEEDS	\$ 2,000	\$ -	0.00%	\$ 2,000	\$ -	0.00%	\$ -
RENTS	\$ 122,000	\$ -	0.00%	\$ 122,000	\$ -	0.00%	\$ -
UNCLASSIFIED	\$ 17,500	\$ 38,396	219.40%	\$ 5,150	\$ 13,939	270.66%	\$ 24,457
SALE OF RECYCLABLES	\$ 4,800	\$ -	0.00%	\$ -	\$ -		\$ -
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 10,478		\$ -	\$ 21,511		\$ (11,033)
SALE OF PROPERTY	\$ 20,000	\$ 6,760	33.80%	\$ 20,000	\$ 15,393	76.97%	\$ (8,633)
RECREATION PROGRAMS/ARENA	\$ -	\$ -		\$ 43,275	\$ -	0.00%	\$ -
MMWAC HOST FEES	\$ 204,000	\$ 51,448	25.22%	\$ 197,400	\$ 50,477	25.57%	\$ 971
9-1-1 DEBT SERVICE REIMBURSEMENT	\$ -	\$ -		\$ -	\$ (20)	0.00%	\$ 20
TRANSFER IN: TIF	\$ 520,000	\$ -	0.00%	\$ 324,212	\$ -	0.00%	\$ -
ENERGY EFFICIENCY	\$ 2,000	\$ 279	13.96%	\$ 2,000	\$ 437	21.85%	\$ (158)
CDBG	\$ 58,000	\$ -	0.00%	\$ 8,000	\$ 1,334	16.68%	\$ (1,334)
UTILITY REIMBURSEMENT	\$ 37,500	\$ 5,440	14.51%	\$ 37,500	\$ 5,383	14.35%	\$ 57
CITY FUND BALANCE CONTRIBUTION	\$ 1,350,000	\$ -	0.00%	\$ 1,350,000	\$ -	0.00%	\$ -
<b>TOTAL MISCELLANEOUS</b>	<b>\$ 2,357,800</b>	<b>\$ 112,887</b>	<b>4.79%</b>	<b>\$ 2,141,537</b>	<b>\$ 118,024</b>	<b>5.51%</b>	<b>\$ (5,137)</b>
<b>TOTAL GENERAL FUND REVENUES</b>	<b>\$ 52,244,978</b>	<b>\$ 22,240,476</b>	<b>42.57%</b>	<b>\$ 51,785,864</b>	<b>\$ 22,210,213</b>	<b>42.89%</b>	<b>\$ 30,263</b>
<b>SCHOOL REVENUES</b>							
EDUCATION SUBSIDY	\$ 17,942,071	\$ 3,779,205	21.06%	\$ 17,942,071	\$ 3,561,225	19.85%	\$ 217,980
EDUCATION	\$ 1,358,724	\$ 52,110	3.84%	\$ 1,358,724	\$ 85,173	6.27%	\$ (33,063)
SCHOOL FUND BALANCE CONTRIBUTION	\$ 855,251	\$ -	0.00%	\$ 855,251	\$ -	0.00%	\$ -
<b>TOTAL SCHOOL</b>	<b>\$ 20,156,046</b>	<b>\$ 3,831,315</b>	<b>19.01%</b>	<b>\$ 20,156,046</b>	<b>\$ 3,646,398</b>	<b>18.09%</b>	<b>\$ 184,917</b>
<b>GRAND TOTAL REVENUES</b>	<b>\$ 72,401,024</b>	<b>\$ 26,071,791</b>	<b>36.01%</b>	<b>\$ 71,941,910</b>	<b>\$ 25,856,611</b>	<b>35.94%</b>	<b>\$ 215,180</b>

**CITY OF AUBURN, MAINE**  
**EXPENDITURES - GENERAL FUND COMPARATIVE**  
**THROUGH September 30, 2013 VS September 30, 2012**

DEPARTMENT	FY 2014 BUDGET	Unaudited			FY 2013 BUDGET	Unaudited		
		EXP THRU SEPT 2013	% OF BUDGET			EXP THRU SEPT 2012	% OF BUDGET	VARIANCE
<b>ADMINISTRATION</b>								
MAYOR AND COUNCIL	\$ 71,079	\$ 13,630	19.18%	\$ 99,690	\$ 29,387	29.48%	\$ (15,757)	
CITY MANAGER	\$ 238,903	\$ 56,903	23.82%	\$ 343,296	\$ 63,145	18.39%	\$ (6,242)	
ECONOMIC DEVELOPMENT	\$ 318,933	\$ 95,217	29.85%	\$ -	\$ -		\$ 95,217	
ASSESSING SERVICES	\$ 172,277	\$ 40,336	23.41%	\$ 183,801	\$ 37,929	20.64%	\$ 2,407	
CITY CLERK	\$ 162,045	\$ 33,284	20.54%	\$ 150,676	\$ 27,055	17.96%	\$ 6,229	
FINANCIAL SERVICES	\$ 405,976	\$ 93,410	23.01%	\$ 419,539	\$ 85,523	20.38%	\$ 7,887	
HUMAN RESOURCES	\$ 139,566	\$ 29,146	20.88%	\$ 137,836	\$ 29,237	21.21%	\$ (91)	
INFORMATION COMMUNICATION TECHNOLOGY	\$ 395,350	\$ 165,617	41.89%	\$ 386,632	\$ 64,971	16.80%	\$ 100,646	
LEGAL SERVICES	\$ 100,000	\$ -	0.00%	\$ 85,000	\$ 2,596	3.05%	\$ (2,596)	
<b>TOTAL ADMINISTRATION</b>	<b>\$ 2,004,129</b>	<b>\$ 527,543</b>	<b>26.32%</b>	<b>\$ 1,806,470</b>	<b>\$ 339,843</b>	<b>18.81%</b>	<b>\$ 187,700</b>	
<b>COMMUNITY SERVICES</b>								
ENGINEERING	\$ 280,188	\$ 55,195	19.70%	\$ 320,370	\$ 70,543	22.02%	\$ (15,348)	
COMMUNITY PROGRAMS	\$ -	\$ -		\$ 14,050	\$ 10,150	72.24%	\$ (10,150)	
PLANNING & PERMITTING	\$ 775,230	\$ 182,818	23.58%	\$ 776,532	\$ 163,750	21.09%	\$ 19,068	
PARKS AND RECREATION	\$ 567,334	\$ 122,460	21.59%	\$ 602,191	\$ 136,805	22.72%	\$ (14,345)	
HEALTH & SOCIAL SERVICES	\$ 189,539	\$ 58,240	30.73%	\$ 176,567	\$ 50,459	28.58%	\$ 7,781	
PUBLIC LIBRARY	\$ 946,737	\$ 231,809	24.49%	\$ 968,292	\$ 242,073	25.00%	\$ (10,264)	
<b>TOTAL COMMUNITY SERVICES</b>	<b>\$ 2,759,028</b>	<b>\$ 650,522</b>	<b>23.58%</b>	<b>\$ 2,858,002</b>	<b>\$ 673,780</b>	<b>23.58%</b>	<b>\$ (23,258)</b>	
<b>FISCAL SERVICES</b>								
DEBT SERVICE	\$ 6,321,584	\$ 4,676,409	73.98%	\$ 6,682,797	\$ 4,309,211	64.48%	\$ 367,198	
PROPERTY	\$ 715,667	\$ 201,655	28.18%	\$ 699,114	\$ 220,105	31.48%	\$ (18,450)	
WORKERS COMPENSATION	\$ 431,446	\$ -	0.00%	\$ 415,000	\$ -	0.00%	\$ -	
WAGES & BENEFITS	\$ 4,397,585	\$ 1,197,179	27.22%	\$ 4,602,545	\$ 1,095,319	23.80%	\$ 101,860	
EMERGENCY RESERVE (10108062-670000)	\$ 375,289	\$ -	0.00%	\$ 333,818	\$ -	0.00%	\$ -	
<b>TOTAL FISCAL SERVICES</b>	<b>\$ 12,241,571</b>	<b>\$ 6,075,243</b>	<b>49.63%</b>	<b>\$ 12,733,274</b>	<b>\$ 5,624,635</b>	<b>44.17%</b>	<b>\$ 450,608</b>	
<b>PUBLIC SAFETY</b>								
FIRE DEPARTMENT	\$ 4,024,789	\$ 941,530	23.39%	\$ 3,904,344	\$ 884,938	22.67%	\$ 56,592	
POLICE DEPARTMENT	\$ 3,589,583	\$ 736,860	20.53%	\$ 3,439,583	\$ 745,307	21.67%	\$ (8,447)	
<b>TOTAL PUBLIC SAFETY</b>	<b>\$ 7,614,372</b>	<b>\$ 1,678,390</b>	<b>22.04%</b>	<b>\$ 7,343,927</b>	<b>\$ 1,630,245</b>	<b>22.20%</b>	<b>\$ 48,145</b>	
<b>PUBLIC WORKS</b>								
PUBLIC WORKS DEPARTMENT	\$ 4,730,432	\$ 884,257	18.69%	\$ 4,617,744	\$ 894,248	19.37%	\$ (9,991)	
WATER AND SEWER	\$ 558,835	\$ 135,231	24.20%	\$ 558,835	\$ 135,251	24.20%	\$ (20)	
<b>TOTAL PUBLIC WORKS</b>	<b>\$ 5,289,267</b>	<b>\$ 1,019,488</b>	<b>19.27%</b>	<b>\$ 5,176,579</b>	<b>\$ 1,029,499</b>	<b>19.89%</b>	<b>\$ (10,011)</b>	
<b>INTERGOVERNMENTAL PROGRAMS</b>								
AUBURN-LEWISTON AIRPORT	\$ 105,000	\$ 52,500	50.00%	\$ 105,000	\$ 26,250	25.00%	\$ 26,250	
E911 COMMUNICATION CENTER	\$ 1,036,409	\$ 260,725	25.16%	\$ 1,035,381	\$ 258,193	24.94%	\$ 2,532	
LATC-PUBLIC TRANSIT	\$ 235,496	\$ -	0.00%	\$ 235,548	\$ -	0.00%	\$ -	
LAEGC-ECONOMIC COUNCIL	\$ -	\$ -		\$ 160,687	\$ 40,172	25.00%	\$ (40,172)	
COMMUNITY LITTLE THEATER	\$ -	\$ -		\$ 20,160	\$ -	0.00%	\$ -	
TAX SHARING	\$ 270,000	\$ 37,347	13.83%	\$ 289,000	\$ 43,602	15.09%	\$ (6,255)	
<b>TOTAL INTERGOVERNMENTAL</b>	<b>\$ 1,646,905</b>	<b>\$ 350,572</b>	<b>21.29%</b>	<b>\$ 1,845,776</b>	<b>\$ 368,217</b>	<b>19.95%</b>	<b>\$ (17,645)</b>	
<b>COUNTY TAX</b>								
TIF (10108058-580000)	\$ 2,029,513	\$ 2,029,512	100.00%	\$ 2,006,244	\$ 2,006,244	100.00%	\$ 23,268	
OVERLAY	\$ 2,555,723	\$ -	0.00%	\$ 2,619,142	\$ -	0.00%	\$ -	
	\$ -	\$ -		\$ -	\$ -	0.00%	\$ -	
<b>TOTAL CITY DEPARTMENTS</b>	<b>\$ 36,140,508</b>	<b>\$ 12,331,270</b>	<b>34.12%</b>	<b>\$ 36,389,414</b>	<b>\$ 11,672,463</b>	<b>32.08%</b>	<b>\$ 658,807</b>	
<b>EDUCATION DEPARTMENT</b>								
	\$ 37,128,028	\$ 2,543,560	6.85%	\$ 34,705,246	\$ 3,929,126	11.32%	\$ (1,385,566)	
<b>TOTAL GENERAL FUND EXPENDITURES</b>	<b>\$ 73,268,536</b>	<b>\$ 14,874,830</b>	<b>20.30%</b>	<b>\$ 71,094,660</b>	<b>\$ 15,601,589</b>	<b>21.94%</b>	<b>\$ (726,759)</b>	

**CITY OF AUBURN, MAINE  
INVESTMENT SCHEDULE  
AS Of August 31, 2013**

INVESTMENT	FUND	BALANCE September 30, 2013	BALANCE August 31, 2013	INTEREST RATE	WEIGHTED AVG YIELD
BANKNORTH MNY MKT	24-1242924 GENERAL FUND	\$ 55,346.23	\$ 55,337.13	0.20%	
BANKNORTH MNY MKT	24-1745910 GF-WORKERS COMP	\$ 49,250.44	\$ 49,246.39	0.10%	
BANKNORTH MNY MKT	24-1745944 GF-UNEMPLOYMENT	\$ 66,917.25	\$ 66,906.25	0.20%	
BANKNORTH CD	7033 GF-UNEMPLOYMENT	\$ 102,404.84	\$ 102,404.84	2.64%	
BANKNORTH MNY MKT	24-1809302 SPECIAL REVENUE	\$ 52,570.05	\$ 52,561.41	0.20%	
BANKNORTH MNY MKT	24-1745902 SR-PERMIT PARKING	\$ 198,039.36	\$ 198,006.81	0.20%	
BANKNORTH MNY MKT	24-1745895 SR-TIF	\$ 1,118,088.04	\$ 1,117,904.27	0.20%	
BANKNORTH MNY MKT	24-1746819 CAPITAL PROJECTS	\$ 5,900,549.09	\$ 5,899,579.30	0.20%	
BANKNORTH MNY MKT	24-1745928 ICE ARENA	\$ 249,352.93	\$ 249,311.95	0.10%	
<b>GRAND TOTAL</b>		<b>\$ 7,792,518.23</b>	<b>\$ 7,791,258.35</b>		<b>0.23%</b>

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Financial Services

To: Clinton Deschene, City Manager  
From: Jill Eastman, Finance Director  
Re: Arena Financial Reports for September 30, 2013



Attached you will find a Statement of Net Assets and a Statement of Activities for the Ingersoll Arena and the Norway Savings Bank Arena as of September 30, 2013.

### **Statement of Net Assets:**

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets.

### **Current Assets:**

As of the end of September 2013 the total current assets were \$324,573. These consisted of cash and cash equivalents of \$249,295, accounts receivable of \$41,175 and an interfund receivable is a \$34,103, which means that the General Fund owes the arena \$34,103, so net cash available to the arena is \$283,398 at the end of September.

The accounts receivable of \$41,175, consists of the following outstanding invoices for ice time that has been billed to various organizations. There are also current invoices that were billed in August for sign advertisement at the new twin sheet arena. At the end of August the outstanding accounts were categorized as follows: \$22,350 that are current, \$18,825 that are over 120 days past due. The past due invoices are broken down as follows:

Auburn Youth Hockey: \$18,395 – the original balance was \$51,195, and the Youth Hockey Organization entered into a payment agreement and has paid a total of \$32,800 towards this outstanding balance to date.

Twin City Titans: \$430 – 2 hours of ice time from the fall of 2012.

### **Noncurrent Assets:**

Noncurrent assets are the building, equipment and any building and land improvements, less depreciation. The total value of noncurrent assets as of September 30, 2013 were \$630,402.

### **Liabilities:**

The arena liabilities as of September 30, 2013, consisted of \$107 of accounts payable, which is for invoices that we had received, but had not processed as of the end of the month.

### **Statement of Activities:**

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Ingersoll Arena through August 2013, are \$59,224 and revenues for Norway Savings Bank Arena were \$65,100. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Ingersoll Arena through September 2013, were \$60,954 and for Norway Savings Bank Arena were \$23,116. These expenses include personnel costs, supplies, utilities, repairs and maintenance.

As of September 2013 the arenas have operating gains(losses) of (\$1,730) and \$41,984 respectively.

Non-operating revenue and expenses consist of interest income and debt service payments. The interest income to date is \$567 and debt service expense to date is \$82,801.

As of September 30, 2013 the arenas have a combined decrease in net assets of \$41,980.

**CITY OF AUBURN, MAINE**  
**Statement of Net Assets**  
**Proprietary Funds**  
**September 30, 2013**

---

**Business-type Activities - Enterprise Funds**

---

**Combined**

---

**ASSETS**

Current assets:

Cash and cash equivalents	\$ 249,295
Interfund receivables	34,103
Accounts receivable	41,175

---

Total current assets 324,573

Noncurrent assets:

Capital assets:

Buildings	672,279
Equipment	826,911
Land improvements	18,584
Less accumulated depreciation	(887,372)

---

Total noncurrent assets 630,402

---

Total assets 954,975

---

**LIABILITIES**

Accounts payable	107
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---

Total liabilities 107

---

**NET ASSETS**

Invested in capital assets	630,402
Unrestricted	324,466

---

Total net assets **\$ 954,868**

**CITY OF AUBURN, MAINE**  
**Statement of Revenues, Expenses and Changes in Net Assets**  
**Proprietary Funds**  
**Business-type Activities - Enterprise Funds**  
**Statement of Activities**  
**September 30, 2013**

	Ingersoll Ice Arena	Norway Savings Arena	Total
Operating revenues:			
Charges for services	\$ 59,224	\$ 65,100	\$ 124,324
Operating expenses:			
Personnel	33,584	17,551	51,135
Supplies	958	(3,573)	(2,615)
Utilities	24,119	-	24,119
Repairs and maintenance	2,027	-	2,027
Depreciation	-	-	-
Other expenses	266	9,138	9,404
<b>Total operating expenses</b>	<b>60,954</b>	<b>23,116</b>	<b>84,070</b>
Operating gain (loss)	(1,730)	41,984	40,254
Nonoperating revenue (expense):			
Interest income	567	-	567
Interest expense (debt service)	(82,801)	-	(82,801)
<b>Total nonoperating expense</b>	<b>(82,234)</b>	<b>-</b>	<b>(82,234)</b>
Gain before transfer	(83,964)	41,984	(41,980)
Transfers out	-	-	-
Change in net assets	(83,964)	41,984	(41,980)
Total net assets, July 1	996,848	-	996,848
<b>Total net assets, September 30, 2013</b>	<b>\$ 912,884</b>	<b>\$ 41,984</b>	<b>\$ 954,868</b>

**IN RECOGNITION  
OF  
AUBURN CHIEF OF POLICE  
PHILLIP L. CROWELL, JR  
ON BEING ELECTED PRESIDENT OF  
THE MAINE CHIEFS OF POLICE ASSOCIATION**

**WHEREAS**, Police Chief Phillip L. Crowell, Jr. has had an illustrious career with the City of Auburn Police Department for nearly 20 years (13 Nov 93-Present), rising through the ranks to his current position; and

**WHEREAS**, Chief Crowell has represented his country, family, community, department and profession with honor, courage and commitment, he has been a role model for many including but not limited to his Department personnel; and

**WHEREAS**, Chief Crowell, a long time member of the Maine Chiefs of Police Association, was named on September 12, 2013 as that organization's President; and

**WHEREAS**, Chief Crowell is taking on this important position he is committed to advancing his profession through cooperative efforts with local institutions of higher learning, he understands that an educated law enforcement officer will be more valuable to his or her community; and

**NOW, THEREFORE**, the Auburn City Council, on behalf of the Citizens of Auburn, herewith recognizes and commends Police Chief Phil Crowell for being elected as the Maine Chiefs of Police Association's President.

---

Jonathan P. LaBonté  
Mayor





## City Council Agenda Information Sheet

City of Auburn

**Council Workshop Date:** October 21, 2013

**Order** 77-09162013

**Author:** Jill Eastman, Finance Director

Item(s) checked below represent the subject matter related to this workshop item.

Comprehensive Plan    Work Plan    Budget    Ordinance/Charter    Other Business\*    Council Goals\*\*

\*\*If Council Goals please specify type:    Safety    Economic Development    Citizen Engagement

**Subject:** Addendum to the City's Joint Purchasing and Procurement Policy adopted by Council Jan 2, 2013.

**Information:** Attached is the Draft addendum that addresses how the City will handle the Sale of Property in the future. This was discussed by the Audit Committee and presented to Council at the workshop on September 3, 2013.

**Financial:** N/A

**Action Requested at this Meeting:** Recommend passage.

**Previous Meetings and History:** Council Workshop, September 3, 2013 and Audit Committee meeting on August 23, 2013. This was on the 9/16/2013 City Council agenda and was postponed to a future meeting.

**Attachments:**

Draft Policy

Order 77-09162013

\*Agenda items are not limited to these categories.

## **Addendum to the City of Auburn's Joint Purchasing and Procurement Policy Adopted by City Council on January 2, 2013**

**SALE OF PROPERTY:** The Finance Director or his/her designee shall be responsible for the sale of all municipal property (real or personal) which is no longer used or has become obsolete, worn out or scrapped.

**NOTICE:** Department heads of all using agencies shall notify the Finance Director or his/her designee, at such times and in such form as he/she may prescribe, reports of all surplus material available in their respective departments.

**TRANSFER:** The Finance Director shall have the authority to transfer surplus property to other agencies after being offered to all City Departments.

**SALE PROCEDURE:** All sales which have an estimated dollar value over \$5,000 shall be sold at a public auction or through the formal competitive bid process. Stand alone sales from \$1,000 to \$5,000 shall be supported by price quotations from three (3) competitive sources or adequate explanation justifying the absence of such competition. Sales under \$1,000 and all other sales shall be conducted in the most economical manner and in the best interest of the City. All sales shall be posted to the City's website and an e-alert will be set up for anyone who is interested in such sales, to subscribe to.

**DONATION:** All items which might be donated to another town, municipality or non-profit organization shall require prior approval of the City Council.

In accordance with the City Charter, this policy applies to **all** City Departments, which includes the School Department.

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER 77-09162013

ORDERED, that the City Council hereby adopts the addendum to the City's Joint Purchasing and Procurement Policy that addresses the Sale of City Property (below).

### **Addendum to the City of Auburn's Joint Purchasing and Procurement Policy Adopted by City Council on January 2, 2013**

**SALE OF PROPERTY:** The Finance Director or his/her designee shall be responsible for the sale of all municipal property (real or personal) which is no longer used or has become obsolete, worn out or scrapped.

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**DONATION:** All items which might be donated to another town, municipality or non-profit organization shall require prior approval of the City Council.

In accordance with the City Charter, this policy applies to **all** City Departments, which includes the School Department.



# City Council Agenda Information Sheet

City of Auburn

**Council Agenda Date:** October 7, 2013

**Ordinance** 12-10072013

**Author:** Dorothy Meagher

Item(s) checked below represent the subject matter related to this workshop item.

Comprehensive Plan    Work Plan    Budget    Ordinance/Charter    Other Business\*    Council Goals\*\*

\*\*If Council Goals please specify type:    Safety    Economic Development    Citizen Engagement

## Subject: General Assistance maximums for FY 13-14

**Information:** I'm seeking the have the FY 13-14 appendices A-F, approved by council for the upcoming fiscal year to reflect the new overall maximums, electric maximums and rental maximum levels for heated and unheated rents. These levels were developed by MMA using the 13-14 HUD Fair Market Rent values.

\*\*Revised Appendices B-Food Maximum effective 11/01/2013 which reduces the food allotment to the households.

**Financial:** The new Appendix A overall maximum assistance is an increase of 9% over FY 12-13, the effective date for this appendix is July 1, 2013 to June 30, 2014. The new Appendix C for rental assistance, increased by 9% over last year which runs from October 1 to October 1, 2014. The new Appendix D Utilities is an increase of 8% over last year's figures. This appendix also runs from October 1<sup>st</sup> to September 30<sup>th</sup>. Other appendices, E-Heating Fuel and F-Personal Care & Household Supplies have not changed.

**Action Requested at this Meeting:** Approval of the increase to the General Assistance Appendices. This is the second reading.

**Previous Meetings and History:** This is a yearly approval needed by council. Passage of first reading was on 10/7/2013.

## Attachments:

GA Maximums Summary Sheet

Appendix A      GA Overall Maximum

Appendix B      Food Maximums

Appendix C      GA Housing Maximums

Appendix D-F    Utilities, Personal Care & Household Supplies

\*\* Revised Appendix B Food Maximums

\*Agenda items are not limited to these categories.

## GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendix A* are effective from **July 1, 2013 to June 30, 2014**. The maximums found in *Appendices B, C, D, E, and F* are effective from **October 1, 2013 to September 30, 2014**.

### APPENDIX A - OVERALL MAXIMUMS

<u>County</u>	<u>Persons in Household</u>					
	1	2	3	4	5	6
	529	626	818	1031	1094	1162

**NOTE:** For each additional person add \$75 per month.

(The applicable figures from Appendix A, *once adopted*, should be inserted here.)

### APPENDIX B - FOOD MAXIMUMS

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	46.51	200
2	85.35	367
3	122.33	526
4	155.35	668
5	184.42	793
6	221.40	952
7	244.65	1,052
8	279.53	1,202

**NOTE:** For each additional person add \$150 per month.

### APPENDIX C - HOUSING MAXIMUMS

<b>Number of Bedrooms</b>	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0	\$ 89	\$ 381	\$ 111	\$ 476
1	\$103	\$ 445	\$ 132	\$ 566
2	\$ 139	\$ 597	\$ 174	\$ 750
3	\$ 178	\$ 766	\$ 221	\$ 952
4	\$ 180	\$ 774	\$233	\$1,003

(The applicable figures from Appendix C, *once adopted*, should be inserted here.)

*FOR MUNICIPAL USE ONLY*

**APPENDIX D - UTILITIES**

**ELECTRIC**

**NOTE:** For an electrically heated dwelling also see “Heating Fuel” maximums below. But remember, an applicant is *not automatically* entitled to the “maximums” established—applicants must demonstrate need.

1) **Electricity Maximums for Households Without Electric Hot Water:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.20	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

**NOTE:** For each additional person add \$7.50 per month.

2) **Electricity Maximums for Households With Electrically Heated Hot Water:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$19.10	\$82.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$37.30	\$160.00
6	\$41.00	\$176.00

**NOTE:** For each additional person add \$10.00 per month.

**NOTE:** For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

**APPENDIX E - HEATING FUEL**

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

*FOR MUNICIPAL USE ONLY*

**NOTE:** When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

**APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES**

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

**NOTE:** For each additional person add \$1.25 per week or \$5.00 per month.

**SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5**

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

*FOR MUNICIPAL USE ONLY*

## GA Overall Maximums

### Metropolitan Areas

COUNTY	Persons in Household				
	1	2	3	4	5*
<b>Bangor HMFA:</b> Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	579	669	845	1,061	1,223
<b>Penobscot County HMFA:</b> Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	576	576	690	874	1,056
<b>Lewiston/Auburn MSA:</b> Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	529	626	818	1,031	1,094
<b>Portland HMFA:</b> Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	750	888	1,148	1,444	1,546
<b>York/Kittery/S.Berwick HMFA:</b> Berwick, Eliot, Kittery, South Berwick, York	936	939	1,123	1,635	1,779
<b>Cumberland County HMFA:</b> Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	623	731	941	1,244	1,483



## Appendix A

Effective: 07/01/13-06/30/14

COUNTY	1	2	3	4	5*
<b>Sagadahoc HMFA:</b> Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	742	742	887	1,117	1,533
<b>York County HMFA:</b> Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	678	704	891	1,191	1,233

\*Note: Add \$68 for each additional person.

### Non-Metropolitan Areas

#### Persons in Household

COUNTY	1	2	3	4	5*
<b>Aroostook County</b>	506	539	644	840	929
<b>Franklin County</b>	555	585	711	856	1,217
<b>Hancock County</b>	594	683	842	1,116	1,146
<b>Kennebec County</b>	507	587	750	952	1,015
<b>Knox County</b>	698	709	865	1,110	1,259
<b>Lincoln County</b>	649	717	904	1,126	1,208
<b>Oxford County</b>	543	602	726	979	1,268
<b>Piscataquis County</b>	564	641	791	1,004	1,073
<b>Somerset County</b>	573	600	715	972	988
<b>Waldo County</b>	633	677	815	1,014	1,078
<b>Washington County</b>	544	585	697	863	1,045

\* Please Note: Add \$68 for each additional person.

## Appendix B

Effective: 11/01/13 to 10/31/14

# Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. Through October 1, 2013, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	43.96	189
2	80.70	347
3	115.59	497
4	146.98	632
5	174.42	750
6	209.31	900
7	231.40	995
8	264.42	1137

**Note: For each additional person add \$142 per month.**

## GA Housing Maximums (Heated & Unheated Rents)

**NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS!** Municipalities should ONLY **consider** adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. **Or, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (See Instruction Memo for further guidance.)**

### **Non-Metropolitan FMR Areas**

<b><u>Aroostook County</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		82	353	106	455
1		82	353	107	460
2		93	401	130	558
3		120	514	166	714
4		124	535	181	777
<b><u>Franklin County</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		95	408	117	505
1		97	418	121	520
2		114	491	144	620
3		135	579	181	779
4		206	887	263	1,129
<b><u>Hancock County</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		105	451	124	533
1		117	503	140	602
2		145	622	180	775
3		197	845	240	1,031
4		197	845	241	1,035
<b><u>Kennebec County</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		83	359	106	454
1		94	404	123	527
2		123	529	159	682
3		159	685	200	862
4		159	682	212	911

**Non-Metropolitan FMR Areas**

		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
<b><u>Knox County</u></b>	Bedrooms	Weekly	Monthly	Weekly	Monthly
	0	128	552	150	647
	1	128	552	150	643
	2	150	645	186	798
	3	197	846	240	1,032
	4	209	899	252	1,083
<b><u>Lincoln County</u></b>					
	Bedrooms	Weekly	Monthly	Weekly	Monthly
	0	119	513	132	568
	1	124	535	145	622
	2	159	684	195	837
	3	200	862	244	1,048
	4	207	889	260	1,118
<b><u>Oxford County</u></b>					
	Bedrooms	Weekly	Monthly	Weekly	Monthly
	0	89	382	114	490
	1	101	434	120	516
	2	113	487	153	657
	3	161	693	209	900
	4	216	928	274	1,179
<b><u>Piscataquis County</u></b>					
	Bedrooms	Weekly	Monthly	Weekly	Monthly
	0	96	413	111	479
	1	103	441	125	539
	2	123	527	154	663
	3	157	675	196	844
	4	157	675	205	881
<b><u>Somerset County</u></b>					
	Bedrooms	Weekly	Monthly	Weekly	Monthly
	0	94	405	122	523
	1	94	405	126	542
	2	107	459	151	650
	3	164	703	209	899
	4	164	703	209	899

**Non-Metropolitan FMR Areas**

<b><u>Waldo County</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	116	497	128	552	
1	119	510	136	583	
2	139	597	162	698	
3	174	749	217	935	
4	176	758	230	987	

<b><u>Washington County</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	93	402	108	463	
1	95	410	118	507	
2	108	465	141	607	
3	134	575	182	782	
4	163	703	222	954	

**Metropolitan FMR Areas**

<b><u>Bangor HMFA</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	100	432	123	527	
1	113	487	142	610	
2	145	625	181	778	
3	183	789	227	975	
4	210	904	263	1,133	

<b><u>Penobscot County HMFA</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	99	424	114	491	
1	99	424	114	491	
2	100	429	131	565	
3	136	587	172	741	
4	155	668	214	919	

<b><u>Lewiston/Auburn MSA</u></b>		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	89	381	111	476	
1	103	445	132	566	
2	139	597	174	750	
3	178	766	221	952	
4	180	774	233	1,003	

**Metropolitan FMR Areas**

		<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
	Bedrooms	Weekly	Monthly	Weekly	Monthly
<b><u>Portland HMFA</u></b>					
	0	142	611	154	666
	1	166	715	183	788
	2	214	922	238	1023
	3	271	1165	300	1292
	4	274	1180	318	1367
<b><u>York/Kittery/S. Berwick HMFA</u></b>					
	Bedrooms	Weekly	Monthly	Weekly	Monthly
	0	170	729	182	784
	1	170	729	182	784
	2	191	823	221	949
	3	289	1241	318	1368
	4	300	1289	343	1473
<b><u>Cumberland County HMFA</u></b>					
	Bedrooms	Weekly	Monthly	Weekly	Monthly
	0	111	479	124	534
	1	131	563	148	636
	2	167	720	119	821
	3	228	982	259	1115
	4	271	1167	308	1326
<b><u>Sagadahoc County HMFA</u></b>					
	Bedrooms	Weekly	Monthly	Weekly	Monthly
	0	140	603	153	658
	1	140	603	153	658
	2	155	667	179	768
	3	186	798	228	976
	4	271	1167	314	1351
<b><u>York County HMFA</u></b>					
	Bedrooms	Weekly	Monthly	Weekly	Monthly
	0	126	541	139	596
	1	126	541	147	633
	2	156	672	188	810
	3	216	928	259	1,114
	4	216	928	266	1,143

**APPENDIX D - UTILITIES**

**ELECTRIC**

**NOTE:** For an electrically heated dwelling also see “Heating Fuel” maximums below. But remember, an applicant is *not automatically* entitled to the “maximums” established—applicants must demonstrate need.

1) **Electricity Maximums for Households Without Electric Hot Water:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.20	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

**NOTE:** For each additional person add \$7.50 per month.

2) **Electricity Maximums for Households With Electrically Heated Hot Water:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$19.10	\$82.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$37.30	\$160.00
6	\$41.00	\$176.00

**NOTE:** For each additional person add \$10.00 per month.

**NOTE:** For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

**APPENDIX E - HEATING FUEL**

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

**FOR MUNICIPAL USE ONLY**

**NOTE:** When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

**APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES**

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

**NOTE:** For each additional person add \$1.25 per week or \$5.00 per month.

**SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5**

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

*FOR MUNICIPAL USE ONLY*



Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDINANCE 12-10072013

ORDERED, that the Code of Ordinances be and hereby is amended as follows:

The approval of the 2013-2014 appendix A overall maximum assistance, effective for July 1, 2013 to July 30, 2014.

Appendix B Food Maximum effective November 1, 2013. On November 1, 2013, benefits will **decrease** across the board for all participating household due to the expiration of the ARRA (American Recovery and Reinvestment Act of 2009), which increased benefits by 13.6 percent in April of 2009 in response to the recession.

Appendix C rental assistance, appendix D utilities, appendix E heating fuel, and appendix F, personal care effective October 1, 2013 to September 30, 2014, for the Auburn General Assistance program.

The approval will put the Auburn ordinance in compliance with the State statutes.

# GENERAL ASSISTANCE ORDINANCE

## APPENDICES A-E

### 2013-2014

The Municipality of Auburn, Maine, adopts the MMA Model Ordinance GA Appendices A for the period of July 1, 2013 — June 30, 2014. Appendices C - E for the period of October 1, 2013 — September 30, 2014, Appendices B for period of November 1, 2013 to October 31, 2013. These appendices are filed with the Department of Health and Human Services (DHHS) in compliance with Title 22 M.R.S.A. §4305(4).

Signed the \_\_\_\_\_ (day) of \_\_\_\_\_ (month) \_\_\_\_\_ (year)  
by the municipal officers:

_____	_____
Councilor Tizz E.H. Crowley	(Signature)
_____	_____
Councilor Mary J. K LaFontaine	(Signature)
_____	_____
Councilor Leroy G Walker Sr.	(Signature)
_____	_____
Councilor Joshua A Shea	(Signature)
_____	_____
Councilor Robert P Hayes	(Signature)
_____	_____
Councilor David C Young	(Signature)
_____	_____
Councilor Belinda A Gerry	(Signature)



# City Council Agenda Information Sheet

## City of Auburn

**Council Agenda Date:** October 21, 2013

**Ordinance** 13-10072013

**Author:** Dorothy Meagher

Item(s) checked below represent the subject matter related to this workshop item.

Comprehensive Plan    Work Plan    Budget    Ordinance/Charter    Other Business\*    Council Goals\*\*

\*\*If Council Goals please specify type:    Safety    Economic Development    Citizen Engagement

**Subject:** Ordinance Change

**Information:** Social Service / General Assistance ordinance

### Sec. 30-2 Definitions:

*Eligible person* means a person who is qualified to receive general assistance according to the standards of eligibility set forth in this chapter. “Eligible person” does not include a person, who is a fugitive from justice as defined in Title 15, § 201, sub. 4.

*Household* means an individual or a group of individuals who share a dwelling unit. When an applicant shares a dwelling unit with one or more individuals, even when a landlord-tenant relationship may exist between individuals residing in the dwelling unit, eligible applicants may receive assistance for no more than their pro rata share of the actual costs of the shared basic needs of that household according to the maximum levels of assistance established in this chapter. The pro rata share is calculated by dividing the maximum level of assistance available to the entire household by the total of number of household members. The income of household members not legally liable or otherwise responsible for supporting the household shall be considered as available to the applicant only when there is pooling of income. The City shall presume pooling of income unless the applicant proves otherwise.

*Income* means any form of income in cash or in kind received by the household, including net remuneration for services performed, cash received on either secured or unsecured credit, any payments received as an annuity, retirement or disability benefits, veterans' pensions, workers' compensation, unemployment benefits, benefits under any state or federal categorical assistance program, supplemental security income, social security and any other payments from governmental sources unless specifically prohibited by any law or regulation, support payments, income from pension or trust funds, household income from any other source including relatives or unrelated household members and any benefit received pursuant to Title 36, chapter 907 and Title 36, section 5219-11 For repeat applicants, it also includes unverified expenditures or misspent money from the 30-day period prior to application. The following items shall not be considered as income or assets which must be liquidated for the purposes of deriving income:

- (1) Real or personal income-producing property, tools of trade, or governmental entitlement specifically treated as exempt by state or federal law;

\*Agenda items are not limited to these categories.

- (2) Actual work-related expenses, whether itemized or by standard deduction, such as taxes, retirement funds contributions, union dues, transportation costs to and from work, special equipment costs and child care expenses; or
- (3) Earned income of children below the age of 18 years who are full-time students and who are not working full-time.

**Sec. 30-68 Use of Resources:**

*(F) An applicant who is found to be ineligible for unemployment compensation benefits because of a finding of fraud by the Department of Labor pursuant to Title 26, § 1051 subsection 1 is ineligible to receive general assistance to replace the forfeited unemployment compensation benefits for the duration of the forfeiture established by the Department of Labor.*

**Sec. 30-97 Determination of income.**

- (8) *Lump sum income.* A lump sum payment as defined in this chapter and received by a household prior to the date of application for general assistance will be considered as income available to the household, with the exception of any required payments (i.e., any third-party payment which is required as a condition of receiving the lump sum payment, or any payments of bills earmarked for the purpose for which the lump sum payment was made) and any amount of the lump sum payment which the applicant can document was spent on basic necessities as described in this subsection. In the case where a lump sum payment was received by a household at any time prior to the date of application for general assistance, the administrator will assess the need for prorating an applicant's eligibility for general assistance according to the following criteria:
- a. Identify the date the lump sum payment was received.
  - b. Subtract from the lump sum payment all required payments.
  - c. Subtract from the lump sum any amount the applicant can demonstrate was spent on basic necessities, including all basic necessities provided by general assistance, provided in this chapter; any reasonable payment of funeral or burial expenses for a family member; any reasonable travel costs related to the illness or death of a family member, repair or replacement of essentials lost due to fire, flood or other natural disaster; or repair or purchase of a motor vehicle essential for employment, education, training or other day-to-day living necessities.
  - d. Add to the remainder all income received by the household between the date of receipt of the lump sum payment and the date of application for general assistance.

e. The period of proration is then determined by dividing the remainder of the lump sum payment by the verified actual monthly amounts for all the household's basic necessities.

The dividend remaining after following these guidelines represents the number of months from the receipt of the lump sum payment during which an income level equivalent to the actual expenditure for basic necessities as defined by general assistance for the household will be deemed available to that household. The prorated sum for each month must be considered available to the household for 12 months from the date of application or during the period of proration, whichever is less.

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**Financial:** none

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**Action Requested at this Meeting:** Recommend passage of second reading.

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**Previous Meetings and History:** 9-16-2013 Workshop, passage of first reading on 10/7/2013.

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**Attachments:**

Part 00 for GA  
Ordinance 13-10072013

## PART NN

### **Sec. NN-1. Adults with intellectual disabilities waiver rate methodology.**

The Department of Health and Human Services shall continue to review the rate methodology for reimbursement under Chapter 101, MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder and Section 29: Support Benefits for Adults with Intellectual Disabilities or Autistic Disorder. The department shall report on its recommended reimbursement levels to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services no later than January 15, 2014. The report must include data that demonstrates how the new methodology ensures adequate resources to care for individuals with extraordinarily high medical needs.

## PART OO

**Sec. OO-1. 22 MRSA §3104-A, sub-§1, ¶¶B and C,** as enacted by PL 2011, c. 380, Pt. KK, §1, are amended to read:

B. A victim of domestic violence; or

C. Experiencing other hardship, such as time necessary to obtain proper work documentation, as defined by the department by rule. Rules adopted by the department under this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A; or

**Sec. OO-2. 22 MRSA §3104-A, sub-§1, ¶D** is enacted to read:

D. Unemployed but has obtained proper work documentation, as defined by the department by rule. Rules adopted by the department under this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

**Sec. OO-3. 22 MRSA §3762, sub-§3, ¶B,** as amended by PL 2011, c. 380, Pt. KK, §4, is further amended to read:

B. The department may use funds, insofar as resources permit, provided under and in accordance with the United States Social Security Act or state funds appropriated for this purpose or a combination of state and federal funds to provide assistance to families under this chapter. In addition to assistance for families described in this subsection, funds must be expended for the following purposes:

(1) To continue the pass-through of the first \$50 per month of current child support collections and the exclusion of the \$50 pass-through from the budget tests and benefit calculations;

(2) To provide financial assistance to noncitizens legally admitted to the United States who are receiving assistance under this subsection as of July 1, 2011. Recipients of assistance under this subparagraph are limited to the categories of noncitizens who would be eligible for the TANF programs but for their status as aliens under PRWORA. Eligibility for the TANF program for these categories of noncitizens must be determined using the criteria applicable to other recipients of

assistance from the TANF program. Any household receiving assistance as of July 1, 2011 may continue to receive assistance, as long as that household remains eligible, without regard to interruptions in coverage or gaps in eligibility for service. A noncitizen legally admitted to the United States who is neither receiving assistance on July 1, 2011 nor has an application pending for assistance on July 1, 2011 that is later approved is not eligible for financial assistance through a state-funded program unless that noncitizen is:

(a) Elderly or disabled, as described under the laws governing supplemental security income in 42 United States Code, Sections 1381 to 1383f (2010);

(b) A victim of domestic violence; ~~or~~

(c) Experiencing other hardship, such as time necessary to obtain proper work documentation, as defined by the department by rule. Rules adopted by the department under this division are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A; or

(d) Unemployed but has obtained proper work documentation, as defined by the department by rule. Rules adopted by the department under this division are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A;

(3) To provide benefits to certain 2-parent families whose deprivation is based on physical or mental incapacity;

(4) To provide an assistance program for needy children, 19 to 21 years of age, who are in full-time attendance in secondary school. The program is operated for those individuals who qualify for TANF under the United States Social Security Act, except that they fail to meet the age requirement, and is also operated for the parent or caretaker relative of those individuals. Except for the age requirement, all provisions of TANF, including the standard of need and the amount of assistance, apply to the program established pursuant to this subparagraph;

(5) To provide assistance for a pregnant woman who is otherwise eligible for assistance under this chapter, except that she has no dependents under 19 years of age. An individual is eligible for the monthly benefit for one eligible person if the medically substantiated expected date of the birth of her child is not more than 90 days following the date the benefit is received;

(6) To provide a special housing allowance for TANF families whose shelter expenses for rent, mortgage or similar payments, homeowners insurance and property taxes equal or exceed 75% of their monthly income. The special housing allowance is limited to \$100 per month for each family. For purposes of this subparagraph, "monthly income" means the total of the TANF monthly benefit and all income countable under the TANF program, plus child support received by the family, excluding the \$50 pass-through payment;

(7) In determining benefit levels for TANF recipients who have earnings from employment, the department shall disregard from monthly earnings the following:

- (a) One hundred and eight dollars;
- (b) Fifty percent of the remaining earnings that are less than the federal poverty level; and
- (c) All actual child care costs necessary for work, except that the department may limit the child care disregard to \$175 per month per child or \$200 per month per child under 2 years of age or with special needs;

(8) In cases when the TANF recipient has no child care cost, the monthly TANF benefit is the maximum payment level or the difference between the countable earnings and the standard of need established by rule adopted by the department, whichever is lower;

(9) In cases when the TANF recipient has child care costs, the department shall determine a total benefit package, including TANF cash assistance, determined in accordance with subparagraph (7) and additional child care assistance, as provided by rule, necessary to cover the TANF recipient's actual child care costs up to the maximum amount specified in section 3782-A, subsection 5. The benefit amount must be paid as provided in this subparagraph.

(a) Before the first month in which child care assistance is available to an ASPIRE-TANF recipient under this paragraph and periodically thereafter, the department shall notify the recipient of the total benefit package and the following options of the recipient: to receive the total benefit package directly; or to have the department pay the recipient's child care assistance directly to the designated child care provider for the recipient and pay the balance of the total benefit package to the recipient.

(b) If an ASPIRE-TANF recipient notifies the department that the recipient chooses to receive the child care assistance directly, the department shall pay the total benefit package to the recipient.

(c) If an ASPIRE-TANF recipient does not respond or notifies the department of the choice to have the child care assistance paid directly to the child care provider from the total benefit package, the department shall pay the child care assistance directly to the designated child care provider for the recipient. The department shall pay the balance of the total benefit package to the recipient;

(10) Child care assistance under this paragraph must be paid by the department in a prompt manner that permits an ASPIRE-TANF recipient to access child care necessary for work; and

(11) The department shall adopt rules pursuant to Title 5, chapter 375 to implement this subsection. Rules adopted pursuant to this subparagraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. OO-4. 22 MRSA §4301, sub-§3**, as enacted by PL 1983, c. 577, §1, is amended to read:



**3. Eligible person.** "Eligible person" means a person who is qualified to receive general assistance from a municipality according to standards of eligibility determined by the municipal officers whether or not that person has applied for general assistance. "Eligible person" does not include a person who is a fugitive from justice as defined in Title 15, section 201, subsection 4.

**Sec. OO-5. 22 MRSA §4301, sub-§6,** as amended by PL 1991, c. 622, Pt. M, §20, is further amended to read:

**6. Household.** "Household" means an individual or a group of individuals who share a dwelling unit. When an applicant shares a dwelling unit with one or more individuals, even when a landlord-tenant relationship may exist between individuals residing in the dwelling unit, eligible applicants may receive assistance for no more than their pro rata share of the actual costs of the shared basic needs of that household according to the maximum levels of assistance established in the municipal ordinance. The pro rata share is calculated by dividing the maximum level of assistance available to the entire household by the total number of household members. The income of household members not legally liable for supporting the household is considered available to the applicant only when there is a pooling of income.

**Sec. OO-6. 22 MRSA §4301, sub-§7,** as amended by PL 2003, c. 510, Pt. C, §6, is further amended to read:

**7. Income.** "Income" means any form of income in cash or in kind received by the household, including net remuneration for services performed, cash received on either secured or unsecured credit, any payments received as an annuity, retirement or disability benefits, veterans' pensions, workers' compensation, unemployment benefits, benefits under any state or federal categorical assistance program, supplemental security income, social security and any other payments from governmental sources, unless specifically prohibited by any law or regulation, court ordered support payments, income from pension or trust funds ~~and~~ household income from any other source, including relatives or unrelated household members and any benefit received pursuant to Title 36, chapter 907 and Title 36, section 5219-II, unless used for basic necessities as defined in section 4301, subsection 1.

The following items are not available within the meaning of this subsection and subsection 10:

- A. Real or personal income-producing property, tools of trade, governmental entitlement specifically treated as exempt assets by state or federal law;
- B. Actual work-related expenses, whether itemized or by standard deduction, such as taxes, retirement fund contributions, union dues, transportation costs to and from work, special equipment costs and child care expenses; or
- C. Earned income of children below the age of 18 years who are full-time students and who are not working full time.

In determining need, the period of time used as a basis for the calculation is the 30-day period commencing on the date of the application. This prospective calculation does not disqualify an applicant who has exhausted income to purchase basic necessities if that income does not exceed the income standards established by the municipality.

Notwithstanding this prospective calculation, if any applicant or recipient receives a lump sum payment prior or subsequent to applying for assistance, that payment must be prorated over future months. The period of proration is determined by disregarding any portion of the lump sum payment that the applicant or recipient has spent to purchase basic necessities, including but not limited to: all basic necessities provided by general assistance; reasonable payment of funeral or burial expenses for a family member; reasonable travel costs related to the illness or death of a family member; repair or replacement of essentials lost due to fire, flood or other natural disaster; repair or purchase of a motor vehicle essential for employment, education, training or other day-to-day living necessities; repayments of loans or credit, the proceeds of which can be verified as having been spent on basic necessities; and payment of bills earmarked for the purpose for which the lump sum is paid. All income received by the household between the receipt of the lump sum payment and the application for assistance is added to the remainder of the lump sum. The period of proration is then determined by dividing the remainder of the lump sum payment by the ~~greater of the~~ verified actual monthly amounts for all of the household's basic necessities ~~or 150% of the applicable federal poverty guidelines.~~ That dividend represents the period of proration determined by the administrator to commence on the date of receipt of the lump sum payment. The prorated sum for each month must be considered available to the household for 12 months from the date of application or during the period of proration, whichever is less.

Sec. OO-7. 22 MRS §4305, sub-§3-D is enacted to read:

3-D. Maximum level of assistance for fiscal years 2013-14 and 2014-15. Notwithstanding subsection 3-A or 3-B, the aggregate maximum level of assistance for fiscal years 2013-14 and 2014-15 must be set as follows:

A. The aggregate maximum level of assistance for fiscal year 2013-14 must be the amount that is the greater of:

- (1) Ninety percent of 110% of the United States Department of Housing and Urban Development fair market rent for federal fiscal year 2013; and
- (2) The amount achieved by increasing the maximum level of assistance for fiscal year 2012-13 by 90% of the increase in the federal poverty level from 2012 to 2013.

B. The aggregate maximum level of assistance for fiscal year 2014-15 must be the amount that is the greater of:

- (1) Ninety percent of 110% of the United States Department of Housing and Urban Development fair market rent for federal fiscal year 2014; and
- (2) The amount achieved by increasing the maximum level of assistance for fiscal year 2013-14 by 90% of the increase in the federal poverty level from 2013 to 2014.

For the purposes of this subsection, "federal poverty level" means that measure defined by the federal Department of Health and Human Services and updated annually in the Federal Register under authority of 42 United States Code, Section 9902(2). For the purposes of this subsection, fair market rent is calculated in the same manner as in subsection 3-B.

**Sec. OO-8. 22 MRSA §4309, sub-§4**, as enacted by PL 1991, c. 528, Pt. SS, §3 and affected by Pt. RRR and enacted by c. 591, Pt. SS, §3, is amended to read:

**4. Eligibility of minors who are parents.** ~~A~~ An otherwise eligible person under the age of 18 who has never married and who has a dependent child or is pregnant is eligible only if that person and child reside in a dwelling maintained by a parent or other adult relative as that parent's or relative's own home or in a foster home, maternity home or other adult-supervised supportive living arrangement unless:

- A. The person has no living parent or the whereabouts of both parents are unknown;
- B. No parent will permit the person to live in the parent's home;
- C. The department determines that the physical or emotional health or safety of the person or dependent child would be jeopardized if that person and dependent child lived with a parent;
- D. The individual has lived apart from both parents for a period of at least one year before the birth of any dependent child; or
- E. The department determines, in accordance with rules adopted pursuant to this section, which must be in accordance with federal regulations, that there is good cause to waive this requirement.

For the purposes of this subsection, "parent" includes legal guardian.

**Sec. OO-9. 22 MRSA §4310, first ¶**, as amended by PL 1991, c. 9, Pt. U, §7, is further amended to read:

Whenever an eligible person becomes an applicant for general assistance states to the administrator that the applicant is in an emergency situation and requires immediate assistance to meet basic necessities, the overseer shall, pending verification, issue to the applicant either personally or by mail, as soon as possible but in no event later than 24 hours after application, sufficient benefits to provide the basic necessities needed immediately by the applicant, ~~provided that~~ as long as the following conditions are met.

**Sec. OO-10. 22 MRSA §4311, sub-§1-C** is enacted to read:

**1-C. Indian tribe reimbursement.** The department shall reimburse each Indian tribe for the costs of a portion of the direct costs of paying benefits through its general assistance program if the department finds that the Indian tribe was in compliance with all requirements of this chapter during the fiscal year for which those benefits are sought.

The amount of reimbursement must be calculated for each fiscal year by adding 10% of all general assistance granted up to the threshold amount to 100% of all general assistance granted above the threshold amount.

For the purposes of this subsection, "Indian tribe" has the same meaning as in section 411, subsection 8-A. For purposes of this subsection, "threshold amount" means 0.0003 of the Indian tribe's most recent state valuation, as determined by the State Tax Assessor in the statement filed as provided in Title 36, section 381, relative to the year for which reimbursement is being issued.

**Sec. OO-11. 22 MRSA §4311, sub-§2**, as amended by PL 1991, c. 9, Pt. U, §9, is further amended to read:

**2. Submission of reports.** Municipalities shall submit reports as follows.

A. For purposes of this section, those municipalities that received reimbursement at 90% during the previous fiscal year of the State and those municipalities that expect to receive reimbursement at 90% during the current fiscal year of the State must submit monthly reports on forms provided by the department.

B. Those municipalities that did not receive reimbursement at 90% during the previous fiscal year and do not expect to receive reimbursement at 90% for the current fiscal year must submit quarterly or semiannual reports on forms provided by the department.

Indian tribes must submit monthly reports on forms provided by the department.

**Sec. OO-12. 22 MRSA §4317**, as amended by PL 1993, c. 410, Pt. AAA, §11, is further amended by adding at the end a new paragraph to read:

An applicant who is found to be ineligible for unemployment compensation benefits because of a finding of fraud by the Department of Labor pursuant to Title 26, section 1051, subsection 1 is ineligible to receive general assistance to replace the forfeited unemployment compensation benefits for the duration of the forfeiture established by the Department of Labor.

**Sec. OO-13. 36 MRSA §6216, 2nd ¶**, as amended by PL 1989, c. 614, is further amended to read:

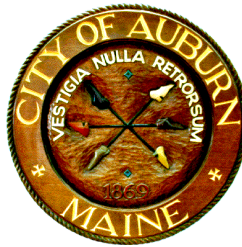
Benefits received under this chapter may not be included as income for purposes of any state or municipally administered public benefit program ~~but~~ except for general assistance under Title 22, chapter 1161, unless used for basic necessities as defined in Title 22, section 4301, subsection 1. Benefits received under this chapter may be considered for purposes of determining eligibility for abatement under section 841, subsection 2.

**Sec. OO-14. Funding limit for legal noncitizens with work documentation but not yet employed.** Funding for noncitizens legally admitted to the United States who are eligible for a hardship exception under the Maine Revised Statutes, Title 22, section 3104-A, subsection 1, paragraph D or Title 22, section 3762, subsection 3, paragraph B, subparagraph (2), division (d) is limited to \$261,384 until June 30, 2015. If the funding limit is met prior to June 30, 2015, legal noncitizens with work documentation are no longer eligible for the hardship exception under Title 22, section 3104-A, subsection 1, paragraph D or Title 22, section 3762, subsection 3, paragraph B, subparagraph (2), division (d).

## PART PP

**Sec. PP-1. Department of Health and Human Services; intravenous sedation dental services.** The Department of Health and Human Services shall pursue an appropriate setting to provide intravenous sedation dental services in the Portland area in order to minimize the time required to access those services from the southern part of the State.

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDINANCE 13-10072013

ORDERED, that the Code of Ordinances be and hereby is amended as follows:

The approval of the ordinance changes to reflect the State statute changes approved by the legislation.

#### **Sec. 30-2 Definitions:**

*Eligible person* means a person who is qualified to receive general assistance according to the standards of eligibility set forth in this chapter. "Eligible person" does not include a person, who is a fugitive from justice as defined in Title 15, § 201, sub. 4.

*Household* means an individual or a group of individuals who share a dwelling unit. When an applicant shares a dwelling unit with one or more individuals, even when a landlord-tenant relationship may exist between individuals residing in the dwelling unit, eligible applicants may receive assistance for no more than their pro rata share of the actual costs of the shared basic needs of that household according to the maximum levels of assistance established in this chapter. The pro rata share is calculated by dividing the maximum level of assistance available to the entire household by the total of number of household members. The income of household members not legally liable or otherwise responsible for supporting the household shall be considered as available to the applicant only when there is pooling of income. The City shall presume pooling of income unless the applicant proves otherwise.

*Income* means any form of income in cash or in kind received by the household, including net remuneration for services performed, cash received on either secured or unsecured credit, any payments received as an annuity, retirement or disability benefits, veterans' pensions, workers' compensation, unemployment benefits, benefits under any state or federal categorical assistance program, supplemental security income, social security and any other payments from governmental sources unless specifically prohibited by any law or regulation, support payments, income from pension or trust funds, household income from any other source including relatives or unrelated household members and any benefit received pursuant to Title 36, chapter 907 and Title 36, section 5219-11, unless used for basic necessities as defined in Section 4301, subsection 1. For repeat applicants, it also includes unverified expenditures or misspent money from the 30-day period prior to application. The following items shall not be considered as income or assets which must be liquidated for the purposes of deriving income:

- (1) Real or personal income-producing property, tools of trade, or governmental entitlement specifically treated as exempt by state or federal law;

- (2) Actual work-related expenses, whether itemized or by standard deduction, such as taxes, retirement funds contributions, union dues, transportation costs to and from work, special equipment costs and child care expenses; or
- (3) Earned income of children below the age of 18 years who are full-time students and who are not working full-time.

**Sec. 30-68 Use of Resources:**

(F) An applicant who is found to be ineligible for unemployment compensation benefits because of a finding of fraud by the Department of Labor pursuant to Title 26, § 1051 subsection 1 is ineligible to receive general assistance to replace the forfeited unemployment compensation benefits for the duration of the forfeiture established by the Department of Labor.

**Sec. 30-97 Determination of income.**

(8) *Lump sum income.* A lump sum payment as defined in this chapter and received by a household prior to the date of application for general assistance will be considered as income available to the household, with the exception of any required payments (i.e., any third-party payment which is required as a condition of receiving the lump sum payment, or any payments of bills earmarked for the purpose for which the lump sum payment was made) and any amount of the lump sum payment which the applicant can document was spent on basic necessities as described in this subsection. In the case where a lump sum payment was received by a household at any time prior to the date of application for general assistance, the administrator will assess the need for prorating an applicant's eligibility for general assistance according to the following criteria:

- a. Identify the date the lump sum payment was received.
- b. Subtract from the lump sum payment all required payments.
- c. Subtract from the lump sum any amount the applicant can demonstrate was spent on basic necessities, including all basic necessities provided by general assistance, provided in this chapter; any reasonable payment of funeral or burial expenses for a family member; any reasonable travel costs related to the illness or death of a family member, repair or replacement of essentials lost due to fire, flood or other natural disaster; or repair or purchase of a motor vehicle essential for employment, education, training or other day-to-day living necessities.
- d. Add to the remainder all income received by the household between the date of receipt of the lump sum payment and the date of application for general assistance.

e. The period of proration is then determined by dividing the remainder of the lump sum payment by the verified actual monthly amounts for all the household's basic necessities.

The dividend remaining after following these guidelines represents the number of months from the receipt of the lump sum payment during which an income level equivalent to the actual expenditure for basic necessities as defined by general assistance for the household will be deemed available to that household. The prorated sum for each month must be considered available to the household for 12 months from the date of application or during the period of proration, whichever is less.