



City Council Meeting and Workshop

September 3, 2013

Agenda

5:30 P.M. Workshop

- A. Junkyard permit renewals – Eric Cousens and Sue Clements-Dallaire (30minutes)
- B. Parking Plan – Phil Crowell (30minutes)
- C. Sale of surplus property (Auction) – Jill Eastman and Clint Deschene (30 minutes)

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.

II. Minutes

- August 19, 2013 Regular Council Meeting

III. Reports

Mayor's Report

Committee Reports

- **Transportation**
 - Androscoggin Transportation Resource Center – Mayor LaBonte
 - Lewiston Auburn Transit – Councilor Gerry
 - Airport, Railroad – Councilor Hayes
 - Bike-Ped Committee – Councilor Shea
- **Housing**
 - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry
- **Economic Development**
 - L-A Economic Growth Council, Auburn Business Development Corporation
- **Education**
 - Auburn School Committee – Councilor Young
 - Auburn Public Library – Councilor LaFontaine
 - Great Falls TV – Councilor Young and Councilor Shea
- **Environmental Services**
 - Auburn Water District, Auburn Sewerage District – Councilor Crowley
 - Mid-Maine Waste Action Corp. – Councilor Walker
- **Recreation**
 - Recreation Advisory Board – Councilor Walker
- **Public Safety**
 - LA 911 – Councilor Walker

City Councilors' Reports

Auburn City Council Meeting & Workshop

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Finance Director, Jill Eastman – July Finance Report

IV. Communications, Presentations and Recognitions

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 69-08192013

Authorizing the issuance and sale of the City's general obligation bonds in the amount of \$5,900,000 (second reading).

2. Ordinance 10-08192013

Approving the proposed ordinance on the regulation of Synthetic drugs (second reading).

VII. New Business

3. Order 70-09032013

Authorizing the Community Development Director to submit a request for an exemption to the Department of Housing and Urban Development regulations of the Community Development Block grant program on behalf of Councilor Leroy Walker.

4. Order 71-09032013

Adopting the Analysis of the Impediments to Fair Housing Choice as recommended by the Community Development Staff.

5. Order 72-09032013

Casting votes for members of the Androscoggin County Budget Committee. Council may enter into Executive Session, pursuant to 1 M.R.S.A. Section 405(6)(A).

VIII. Executive Session

- Discussion on a Poverty Abatement, pursuant to 36 M.R.S.A. Sec. 841 (2) with possible action to follow.

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:

Auburn City Council Meeting & Workshop

September 3, 2013

- 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: September 3, 2013

Item A

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: Automobile Graveyard/Junkyard permit renewals

Information: This is an annual renewal of currently existing Automobile Graveyard/Junkyards in Auburn. Applications have been mailed out with a due date of September 9, 2013 to submit those to the City Clerk's Office. This will be put on the September 16, 2013 City Council agenda for a public hearing and approval. These facilities will be inspected by the Code Enforcement office prior to the public hearing. City Council approval is required for renewal of these licenses.

M&P Auto, 227 Merrow Road

Buck's Auto, 249 Merrow Road

Morris Auto Mart, 940 Washington St. N

Randy's Auto Parts, 899 Broad Street

Polerized New England Company, LLC (formerly Maine Metal Recycling), 522 Washington St. N

Isadore T. Miller Co., a Division of Schnitzer NE, 78 & 80 Old Hotel Road

Financial: N/A

Action Requested at this Meeting: Workshop discussion today with a public hearing and action scheduled for September 16, 2013.

Previous Meetings and History: Annual renewal

Attachments:

30-A §3753

30-A §3754

30-A §3756

*Agenda items are not limited to these categories.

Maine Revised Statutes

- ▼ §3753 PDF
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- ▼ STATUTE SEARCH
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- ▼ TITLE 30-A CONTENTS
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- ▼ DISCLAIMER
- ▼ MAINE LAW
- ▼ REVISOR'S OFFICE
- ▼ MAINE LEGISLATURE

§3752 Title 30-A: **§3754**

MUNICIPALITIES AND COUNTIES

HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

Part 2: MUNICIPALITIES HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

Subpart 6: REGULATION, LICENSES AND PERMITS HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

Chapter 183: ECONOMIC REGULATION HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

Subchapter 1: JUNKYARDS AND AUTOMOBILE GRAVEYARDS HEADING: PL 1991, C. 548, PT. B, §4 (RPR)

§3753. Permit required

A person may not establish, operate or maintain an automobile graveyard, automobile recycling business or junkyard without first obtaining a nontransferable permit from the municipal officers of the municipality in which the automobile graveyard, automobile recycling business or junkyard is to be located, or from the county commissioners of the county of any unorganized territory in which the automobile graveyard, automobile recycling business or junkyard is to be located. Permits issued to an automobile graveyard or junkyard under this section are valid until the first day of the following year; except that, beginning in calendar year 2004, permits issued to an automobile graveyard or junkyard under this section are valid until the first day of October of the following year. Permits issued to an automobile recycling business under this section are valid for 5 years from the date of issuance and are renewable provided that the permit holder furnishes a sworn statement, annually, on the anniversary date of the granting of the permit, that the facility complies with the standards of operation applicable at the time of issuance of the permit. A person operating a business that involves the recycling of automobiles may operate under a permit for an automobile graveyard or a permit for an automobile recycling business. [2003, c. 312, §7 (AMD).]

SECTION HISTORY

1987, c. 737, §§A2,C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,10 (AMD). 1993, c. 173, §4 (AMD). 2003, c. 312, §7 (AMD).

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The Revisor's Office cannot provide legal advice or

Maine Revised Statutes

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§3753 Title 30-A: §3754-A

MUNICIPALITIES AND COUNTIES

HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

Part 2: MUNICIPALITIES HEADING: PL 1987, C. 737,

PT. A, §2 (NEW)

Subpart 6: REGULATION, LICENSES AND

PERMITS HEADING: PL 1987, C. 737, PT. A, §2

(NEW)

Chapter 183: ECONOMIC REGULATION HEADING:

PL 1987, C. 737, PT. A, §2 (NEW)

Subchapter 1: JUNKYARDS AND AUTOMOBILE

GRAVEYARDS HEADING: PL 1991, C. 548, PT. B,

§4 (RPR)

§3754. Hearings

Municipal officers or county commissioners, as provided for in section 3753, shall hold a public hearing before granting a permit to establish a new automobile graveyard, automobile recycling business or junkyard and may hold public hearings annually regarding the relicensing of these facilities. Municipal officers or county commissioners shall require an applicant to provide proof of mailing the notice of the application to all abutting property owners. Municipal officers or county commissioners shall also post a notice of the hearing at least 7 and not more than 14 days before the hearing in at least 2 public places in the municipality or unorganized territory and publish a notice in one newspaper having general circulation in the municipality or unorganized territory in which the automobile graveyard, automobile recycling business or junkyard is to be located. The municipal officers or county commissioners shall give written or electronic notice of the application to establish a new automobile graveyard or automobile recycling business to the automobile dealer licensing section of the Department of the Secretary of State, Bureau of Motor Vehicles by mailing a copy of the application at least 7 and not more than 30 days before the hearing. The municipal officers or county commissioners shall give written notice of the application to the public water supplier if the application is for an automobile graveyard, automobile recycling business or junkyard located within the supplier's source water supply area. The notice may be given by mailing a copy of the application at least 7 and not more than 14 days before the hearing. [2005, c. 424, §2 (AMD).]

SECTION HISTORY

1987, c. 737, §2A,C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §8,10 (AMD). 1993, c. 173, §4 (AMD). 1999, c. 761, §5 (AMD). 2003, c. 312, §8

Maine Revised Statutes

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§3755-A Title 30-A: §3757

MUNICIPALITIES AND COUNTIES

HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

Part 2: MUNICIPALITIES HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

Subpart 6: REGULATION, LICENSES AND PERMITS HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

Chapter 183: ECONOMIC REGULATION HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

Subchapter 1: JUNKYARDS AND AUTOMOBILE GRAVEYARDS HEADING: PL 1991, C. 548, PT. B, §4 (RPR)

§3756. Permit fees

The municipal officers or county commissioners shall collect, in advance from the applicant for a permit, a fee in accordance with the following schedule: [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

1. Graveyard or junkyard. Fifty dollars for each application for an automobile graveyard or junkyard plus the cost of posting and publishing the notice under section 3754;

[2005, c. 424, §7 (AMD) .]

2. Graveyard or junkyard within 100 feet from highway.

[2003, c. 312, §12 (RP) .]

3. Recycling business. Two hundred fifty dollars for a 5-year permit for an automobile recycling business plus the cost of posting and publishing the notice under section 3754; or

[2003, c. 312, §12 (AMD) .]

4. Fee. A fee as otherwise established by municipal ordinance or rule.

[2003, c. 312, §12 (NEW) .]

SECTION HISTORY

1987, c. 737, §2, C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §8, 10 (AMD). 1993, c. 173, §7 (AMD). 2003, c. 312, §12 (AMD). 2005, c. 424, §7 (AMD).

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City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: September 3, 2013

Item

B

Author: Phillip L. Crowell, Jr., Chief of Police

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: Parking in city-owned lots and Mechanics Row parking garage.

Information: At the direction from the City Council, Chief Crowell proposes changes to the existing Chapter 52 – Article 5 – Stopping, Standing and Parking Division I Generally Sec. 52-181. Parking in city-owned lots as follows:

- Monthly fee for permit parking in city owned parking lots and Mechanics Row parking garage would increase from \$35 per month to *\$45 per month*
- Permit parking fee is payable in advance would change from “at the office of the city treasurer” to “*police department*” and
- Additional language would include: *Permit holders will be restricted to park within their designated area. Any permit which has not been paid by the tenth of each month or permitted vehicles not parked with their designated area, the owner will be subject to enforcement provisions set forth in section 52-181 (c).*

Proposed changes would take effect October 1, 2013.

Financial: Propose an increase in parking permit fee from \$35 per month to \$45 per month.

Action Requested at this Meeting: Review proposed changes to City of Auburn Ordinance Chapter 52 – Article 5 – Stopping, Standing and Parking Division I Generally Sec. 52-181. Parking in city-owned lots.

Previous Meetings and History: 8/19/2013 Workshop

Attachments:

- Current City of Auburn Ordinance Chapter 52 – Article 5 – Stopping, Standing and Parking Division I Generally Sec. 52-181. Parking in city-owned lots.
- Parking Plan Response from the 8/19/2013 Workshop

*Agenda items are not limited to these categories.

Chapter 52 Article V Stopping, Standing and Parking Division I Generally

Sec. 52-181. Parking in city-owned lots.

(a)

All or portions of the following parking lots are designated as permit parking areas:

(1)

Great Falls Plaza parking lot.

(2)

Miller Street parking lot.

(3)

Main Street parking lot.

(4)

Phoenix Block parking lot.

(5)

Mechanics Row parking lot.

(6)

Court Street parking lot.

(7)

Mechanics Row parking garage.

(8)

Troy Street parking lot.

(b)

The monthly fee for permit parking shall be in the amount provided in the city fee schedule payable in advance at the office of the ~~city treasurer~~ police department. All monthly permits must be paid by the tenth of each month. Permit holders will be restricted to park within their designated area. Any permit which has not been paid by the tenth of each month or permitted vehicles not parked within their designated area, the owner will be subject to enforcement provisions set forth in section 52-181 (c).

(c)

No car shall be parked in an area restricted to permit parking between the hours of 7:00 am and 6:00 p.m. Monday through Friday, except pursuant to a valid permit which shall be affixed to the front window of the vehicle in question. Any car parked in violation of this section may be towed pursuant to section 52-204 and its owner shall be subject to the enforcement provisions set forth in section 52-203. The fact that a car is parked in a permit parking section without a valid permit displayed shall be prima facie evidence that the car in question has been illegally parked. The person in whose name the car is registered shall be responsible for any such illegally parked vehicle.

(d)

Nothing in this section shall be construed as prohibiting the city from restricting parking in permit parking areas during special events or from providing free temporary parking in permit areas.

(e)

Any person parking his vehicle in a space limited to two- or four-hour parking in any city-owned parking lot shall not thereafter park the vehicle in any other parking space in that parking lot during the ensuing 12-hour period other than in a space as to which parking is limited to one hour or less.

(f)

No person shall park a vehicle in any city-owned lot between the hours of 12:01 a.m. and 6:00 a.m. from November 15 to April 15, except in spaces designated as winter relief parking areas.

(g)

No person shall park a vehicle which is not identified with a handicapped registration plate in a parking space in a city-owned lot which is limited to handicapped parking, nor shall any vehicle be parked in a handicapped parking space longer than the time limit applicable to that space.

(Code 1967, § 26-4.18; Ord. of 7-12-2004(1), § 4.18)

State law reference— *Municipal authority to layout and alter parking places, 23 M.R.S.A. § 2802; parking on public ways, 29-A M.R.S.A. § 2068; enforcement of disability parking restrictions, 29-A M.R.S.A. § 521(9-A).*

Mayor and City Council:

Thank you for the time to share with you our proposed parking changes in the Great Falls Area. We believe these changes balance the needs of the businesses in the area and the city's responsibility to make the area accessible. Enclosed in this memo are some clarifications from the meeting.

The purpose of parking management is to support the development of a vibrant, accessible city serving commercial, retail, recreational, and residential uses as well as customers, visitors, employees and residents for those uses.

Parking controls are necessary to assure that the on-street parking supply is used in a manner consistent with the need for downtown businesses and the need to maintain permit parking. For example, business areas typically have many customers visiting for short periods of time. This means that the curbside parking near businesses should not be occupied by all day parkers; "turnover" of these parking spaces is vital to provide parking for numerous users throughout the day. Permit parking provides the alternative for the all day user.

Over the next six months, we will explore private partners in providing options for reduced permitted parking outside of the immediate area as suggested in the meeting. We will also survey current permit holders to determine if this availability was made would they consider the option. The only permit street parking will be on Pleasant Street. We do not believe the restricted time usage would utilize all of the 28 spaces which is why we will be proposing nine permit spaces be assigned to and paid for by the county.

The annual average for the past three years of revenues (fines and permits) and costs (enforcement, billing/collection and maintenance):

- Revenue - \$153,000 (Permits - \$121,000 and Fines - \$32,000)
- Costs - \$154,500 (Enforcement - \$43,700, Collections/Billing - \$19,300, and maintenance 91,500)

We should also be considering future workshops to discuss a city-wide parking management plan. The police department is eager to work on this project. Below are the costs four pay and display units with one lot gated for Hilton functions.

- Gated Lot Zone 3 – approximate cost of \$14,000 for complete installation. Average maintenance cost of \$500.
- Zone 4 – Pay and Display kiosk - approximate cost of \$16,000 w/ average maintenance of \$300
- Parking Garage – (2) Pay and Display kiosks - approximate cost of \$30,000 w/ average maintenance of \$600



City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: September 3, 2013

Item C

Author: Jill M. Eastman

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: Sale of Surplus Property - Auction

Information: The Facilities/Purchasing Director has worked with all departments to come up with a list of property to be sold at auction. On Friday, August 23, 2013 I met with the Audit Committee and we went over the list of items as well as reviewing a draft addendum to the purchasing and procurement policy that addresses the Sale of Property. The audit committee all agreed with the list, the auction proposal and the draft policy. Four of the five members were present at the meeting.

Financial: no out of pocket costs for the City

Action Requested at this Meeting: Approve the list and the auction

Previous Meetings and History: This was discussed briefly on August 19, 2013 and I was directed to meet with the audit committee to go over the list and prepare a policy. I did this on August 23, 2013.

Attachments:

List of items for sale.

Auction Proposal

Draft Policy

*Agenda items are not limited to these categories.

***City of Auburn Surplus Vehicles and Equipment Auction
List as of August 9, 2013***

Public Works:

#52 1991 John Deere Dozer- [Auction](#)

#40 1998 GMC Sign Truck- [Auction](#)

#44 1991 John Deere Loader- [Keep need for operations](#)

#70 1986 Blanchette Snow Blower- [Auction](#)

#22 1987 Ford Dump Truck- [Auction](#)

#84 2001 International Recycle Truck- [Auction](#)

#65 1985 Le Roi Compressor- [Auction](#)

#23 Old #23 White/GMC Tractor- [Auction](#)

#75 Old hot box out back- [Auction](#)

#61 1995 Mobark Wood Chipper- [Auction](#)

Trailers? Various trailers that are no longer compatible, need too much work or not used- [Auction](#)

Pressure Washers 2 Old portable pressure washers- [Auction](#)

Buckets? Spare buckets to loaders or backhoes that haven't been used for decades- [Auction](#)

Tail Gates? Various sander tailgates to dump bodies.-[Auction](#)

Dump Body Various dump bodies at pit and beside cold storage (as long as they are not utilized)-[Auction](#)

Sidewalk pavement roller we no longer use in cold storage-[Auction](#)

N.O.S. parts in the parts room for equipment that we no longer have. We can palletize it or put any parts that go with, say #44, along with it at the auction.- [Auction](#)

Cobble Stone In the pit (only if the auctioneer can find a most appropriate buyer)- [Auction](#)

Parks and Rec:

Zamboni ice resurfer with spare engine – Functioned when stored.

Toro zero turn riding mower with snow blower attachment – Functioned when stored.

Husqvarna zero turn riding mower – 60" cutting deck – Does not function.

(3) John Deere walk behind mowers – Do not function.

(5) Toro residential snow blowers – Do not function.

(2) White's residential snow blowers – Do not function.

Police:

2000 Ford Crown Victoria

1988 Ford F-350 Ambulance

1999 Cadillac Escalade

Plastic formed seats from the cruisers we traded.

Approximately **40 gun holsters** that have never been used and are still packaged.

Fire:

Engine 2

1999 American LaFrance

111263 Miles

11327 engine hours

Fair condition

1500 GPM pump

Class "A" and "B" foam systems

500 HP engine

1000 gallon Poly water tank has small hole right rear corner.

Rescue 2

1994 medium duty rescue

108189 Miles

10380 Engine hours

Fair condition

Cat 3208 engine

Engine 6

1995 International Central States (4 door)

47914 miles

3838 engine hours

Fair condition

1250 GPM pump

Class "A" foam system (Foam Pro)

20' 6 suction Hose

2- Night Fighter lights on body

Whelen warning lights

3- SCBA seats

1000 gallon Poly Tank



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 ME R.E. LIC.#2175
 ME AUCT. LIC.#236

August 15, 2013

REVISED

(Via email: dboulanger@auburnmaine.gov)

Derek Boulanger
 Facilities Manager/Purchasing
 City of Auburn
 Auburn Hall, 60 Court Street
 Auburn, Maine 04210

Re: Auction Proposal ~ Consignment Auction, Surplus Trucks, Construction & Support Equipment, City of Auburn and Others.

Dear Mr. Boulanger,

The Keenan Auction Company is pleased to present the following proposal in connection with the above referenced assets. We have developed the following auction plan, that once enough consignments have been committed, will allow for the proper amount of exposure to the marketplace, thus insuring a complete sell through on auction day. Our plan is as follows:

DATES, LOCATION, TYPE OF SALE:

Auction Date: Thursday, October 24, 2013 at 9AM **Location:** Auburn-Lewiston Municipal Airport.

Type of Sale: Consignment Auction. All equipment will be sold without minimums or reserves. Additional consignments from other sellers will be accepted.

Equipment Check-in Dates: Daily starting Monday, October 14th through Tuesday October 22nd from 8AM-5PM,

AUCTIONEER'S COMMISSION:

Tiered Commission Rate: Per bid price of each Item Sold:

\$1 - \$500 = 20%
 \$501 - \$1,000 = 15%
 \$1,001 – Up = 10%

AUCTION EXPENSES: (To Be Paid By Auctioneer)

Marketing Budget: \$5,800. (Schedule enclosed). No Charge To Seller.

Equipment Check-In: \$5,730. No Charge to Seller. Auctioneer will begin accepting Consignments on Monday, October 14th from 8AM -5PM daily and will continue accepting consignments through Tuesday, October 22nd at 5PM. We will provide a mobile auction office trailer (photo attached) for the central administrative office through the entire auction process. When we receive an item at the auction site we will assign an consignor/inventory number to the item and take a photo of the larger items for marketing purposes. Estimated Set-up Man-hours: 78 x \$55/hr = \$4,290. Mobile Office Trailer 12-days x \$120/day = \$1,440.

Auction Set-Up: \$5,610. No Charge to seller. Once the equipment is checked-in to the auction site, it is placed in a particular sale order. Like kind items are grouped in certain areas, & the vehicles & equipment are lined up in rows. Auctioneer will tag & catalog the assets by wiring a Lot Number Ticket, in numerical order, on each item in the sale. The lot #, year & mileage is also written on the windshield of each motor vehicle. This inventory is then used to produce the auction day catalog. Estimated Set-up Time: 102 Man-hours x \$55/hr.

Security Supervision: \$6,700. Auctioneer will maintain a 32ft. travel trailer at the auction site for staff lodging. A Keenan employee will remain at the site 24/7 through the day of sale. This person will provide limited security. Estimated Security Time: 100 man-hours x \$55 = \$5,500. Travel Trailer: 12-days x \$100/day = \$1,200.

Removal: \$4,380 No Charge to seller. Removal supervision will be on the day of sale & on October 25th from 8AM-3PM. Auctioneer will also provide a Clark IT40 outdoor forklift to assist with the equipment check-in & removal. Estimated Removal Time: 36 man-hours x \$55 = \$1,980. Forklift 12 days x \$200/day = \$2,400

Total Estimated Auction Expenses: \$28,220 (To be paid by Auctioneer)

Buyer's Premium Equipment: A 10% buyer's premium will be added to all final bid prices. This premium will be paid by the buyer at time of settlement and retained by Auctioneer.

Auctioneer's Duties:

Inspect & Photograph Assets - A Keenan employee will physically inspect, identify, and verify model & serial numbers of machinery and equipment for documentation, advertising, and sales purposes.

Newspaper, Direct Mail & Internet - A marketing campaign, which utilizes newspapers, Internet and direct-mail media is designed to target buyers and equipment dealers. **Equipment Set-Up** - Keenan personnel will arrange equipment in a strategic selling order to help maximize sales prices. Once the selling order has been determined, each item is tagged and cataloged.

Auction Terms and Conditions - Auctioneer will prepare the terms and conditions for the auction.

Auction Day Logistics - Keenan will make the necessary arrangements for restrooms, food caterer, and hauling and transport services.

Auction Registration - All bidders will be required to register and sign a written binding contract agreeing to the Terms and Conditions of Sale. All names and addresses of registered bidders will be kept on file in our computer database. Keenan personnel will handle registration.

Auction Day Equipment Catalogs - Catalog to include auction Terms and Conditions of Sale and a numeric listing of the equipment to be sold. This catalog will be given to all registered bidders on receipt of bidder's contract.

Conduct Auction - A team of licensed equipment auctioneers (**all Keenan employees**) will work to sell all of the assets through the completion of the sale.

Auction Day Billing - All equipment billing will be computer generated from our portable Sold II auction system. Office staff will consist of our accounting department, who will register bidders, enter auction lots into the computer, prepare computer generated bills, and cashier the auction.

Sales Tax - The Keenan Auction Company will collect and pay the State of Maine sales tax for our client.

Equipment Auction Settlement - A final computerized accounting along with the net proceeds and expense documentation will be provided to client (10) ten business days from the date of the auction.

Sellers and or their Attorney's Duties:

Provide list of assets to be sold in auction.

Provide Clear title to sell assets free and clear of liens and encumbrances.

Sign and return copy of auction agreement to auctioneer

Provide power, water, and access to property for set-up, day of sale, and during removal.

Provide titles to any vehicles 1995 & newer and titles to trailers 1995 & newer weighing over 3,000# lbs.

A \$35 document fee will be assessed for each item requiring State of Maine Motor Vehicle paperwork.

Remove any unsold items.

Thank you for the opportunity to present our proposal. If it is satisfactory, kindly acknowledge below and return a copy for our files.

Sincerely,



Steven P. Keenan, CAI, GPPA

Enc.

ACKNOWLEDGEMENT

PROPOSAL SEEN AND AGREED TO:

By: _____

Date: _____

Print:

Its:

ADVERTISING SCHEDULE

<u>NEWSPRINT</u>	<u>INSERTIONS</u>	<u>ESTIMATED</u>
Maine Sunday Telegram		
Coverage: Maine, Statewide	Sunday, September 29, 2013	163.00
Circulation: 115,300	Sunday, October 06, 2013	163.00
Ad Size: 2col x 5.5"	Sunday, October 13, 2013	163.00
	Sunday, October 20, 2013	163.00
Bangor Daily News		
Coverage: Northern & Central Maine	Saturday, September 28, 2013	160.00
Circulation: 73,000	Saturday, October 05, 2013	160.00
Ad Size: 2col x 5.5"		
Lewiston Sun Journal		
Coverage: Androscoggin & Oxford County	Saturday, September 28, 2013	168.00
Circulation: 35,000	Saturday, October 05, 2013	168.00
Ad Size: 2col x 5"	Saturday, October 12, 2013	168.00
	Saturday, October 19, 2013	168.00
Upcoming Auctions Calendar		
Calendar alternating between The Bangor Daily and Maine Sunday newspapers	Weekly insertion until sale.	100.00
<u>TRADE PUBLICATION</u>		
Uncle Henry's	2-Insertions, ¼-page, October 10 th & 17 th	220.00
Construction Equipment Guide	1-Insertion, ¼-page, September Issue	461.00
<u>DIRECT MAIL</u>		
inclusion in our monthly mailing. Includes: 4-color, 70lb high gloss paper, Photography, layout, design, printing, labels, mail list, First class postage & handling. This brochure will be mailed to sawmill, woodworking equipment buyers & dealers on our in-house list, and purchased mailing list. (4,000pc. +/-)		2,400.00
<u>INTERNET WEBSITE ADVERTISING</u>		
~ Keenanauction.com ~ Auctioneer will post the auction brochure to the website at www.keenanauction.com . Website experiences high Internet traffic counts for Maine auctions and averages over 20,000 hits monthly.		200.00
~ Auction Email Notification will be sent to over 11,000 prospective bidders on our in-house list.		
<u>SIGNAGE</u>		
(1) 4 X 4 professional chloroplast sign w/vinyl graphics. Includes installation and removal.		350.00
<u>AUCTION DAY CATALOG</u>		
Auction day catalog provides registered bidders with a copy of the Auction Terms & Conditions and a numerical listing and sale order of items to be sold. 425 at \$1.00 each.		425.00
TOTAL ESTIMATED ADVERTISING EXPENSES		\$ 5,800.00

Please Note: The advertising deadlines for the various media begins September 24th. Auctioneer will need confirmation of proposal by September 10th in order prepare and implement the marketing campaign.

Auction Time Line

Thursday, August 15th – Provide Revised Proposal to Derek Boulanger.

Monday, August 19th – Seek Council approval of auction proposal. **If approval is not obtained at the August 19th meeting, then we would need have approval of the auction proposal by September 10th in order to meet the advertising deadlines and the auction date of October 24th.**

Thursday, August 22nd – Receive signed auction proposal from city. Check for motor vehicle titles, apply for any lost titles.

Friday, August 23rd – Create auction website and enable live.

Monday, August 26th – Inspect and photograph equipment. Upload info to website.

Tuesday, September 11th – Write newsprint ads, begin layout of auction brochure.

Monday, September 16th – Place trade publication ad

Tuesday, September 24th – Place newsprint advertising, Brochure to printer.

Wednesday, September 25th – Trade ad published & mailed.

Thursday, September 26th – Proof brochure. Install sign at auction site

Saturday, September 28th – First newsprint ads run.

Wednesday, October 2nd – Final Proof brochure.

Friday, October 4th – Mail Brochure.

Saturday, October 5th – Second weekend of newsprint ads run

Friday, October 11th – Transport auction trailer, travel trailer, supply trailer and forklift to auction site.

Saturday, October 12th – Third weekend of newsprint ads run

Monday, October 14th – **Begin accepting consignments at auction site. Overnight coverage begins. Daily previews begin from 8AM-5PM.**

Saturday, October 19th – Last weekend of newsprint ads run

Tuesday, October 22nd – Last day to consign items. Begin Tagging & Cataloging items. All motor vehicle titles should be received by this day.

Wednesday, October 23rd – Finalize tagging. Print auction day catalog & publish to website. Review all motor vehicle paperwork. Caterer setup and ready for sale. Check portable toilets.

Thursday, October 24th – 7AM Preview & Registration Begins, Auction Starts at 9AM. Removal day of sale until 5PM.

Friday, October 25th – Auctioneer will supervise and assist with removal from 8AM–3PM. All items are to be removed by 3PM.

Thursday, November 7th – Provide Auction Summary Report to seller with check for net proceeds.



Mobile Auction Office



Staff Trailer



Clark IT40 Forklift

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 other City Departments (including the School Department).

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. All 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 COUNCIL REGULAR MEETING AUGUST 19, 2013 VOL. 33 PAGE 167

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

I. Consent Items*

1. Order 66-08192013*

Confirming Police Chief, Phil Crowell's appointments of Katherine D. Avery, Joseph M. Correia and Joseph T. Miville as Constables with a firearm for the Auburn Police Department.

Motion by Councilor LaFontaine and seconded by Councilor Crowley.
Passage 7-0.

2. Order 67-08192013*

Approving the list of equipment to be auctioned off.

Councilor Gerry asked that item #2 be removed from the Consent Agenda and placed under New Business. The Mayor stated that it would appear as the first item under New Business.

II. Minutes

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve minutes of the August 5, 2013 Regular Council Meeting. Passage 6-0-1 (Councilor Hayes abstained because he was absent from that meeting).

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to approve the amendment to the previously adopted minutes of the 4/16/2013 City Council Meeting as presented. Passage 7-0.

III. Reports

Mayor's Report – the Mayor reported and submitted his written report to be placed on file.

City Councilors' Reports – Councilors Crowley and Young submitted written reports and Councilor Crowley reported on a few additional items.

City Manager's Report – City Manager Deschene reported on a few items. He will be submitting a written report to Council on a weekly basis.

Finance Director, Jill Eastman – the July Finance report will be on the September 3, 2013 agenda. The Finance Department received an award for achieving Excellence in Financial Reporting for the 20th consecutive year.

IV. **Communications, Presentations and Recognitions - None**

V. **Open Session – Tim Doughty-75 Cherry Vale Circle, Joe Gray-Sopers Mill Road**

VI. **Unfinished Business**

1. **Ordinance 05-06032013**

Approving the newly proposed Flea Market license fee schedule (first reading).

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

Public comment – no one from the public spoke

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to postpone to a date to be determined. Passage 7-0.

2. **Ordinance 06-06032013**

Approving the newly proposed Peddlers license fee schedule (first reading).

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to postpone to a date to be determined. Passage 7-0.

3. **Order 64-08052013**

Approving the Community Development Program amendment.

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

Public comment – no one from the public spoke.

Passage 5-2 (Councilors Crowley and Walker opposed).

VII. **New Business**

Order 67-08192013 – This item was removed from the Consent Agenda

Approving the list of equipment to be auctioned off.

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

IN COUNCIL REGULAR MEETING AUGUST 19, 2013 VOL. 33 PAGE 169

Public Comment – Joe Gray - Sopers Mill Road, Andy Titus - 17 Lamplighter Circle.

Motion failed 2-5 (Councilors LaFontaine, Walker, Shea, Gerry, and Crowley opposed. This item will be on the Workshop Agenda of 9/3/2013.

4. Order 68-08192013

Approving the Liquor License and Special Amusement Permit for Maine Billiards League d/b/a Legends Sports Bar and Grill located at 128 Center Street.

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve pending approval from all departments (waiting for the certificate of occupancy).

Public comment – Dan Small, owner of Legends Sports Bar and Grill.

Passage 7-0

5. Order 69-08192013

Authorizing the issuance and sale of the City's general obligation bonds in the amount of \$5,900,000. Public hearing and first reading.

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

Motion was made by Councilor Crowley and seconded by Councilor Walker to amend by removing any items that did not receive 5 affirmative votes during the CIP process; Engineering Major Drainage, ICT Network Security, Parks & Recreation Holder Tractor, Planning and Code Municipal Street Light Purchase, Planning and Code Traffic Signal Pole Replacement, Public Works Heavy Equipment-Dump Trucks, and Public Works Vehicles reducing the bonds by \$1,383,736.00. Motion failed 3-4 (Councilors Gerry, Hayes, LaFontaine, and Young opposed).

Public comment – Andy Titus, 17 Lamplighter Circle.

Passage of order 5-2 (Councilors Walker and Crowley opposed).

6. Ordinance 10-08192013

Approving the proposed ordinance on the regulation of Synthetic drugs (first reading).

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

IN COUNCIL REGULAR MEETING AUGUST 19, 2013 VOL. 33 PAGE 170

Public comment – no one from the public spoke.

Passage 5-2 (Councilors Shea and Crowley opposed).

VIII. Open Session – Joe Gray, Sopers Mill Road

IX. Executive Session –

Discussion regarding a personnel matter, pursuant to 1 M.R.S.A. §405(6)(A). Motion was made by Councilor LaFontaine and seconded by Councilor Gerry. Passage 7-0, 8:41 P.M.

The Mayor declared Council out of executive session at 8:58 P.M.

Discussion regarding labor negotiations, pursuant to 1 M.R.S.A. §405(6)(D). Motion was made by Councilor LaFontaine and seconded by Councilor Shea. Passage 5-0 (Councilors Crowley and Hayes were not in the room), 9:00 P.M.

The Mayor declared Council out of executive session at 10:09 P.M.

X. Adjournment

Motion was made by Councilor Walker seconded by Councilor LaFontaine to adjourn. Passage 5-0-2 (Councilors Young Shea were out of the room), 10:10 P.M.

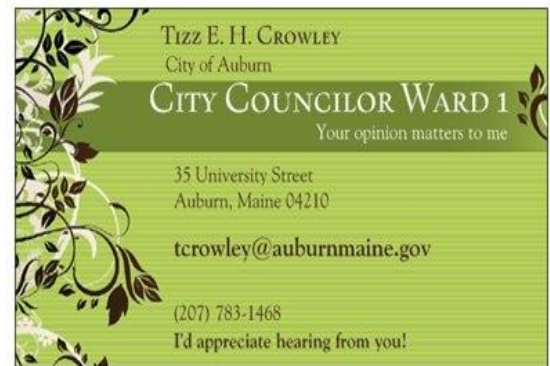
A True Copy.

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

Auburn Water District Report for Meeting Monday 2013.09.02

Prepared: Wednesday 2013.08.28
TO: Residents of Auburn and the Auburn City Council
FROM: Tizz E. H. Crowley- Auburn City Council Ward 1
Mayor LaBonte's representative to AWD

The Auburn Water District Trustees met on Wednesday, August 21, 2013.



The AWD will be short on budget by an estimated \$40,000 at year end, but will still be in a positive financial position. Water sales continue to be down. This reduction is expected to remain through December. Bond principal payments, expected to be made in September, will reduce the variance currently shown on the financial reports.

The District Trustees received an update on Project Wet funding. Project Wet (Water Education for Teachers), lead by Lynne Richard LAWPC outreach educator, is funded by grants. The financial expenses are just passed through AWD. Water is essential to human life- for basic health and survival, as well as for food production and industry. We lived thousands of years without oil- but we can't live a day without water. Yet, today, water is a threatened resource. Water is life, and one hope in putting a stop to the destruction of this life source is education. Project WET could not have come at a more appropriate time. Project WET has been an effective tool in educating children and adults on water-related environmental concerns. It offers a number of possible solutions provided by participants of Project WET activities. Watch for Project WET events in our community.

It's interesting to learn fire hydrants cost about \$2100 each, although often a replacement kit can be used for repairs. These kits cost between \$400-\$500/each. A driver will be responsible to pay damages to a hydrant when the car hits a hydrant. Oh, didn't you realize- fire hydrants and fire protection are AWD services?

There have been 580 red-tag notices for non-payment of service this year. Too often, the customer waits until a notice is delivered. The notice period and procedure is heavily regulated, so the District cannot shorten the process time for repeat offenders.

The project update on the Littlefield Bridge reported the water work would be completed within the week, and then the AWD crew will work with ASD crew on CSO work. Manley Road work was completed in August. The South Main Street project will use a new type of pipe. The new pipe is a PVC type material which handles 200psi and less expense than the ductal type pipes. It is expected to last longer than ductal iron used in prior years.

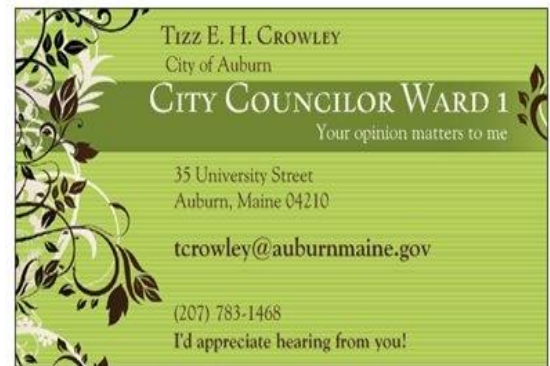
Although Lake Auburn has not had an algae bloom, there has been some activity and the Lake is being monitored carefully. Particular attention is given to the turbidity. Turbidity is a measure of the degree to which the water loses its transparency due to the presence of suspended particulates. The more total suspended solids in the water, the murkier it seems and the higher the turbidity. Turbidity is considered as a good measure of the quality of water. We do not want to see 1.0. In May Lake Auburn average turbidity was 0.80 and has been coming down the last two months. Why do we care about turbidity?

The suspended particles absorb heat from the sunlight, making turbid waters become warmer, and so reducing the concentration of oxygen in the water (oxygen dissolves better in colder water). Some organisms also can't survive in warmer water. The suspended particles scatter the light, thus decreasing the photosynthetic activity of plants and algae, which contributes to lowering the oxygen concentration even more. Monitoring will continue.

As always, thank you Mr. Mayor for providing me the opportunity to serve.

Auburn Sewerage District Report for Meeting Monday 2013.09.02

Prepared: Wednesday 2013.08.28
TO: Residents of Auburn and the Auburn City Council
FROM: Tizz E. H. Crowley- Auburn City Council Ward 1
Mayor LaBonte's representative to ASD



The Auburn Sewerage District Trustees met on Tuesday, August 20, 2013 at the District office.

The financial position of the District remains stable. Revenues are slightly ahead of budget and expenditures are below budget by almost 9% year to date. The surplus from operations is higher at this time of year because bond principal payments have not been completed.

Residents and rate payers might find District meetings interesting as the anticipated payment of bills is reviewed in detailed every month. It is evident by the many questions that Board members have studied the reports. Expenses large, like property and casualty insurance premiums, and small, such as mortar mix are often discussed. The review provides an excellent picture of the ASD operations and current projects.

Based on the monthly activity report, this month's sewer tip is- be sure you have a backflow preventive device on your sewer line. The backflow prevention device or BPD is a device that allows water and materials that back up to escape from the cleanout rather than flowing into the home. Many backup prevention devices can be installed by the homeowner or a plumber. It is important your sewer system have a cleanout and a backflow prevention device, also called a sewer relief device. If your sewer system doesn't have a cleanout, you should have one installed to allow access to clear any blockage in your sewer line. Trust me; from my own personal experience- you do not want a back-up in your home... especially during the winter months.

The Lewiston-Auburn Water Pollution Control Authority and the Auburn Sewerage District proudly invite the community to a celebration of the start of operations at the Anaerobic Digestion and Power Generation facilities on Monday, September 9, 2013 at 10:30am. This digester is located at the Wastewater Treatment Facility, 535 Lincoln Street, Lewiston. Please RSVP to Mac Richardson at 782-0917. The digester was expected to generate power from waste beginning this week.

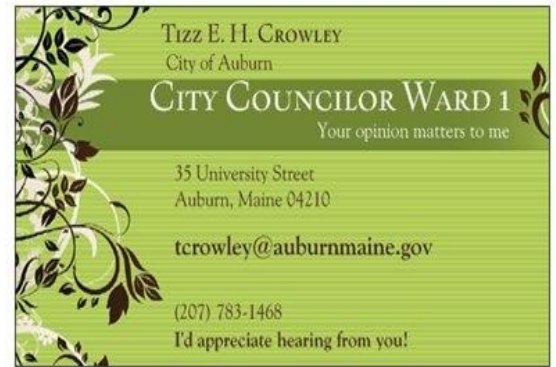
The ASD and Cascades Auburn Fiber have been working to reduce intermittent odor issues. The new procedure began August 1st. If a resident experiences any concern about odor, please call the District office 784-6469.

In a recent MPUC complaint, several Auburn residents suggested a consolidation of several boards into a single entity. The MPUC does not have regulatory authority over sewer services, but you can expect to hear more as the AWD addresses the concerns.

As always, thank you Mayor LaBonte for the opportunity to serve in your place at the Auburn Sewerage District

Auburn Ward 1 Report for Meeting Tuesday, September 3, 2013

Prepared: Wednesday 2013.08.28
TO: Residents of Auburn and the Auburn City Council
FROM: Tizz E. H. Crowley- Auburn City Council Ward 1



“Thank you”- to the many **volunteers at the Balloon Festival**. I so enjoyed visiting the numerous non-profit organizations providing great food options for visitors. I continued my annual fried dough search... and yes, I had several pieces from each booth over the Festival weekend.

Thank you to **Chief Roma and the Auburn Fire Department** for the invitation to enjoy supper with you at Central Station. The food was delicious and conversation enlightening. I appreciate the training provided to residents through the Auburn Fire Academy program. The “live” demonstration of superior teamwork when there is a heart attack victim will remain with me.

Thank you to **Josh Macdonald** for the informative tour of the new dual sheet ice arena. Clearly we have a knowledgeable and experience person championing this project. Let’s hope they continue to make great progress. Target opening date is now in November.

Dates to watch- (and one we missed)

August 7th was NATIONAL LIGHTHOUSE DAY. This day honors the beacon of light that, for hundreds of years, has symbolized safety and security for ships and boats at sea. At one time, the beacon of light could be found across most all of America’s shorelines. On August 7, 1789, the United States Congress approved an act for the “establishment and support of Lighthouse, Beacons, Buoys, and Public Piers.” It was two hundred years later that Congress designated August 7 as **National Lighthouse Day**. Auburn Ward 1 even has a lighthouse!



Wednesday, September 4th at 12:15pm there will be a community committee **meeting planning Breast Cancer Awareness** activities for October. Interested in volunteering for this project? Come join us. We’d like to **promote all pink ribbon events** planned for Lewiston and Auburn. Please contact me if you need more information or would like to help but can’t attend the planning session.



Wednesday September 4th the Jewish New Year begins at sundown. This day, Rosh Hashanah, marks the beginning of the Jewish year 5768 and opens the Ten Days of Penitence, which close with Yom Kippur. Rosh Hashanah begins sundown September 4 – through September 6 2013. To our Jewish community we all wish you *“L’shana Tova – Ketivah vi-chatima Tova.”* This means: “For a good year – You should be written and sealed in the good (Book of Life).”

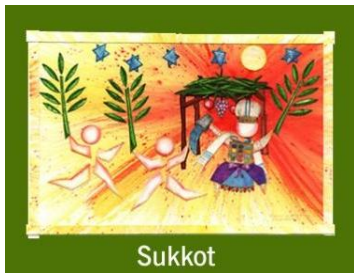
Thursday, September 5th- at 3 pm Lewiston City Hall (3rd Floor Conf. Room) on is the next **Lewiston-Auburn Public Health Committee meeting**. Our special guest will be Tim Cowan, Director of the MaineHealth Health Index Initiative. He will be focusing on epidemiological data pertinent to Androscoggin County during his 9/5 presentation. Mr. Cowan will present for about 25 minutes.

September 7th - the community is invited to the **3rd Annual Pig Roast** sponsored by United New Auburn Association in Rolly's Diner Parking lot. Delicious food and a fun time, including farm animals for kids to visit, raffles and music will be part of the day. People will be gathering at 3pm to eat at 4pm. Contact Councilor Walker for more information. Come join me... I will be bringing dessert to share.

Sunday, September 8th is national **Grandparents' Day**. The impetus for a National Grandparents Day originated with *Marian McQuade*, a housewife in Fayette County, West Virginia. Her primary motivation was to champion the cause of lonely elderly in nursing homes. She also hoped to persuade grandchildren to tap the wisdom and heritage their grandparents could provide. President Jimmy Carter, in 1978, proclaimed that **National Grandparents Day** would be celebrated every year on the **first Sunday after Labor Day**. **Later in this report I have a suggestion on how you might enjoy the day.**



Friday, September 13th Yom Kippur begins at sundown. This **Day of Atonement** is described in Leviticus as a Sabbath of rest, and synagogue services begin the preceding sundown, resume the following morning, and continue to sundown.



Wednesday, September 18th is Sukkot begins at sundown and lasts for seven days. Sukkot is also called The Time of Our Joy; indeed, a special joy pervades the festival. Nightly Water-Drawing Celebrations, reminiscent of the evening-to-dawn festivities held in the Holy Temple in preparation for the drawing of water for use in the festival service, fill the synagogues and streets with song, music, and dance until the wee hours of the morning.

Visiting Hours- Please drop by visiting hours this month at the Auburn Public Library. I'll be there on Tuesday, September 10th from 2-4pm and Thursday, September 26th from 5-7pm.

Information provided to residents this period: As a Councilor I get calls and questions from Auburn residents. Helping to find the answers is one of my favorite parts of serving on the Council. Since our last meeting we've looked at several things including:

Ingersoll Arena- The audited financial statement is not yet ready, but for the fourth year in a row, Ingersoll Arena has lost money. It is an enterprise account and should be run like a business. Since January published reports have indicated an anticipated loss. The arena needs to cover its debt service. I've asked each reporting cycle what plans were made to address this concern- no reply has been distributed. It is distressing to see misleading statements in the Parks & Recreation Advisory Meeting.

County Budget Committee- I have been nominated to serve on the County Budget Committee. We'll know the selection outcome by September 11th. In the mean time, I'd appreciate hearing from Auburn residents and businesses about suggestions, concerns, issues and ideas relating to the County budget. The County is a big ticket item in our City budget.

Recently I've been described as **Nitpicking** and **Overzealous** as I worked on issues of concern to Auburn residents. I take these remarks as compliments- I'm paying attention to the details and passionate about citizen concerns. Customer service is a core value for me, so I enjoy the opportunity to work with the community. Thank you to the citizens of Auburn for the honor of serving.

Public Health Committee- Maine Center for Disease Control and Prevention has confirmed the presence of Eastern Equine Encephalitis (EEE) in a mosquito pool. This is the second time this year. Maine CDC



recommends the following **preventative measures to protect against EEE** and other mosquito-borne illnesses:

- Use an Environmental Protection Agency-approved **repellent** when outdoors, especially around dawn and dusk. Always follow the instructions on the product's label;
- Wear **protective clothing** when outdoors, including long-sleeved shirts, pants, socks;
- Keep window and door **screens down** to keep mosquitoes out of the home;
- **Limit time** outdoors at **dawn and dusk** when many species of mosquitoes are most active;
- Remove **containers holding water** in and around the home, as water can attract mosquitoes.

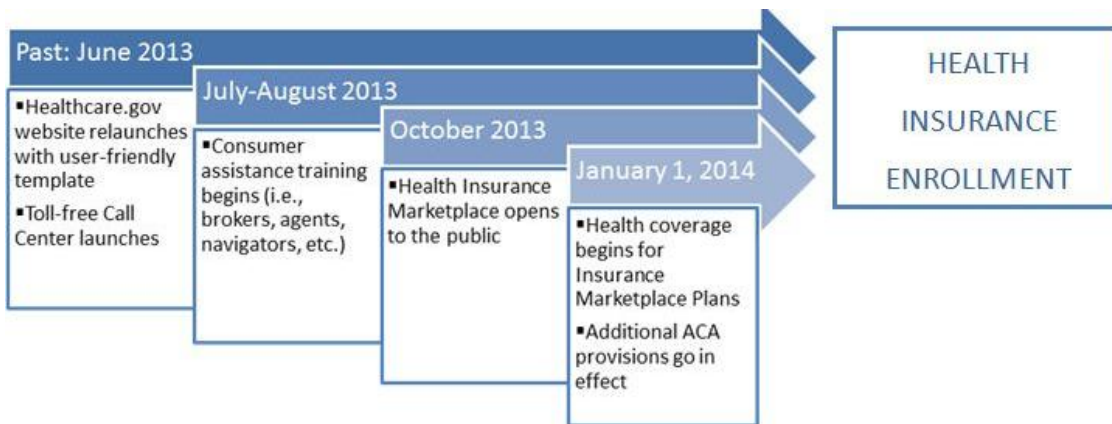
The **Safer Shot Needle Exchange** is now open every Monday from 10am to 5pm at the Lewiston Family Planning Clinic 179 Lisbon Street, Lewiston. For more information call 795-4007. This service supports residents of Lewiston and Auburn. **The best way to prevent those infections** (STIs, HIV and hepatitis C) that can be spread through IV need use is to properly dispose of used needs and supplies. While cleaning needles with bleach can prevent the spread of HIV, it is not effective against Hepatitis C. This is a free service for the community.

September is Healthy Aging Month. Healthy Aging Month is an observance month designed to focus national attention on the **positive aspects of growing old.** The Twin Cities have a great resource- SeniorsPlus, located at 8 Falcon Road. **SeniorsPlus** is here to help adults make informed choices about aging well and living independently and safely at home. SeniorsPlus is happy to announce there is now **NO** waiting list for the Meals on Wheels program due to increased support from individual, community groups, agencies and the City of Auburn. SeniorsPlus welcomes your calls 207-795-4010.



annual

Changes are coming- become informed of your health insurance choices. Health Insurance Marketplaces will begin open enrollment October 1, 2013. The U.S. Department of Health and Human Services, as well as other government agencies, is preparing resources, tools, and technology to give patients and providers adequate information. Watch our local newspapers for information sessions.





In closing, **enjoy Grandparents' Day in Ward 1.** I'd like to invite you to celebrate Grandparents' Day with a visit to Ward 1.

We have some wonderful places to experience. The **City of Auburn will open Lake Grove**



Park (outlet beach area, the gatehouse area), so you can enjoy a beautiful fall afternoon- maybe bring a cookout lunch. Grills, picnic tables, even real bathrooms are free and available for use by guests. There are some fun young children playground rides. The park has lovely places to read and relax, with room enough for family games. Make **Lake Grove Park** a stop on your Sunday afternoon drive



Yes, I remember touring the area on Sunday rides with my parents and sisters when I was growing up.

Favorite spots to consider as you drive around Ward 1- Roy's Miniature Golf, ice cream and a bucket of balls for the driving range at Tabers, of course warm donuts and apple tarts at Wallingford's



Fruit, cider at Ricker's, enjoying the horses and big red barn as you drive over to Lost Valley to check out the mountain. Looking for history- **did you know there is a small cemetery,** not 100 ft away from the picnic area at Tabers? Check out the garden and plantings at Gammons as you visit the playground and see the old fountain at Tot Lot. Speaking of Tot Lot, did you know there is a nice clubhouse and BBQ facilities for rent? All ages would enjoy any event planned at Tot Lot.

No car to travel to the Lake area... then enjoy the trails, playground and pond at **Pettengill Park.** You may even catch a ball game in progress.



Another wonderful secret spot is the boat launch on North River Road. Take a lawn chair and sit at the end of the dock- its quiet, the river views are calming and there's seldom a crowd. Councilor Walker tells me it's a great fishing location.

I'll be out at Lake Grove Park on Sunday, September 16th from 2-4pm enjoying the day. Stop by and say hello ... there will likely be treats and fun. I'd like to meet your grandchildren.

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services



TO: Clinton Deschene, City Manager

FROM: Jill Eastman, Finance Director

REF: July 2013 Financial Report

DATE: August 28, 2013

The following is a discussion regarding the significant variances found in the City's July 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 first month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 8.33% 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 July 31st were \$790,424, or 1.09%, of the budget, which is lower than last year at this time by 0.10%. The accounts listed below are noteworthy.

- A. Excise taxes of \$313,414-up \$27,116 over last year.
- B. State Revenue Sharing for the month of July is 14.02% or \$231,182. The city received \$231,182 this month compared to \$348,582 FY13, \$379,283 FY12, \$396,657 FY11, and \$455,120 FY10. Percentage of budget this year is comparable to last year.
- C. \$151,613 was collected in July to pay off prior year property tax liens.

Expenditures

City expenditures through July 31st were \$1,912,095, or 2.61%, of the budget as compared to last year at \$1,7367,586, or 2.44%. Noteworthy variances are:

- A. Property is at \$164,426 or 22.98% of the budget. The property and casualty insurance premium is due in two installments, the first installment is due in July.
- B. Water and sewer is at \$135,231 or 24.2%. We pay quarterly for hydrant rentals.
- C. Airport is at 50% - annual subsidy paid in two installments
- D. E911 – Quarterly payment of \$260,725 paid in July

Investments

This section contains an investment schedule as of July 31st with a comparison to June 30th: Currently the City's funds are earning an average interest rate of .22%, which is the same as last July.

Respectfully submitted,



Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND, WC AND UNEMPLOYMENT FUND
AS of July 2013, June 2013 (unaudited), and June 2012

	UNAUDITED July 31 2013	UNAUDITED June 30 2013	Increase (Decrease)	AUDITED JUNE 30 2012
ASSETS				
CASH	\$ 8,092,334	\$ 11,225,627	\$ (3,133,293)	\$ 15,074,324
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	839,829	1,115,890	(276,061)	1,218,554
TAXES RECEIVABLE-CURRENT	73,146	89,723	(16,577)	107,929
DELINQUENT TAXES	542,467	543,772	(1,305)	486,160
TAX LIENS	1,237,332	1,391,484	(154,152)	1,415,461
NET DUE TO/FROM OTHER FUNDS	3,493,808	1,817,784	1,676,024	470,312
TOTAL ASSETS	\$ 14,278,914	\$ 16,184,280	\$ (1,905,366)	\$ 18,772,740
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	\$ (117,963)	\$ (529,178)	\$ 411,215	\$ (670,227)
PAYROLL LIABILITIES	(100,738)	(93,082)	(7,656)	(501)
ACCRUED PAYROLL	(809,465)	(1,047,863)	238,398	(2,274,075)
STATE FEES PAYABLE	(44,895)	(31)	(44,864)	-
ESCROWED AMOUNTS	(41,865)	(41,865)	(0)	(41,865)
DEFERRED REVENUE	(1,686,318)	(1,858,354)	172,036	(1,822,839)
TOTAL LIABILITIES	\$ (2,801,244)	\$ (3,570,373)	\$ 769,129	\$ (4,809,507)
FUND BALANCE - UNASSIGNED	\$ (10,386,716)	\$ (11,522,954)	\$ 1,136,238	\$ (12,378,441)
FUND BALANCE - RESTRICTED FOR WORKERS COMP & UNEMPLOYMENT	776,017	776,017	-	684,766
FUND BALANCE - RESTRICTED	(1,866,970)	(1,866,970)	0.27	(2,269,558)
TOTAL FUND BALANCE	\$ (11,477,669)	\$ (12,613,907)	\$ 1,136,238	\$ (13,963,233)
TOTAL LIABILITIES AND FUND BALANCE	\$ (14,278,914)	\$ (16,184,280)	\$ 1,905,367	\$ (18,772,740)

**CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH July 31, 2013 VS July 31, 2012**

REVENUE SOURCE	FY 2014 BUDGET	ACTUAL REVENUES THRU JULY 2013	% OF BUDGET	FY 2013 BUDGET	ACTUAL REVENUES THRU JULY 2012	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	\$ 42,844,641	\$ 3,714	0.01%	\$ 42,121,141	\$ 98,666	0.23%	\$ (94,952)
PRIOR YEAR REVENUE	\$ -	\$ 151,613		\$ -	\$ 16,278		\$ 135,335
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 482,575	\$ -	0.00%	\$ 514,584	\$ -	0.00%	\$ -
ALLOWANCE FOR ABATEMENT	\$ -	\$ -		\$ -	\$ -		\$ -
ALLOWANCE FOR UNCOLLECTIBLE TAXES	\$ -	\$ -		\$ -	\$ -		\$ -
EXCISE	\$ 3,068,500	\$ 313,414	10.21%	\$ 3,018,500	\$ 286,298	9.48%	\$ 27,116
PENALTIES & INTEREST	\$ 140,000	\$ 7,465	5.33%	\$ 140,000	\$ 5,786	4.13%	\$ 1,679
TOTAL TAXES	\$ 46,535,716	\$ 476,207	1.02%	\$ 45,794,225	\$ 407,028	0.89%	\$ 69,179
LICENSES AND PERMITS							
BUSINESS	\$ 47,300	\$ 2,985	6.31%	\$ 39,900	\$ 2,535	6.35%	\$ 450
NON-BUSINESS	\$ 338,300	\$ 27,178	8.03%	\$ 260,700	\$ 58,050	22.27%	\$ (30,872)
TOTAL LICENSES	\$ 385,600	\$ 30,163	7.82%	\$ 300,600	\$ 60,585	20.15%	\$ (30,422)
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	\$ 440,000	\$ -	0.00%	\$ 378,000	\$ -	0.00%	\$ -
STATE REVENUE SHARING	\$ 1,649,470	\$ 231,182	14.02%	\$ 2,400,000	\$ 348,582	14.52%	\$ (117,400)
WELFARE REIMBURSEMENT	\$ 53,000	\$ -	0.00%	\$ 53,083	\$ 5,322	10.03%	\$ (5,322)
OTHER STATE AID	\$ 22,000	\$ -	0.00%	\$ 21,000	\$ -	0.00%	\$ -
CITY OF LEWISTON	\$ 155,000	\$ -	0.00%	\$ 158,362	\$ -	0.00%	\$ -
TOTAL INTERGOVERNMENTAL ASSISTANCE	\$ 2,319,470	\$ 231,182	9.97%	\$ 3,010,445	\$ 353,904	11.76%	\$ (122,722)
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	\$ 140,240	\$ 7,150	5.10%	\$ 130,955	\$ 8,774	6.70%	\$ (1,625)
PUBLIC SAFETY	\$ 366,152	\$ 5,490	1.50%	\$ 263,102	\$ 4,048	1.54%	\$ 1,442
EMS AGREEMENT	\$ 100,000	\$ 8,333	8.33%	\$ 100,000	\$ -	0.00%	\$ 8,333
TOTAL CHARGE FOR SERVICES	\$ 606,392	\$ 20,973	3.46%	\$ 494,057	\$ 12,822	2.60%	\$ 8,151
FINES							
PARKING TICKETS & MISC FINES	\$ 40,000	\$ 1,080	2.70%	\$ 45,000	\$ 2,135	4.74%	\$ (1,055)
MISCELLANEOUS							
INVESTMENT INCOME	\$ 20,000	\$ 38	0.19%	\$ 30,000	\$ 5,555	18.52%	\$ (5,517)
INTEREST-BOND PROCEEDS	\$ 2,000	\$ -	0.00%	\$ 2,000	\$ -	0.00%	\$ -
RENTS	\$ 122,000	\$ -	0.00%	\$ 122,000	\$ -	0.00%	\$ -
UNCLASSIFIED	\$ 17,500	\$ 1,500	8.57%	\$ 5,150	\$ 117	2.27%	\$ 1,383
SALE OF RECYCLABLES	\$ 4,800	\$ -	0.00%	\$ -	\$ -		\$ -
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 10,331		\$ -	\$ -		\$ 10,331
SALE OF PROPERTY	\$ 20,000	\$ -	0.00%	\$ 20,000	\$ -	0.00%	\$ -
RECREATION PROGRAMS/ARENA	\$ -	\$ -		\$ 43,275	\$ -	0.00%	\$ -
MMWAC HOST FEES	\$ 204,000	\$ 16,826	8.25%	\$ 197,400	\$ 16,689	8.45%	\$ 137
9-1-1 DEBT SERVICE REIMBURSEMENT	\$ -	\$ -		\$ -	\$ -	0.00%	\$ -
TRANSFER IN: TIF	\$ 520,000	\$ -	0.00%	\$ 324,212	\$ -	0.00%	\$ -
ENERGY EFFICIENCY	\$ 2,000	\$ 279	13.96%	\$ 2,000	\$ -	0.00%	\$ 279
CDBG	\$ 58,000	\$ -	0.00%	\$ 8,000	\$ -	0.00%	\$ -
UTILITY REIMBURSEMENT	\$ 37,500	\$ 1,845	4.92%	\$ 37,500	\$ 223	0.59%	\$ 1,622
CITY FUND BALANCE CONTRIBUTION	\$ 1,350,000	\$ -	0.00%	\$ 1,350,000	\$ -	0.00%	\$ -
TOTAL MISCELLANEOUS	\$ 2,357,800	\$ 30,820	1.31%	\$ 2,141,537	\$ 22,584	1.05%	\$ 8,236
TOTAL GENERAL FUND REVENUES	\$ 52,244,978	\$ 790,424	1.51%	\$ 51,785,864	\$ 859,058	1.66%	\$ (68,634)
SCHOOL REVENUES							
EDUCATION SUBSIDY	\$ 17,942,071	\$ -	0.00%	\$ 17,942,071	\$ -	0.00%	\$ -
EDUCATION	\$ 1,358,724	\$ -	0.00%	\$ 1,358,724	\$ -	0.00%	\$ -
SCHOOL FUND BALANCE CONTRIBUTION	\$ 855,251	\$ -	0.00%	\$ 855,251	\$ -	0.00%	\$ -
TOTAL SCHOOL	\$ 20,156,046	\$ -	0.00%	\$ 20,156,046	\$ -	0.00%	\$ -
GRAND TOTAL REVENUES	\$ 72,401,024	\$ 790,424	1.09%	\$ 71,941,910	\$ 859,058	1.19%	\$ (68,634)

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH July 31, 2013 VS July 31, 2012

DEPARTMENT	FY 2014 BUDGET	Unaudited EXP THRU JULY 2013	% OF BUDGET	FY 2013 BUDGET	Unaudited EXP THRU JULY 2012	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	\$ 71,079	\$ 1,050	1.48%	\$ 99,690	\$ 1,050	1.05%	\$ -
CITY MANAGER	\$ 238,903	\$ 12,790	5.35%	\$ 343,296	\$ 15,404	4.49%	\$ (2,614)
ECONOMIC DEVELOPMENT	\$ 318,933	\$ 44,654	14.00%	\$ -	\$ -		\$ 44,654
ASSESSING SERVICES	\$ 172,277	\$ 10,017	5.81%	\$ 183,801	\$ 9,203	5.01%	\$ 814
CITY CLERK	\$ 162,045	\$ 8,648	5.34%	\$ 150,676	\$ 7,785	5.17%	\$ 863
FINANCIAL SERVICES	\$ 405,976	\$ 22,018	5.42%	\$ 419,539	\$ 18,377	4.38%	\$ 3,641
HUMAN RESOURCES	\$ 139,566	\$ 7,153	5.13%	\$ 137,836	\$ 7,012	5.09%	\$ 141
INFORMATION COMMUNICATION TECHNOLOGY	\$ 395,350	\$ 30,380	7.68%	\$ 386,632	\$ 6,680	1.73%	\$ 23,700
LEGAL SERVICES	\$ 100,000	\$ -	0.00%	\$ 85,000	\$ 888	1.04%	\$ (888)
TOTAL ADMINISTRATION	\$ 2,004,129	\$ 136,710	6.82%	\$ 1,806,470	\$ 66,399	3.68%	\$ 70,311
COMMUNITY SERVICES							
ENGINEERING	\$ 280,188	\$ 15,159	5.41%	\$ 320,370	\$ 17,926	5.60%	\$ (2,767)
COMMUNITY PROGRAMS	\$ -	\$ -		\$ 14,050	\$ 9,450	67.26%	\$ (9,450)
PLANNING & PERMITTING	\$ 775,230	\$ 47,963	6.19%	\$ 776,532	\$ 44,004	5.67%	\$ 3,959
PARKS AND RECREATION	\$ 567,334	\$ 36,305	6.40%	\$ 602,191	\$ 30,653	5.09%	\$ 5,652
HEALTH & SOCIAL SERVICES	\$ 189,539	\$ 16,853	8.89%	\$ 176,567	\$ 15,604	8.84%	\$ 1,249
PUBLIC LIBRARY	\$ 946,737	\$ 77,270	8.16%	\$ 968,292	\$ 82,479	8.52%	\$ (5,209)
TOTAL COMMUNITY SERVICES	\$ 2,759,028	\$ 193,550	7.02%	\$ 2,858,002	\$ 200,116	7.00%	\$ (6,566)
FISCAL SERVICES							
DEBT SERVICE	\$ 6,321,584	\$ -	0.00%	\$ 6,682,797	\$ -	0.00%	\$ -
PROPERTY	\$ 715,667	\$ 164,426	22.98%	\$ 699,114	\$ 162,804	23.29%	\$ 1,622
WORKERS COMPENSATION	\$ 431,446	\$ -	0.00%	\$ 415,000	\$ -	0.00%	\$ -
WAGES & BENEFITS	\$ 4,397,585	\$ 340,738	7.75%	\$ 4,602,545	\$ 329,054	7.15%	\$ 11,684
EMERGENCY RESERVE (10108062-670000)	\$ 375,289	\$ -	0.00%	\$ 333,818	\$ -	0.00%	\$ -
TOTAL FISCAL SERVICES	\$ 12,241,571	\$ 505,164	4.13%	\$ 12,733,274	\$ 491,858	3.86%	\$ 13,306
PUBLIC SAFETY							
FIRE DEPARTMENT	\$ 4,024,789	\$ 235,953	5.86%	\$ 3,904,344	\$ 224,600	5.75%	\$ 11,353
POLICE DEPARTMENT	\$ 3,589,583	\$ 177,592	4.95%	\$ 3,439,583	\$ 175,200	5.09%	\$ 2,392
TOTAL PUBLIC SAFETY	\$ 7,614,372	\$ 413,545	5.43%	\$ 7,343,927	\$ 399,800	5.44%	\$ 13,745
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	\$ 4,730,432	\$ 214,670	4.54%	\$ 4,617,744	\$ 159,199	3.45%	\$ 55,471
WATER AND SEWER	\$ 558,835	\$ 135,231	24.20%	\$ 558,835	\$ 135,231	24.20%	\$ -
TOTAL PUBLIC WORKS	\$ 5,289,267	\$ 349,901	6.62%	\$ 5,176,579	\$ 294,430	5.69%	\$ 55,471
INTERGOVERNMENTAL PROGRAMS							
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	\$ 258,733	24.99%	\$ 1,992
LATC-PUBLIC TRANSIT	\$ 235,496	\$ -	0.00%	\$ 235,548	\$ -	0.00%	\$ -
LAEGC-ECONOMIC COUNCIL	\$ -	\$ -		\$ 160,687	\$ -	0.00%	\$ -
COMMUNITY LITTLE THEATER	\$ -	\$ -		\$ 20,160	\$ -	0.00%	\$ -
TAX SHARING	\$ 270,000	\$ -	0.00%	\$ 289,000	\$ -	0.00%	\$ -
TOTAL INTERGOVERNMENTAL	\$ 1,646,905	\$ 313,225	19.02%	\$ 1,845,776	\$ 284,983	15.44%	\$ 28,242
COUNTY TAX							
TIF (10108058-580000)	\$ 2,029,513	\$ -	0.00%	\$ 2,006,244	\$ -	0.00%	\$ -
OVERLAY	\$ 2,555,723	\$ -	0.00%	\$ 2,619,142	\$ -	0.00%	\$ -
	\$ -	\$ -		\$ -	\$ -	0.00%	\$ -
TOTAL CITY DEPARTMENTS	\$ 36,140,508	\$ 1,912,095	5.29%	\$ 36,389,414	\$ 1,737,586	4.77%	\$ 174,509
EDUCATION DEPARTMENT	\$ 37,128,028	\$ -	0.00%	\$ 34,705,246	\$ -	0.00%	\$ -
TOTAL GENERAL FUND EXPENDITURES	\$ 73,268,536	\$ 1,912,095	2.61%	\$ 71,094,660	\$ 1,737,586	2.44%	\$ 174,509

**CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF July 31, 2013**

INVESTMENT	FUND	BALANCE	BALANCE June 30, 2013	INTEREST RATE	WEIGHTED AVG YIELD
BANKNORTH MNY MKT	24-1242924 GENERAL FUND	\$ 55,327.73	\$ 55,318.33	0.20%	
BANKNORTH MNY MKT	24-1745910 GF-WORKERS COMP	\$ 49,242.21	\$ 49,238.03	0.10%	
BANKNORTH MNY MKT	24-1745944 GF-UNEMPLOYMENT	\$ 66,894.89	\$ 66,883.53	0.20%	
BANKNORTH CD	7033 GF-UNEMPLOYMENT	\$ 102,404.84	\$ 102,404.84	2.64%	
BANKNORTH MNY MKT	24-1809302 SPECIAL REVENUE	\$ 52,552.48	\$ 52,543.55	0.20%	
BANKNORTH MNY MKT	24-1745902 SR-PERMIT PARKING	\$ 197,973.18	\$ 197,939.56	0.20%	
BANKNORTH MNY MKT	24-1745895 SR-TIF	\$ 1,117,714.41	\$ 1,117,524.58	0.20%	
BANKNORTH MNY MKT	24-1746819 CAPITAL PROJECTS	\$ 10,897,810.36	\$ 10,895,959.54	0.20%	
BANKNORTH MNY MKT	24-1745928 ICE ARENA	\$ 249,269.61	\$ 249,227.28	0.10%	
GRAND TOTAL		\$ 12,789,189.71	\$ 12,787,039.24		0.22%

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 July 31, 2013



Attached you will find a Statement of Net Assets and a Statement of Activities for the Ingersoll Arena and the Twin Sheet Arena as of July 31, 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 July 2013 the total current assets were \$405,911. These consisted of cash and cash equivalents of \$249,295, accounts receivable of \$18,825 and an interfund receivable is a \$137,791, which means that the General Fund owes the arena \$137,791, so net cash available to the arena is \$387,085 at the end of July.

The accounts receivable of \$18,825, consists of the following outstanding invoices for ice time that has been billed to various organizations. At the end of June the outstanding accounts were categorized as follows: \$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 July 31, 2013 were \$630,402.

Liabilities:

The arena liabilities as of July 31, 2013, consisted of (\$263) of accounts payable, which is for credit 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 July 2013, are \$30,160 and revenues for the new Twin Sheet Arena were \$29,750. 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 July 2013, were \$17,202 and for the Twin Sheet Arena were \$3,548. These expenses include personnel costs, supplies, utilities, repairs and maintenance.

As of July 2013 the arenas have operating gains of \$12,958 and \$26,202 respectively.

Non-operating revenue and expenses consist of interest income and debt service payments. The interest income to date is \$42 and there is no debt service expense to date.

As of June 30, 2013 the arenas have an increase in net assets of \$13,000 for Ingersoll and \$26,202 for the Twin Sheet Arena.

CITY OF AUBURN, MAINE
Statement of Net Assets
Proprietary Funds
July 31, 2013

Business-type Activities - Enterprise Funds

Combined

ASSETS

Current assets:

Cash and cash equivalents	\$ 249,295
Interfund receivables	137,791
Accounts receivable	18,825

Total current assets 405,911

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 1,036,313

LIABILITIES

Accounts payable	(263)
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Total liabilities (263)

NET ASSETS

Invested in capital assets	630,402
Unrestricted	405,648

Total net assets **\$ 1,036,050**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Proprietary Funds
Business-type Activities - Enterprise Funds
Statement of Activities
July 31, 2013

	Ingersoll Ice Arena	Twin Sheet Arena	Total
Operating revenues:			
Charges for services	\$ 30,160	\$ 29,750	\$ 59,910
Operating expenses:			
Personnel	9,334	3,548	12,882
Supplies	260	-	260
Utilities	7,342	-	7,342
Repairs and maintenance	-	-	-
Depreciation	-	-	-
Other expenses	266	-	266
Total operating expenses	17,202	3,548	20,750
Operating gain (loss)	12,958	26,202	39,160
Nonoperating revenue (expense):			
Interest income	42	-	42
Interest expense (debt service)	-	-	-
Total nonoperating expense	42	-	42
Gain before transfer	13,000	26,202	39,202
Transfers out	-	-	-
Change in net assets	13,000	26,202	39,202
Total net assets, July 1	996,848	-	996,848
Total net assets, February 28	\$ 1,009,848	\$ 26,202	\$ 1,036,050



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: September 3, 2013

Order 69-08192013

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: Order authorizing the issuance of General Obligation Bonds and tax levy

Information: This is the order authorizing the sale of \$5,900,000 in General Obligation Bonds to finance the FY 13-14 Capital Improvement Projects passed by Council during the June 3rd, 2103 Council Meeting by a 5-2 vote. (list attached). During the discussion prior to the vote on the entire CIP a number of individual items were passed (to remain on the CIP) by less than a 5-2 vote. These items are listed as follows: Engineering Major Drainage, ICT Network Security, Parks and Recreation Holder Tractor, Planning Municipal Street Light Purchase, Planning Traffic Signal Pole Replacement, Public Works Heavy Equipment (Dump Trucks), Public Works Vehicle (sign truck).

Financial: Budget

Action Requested at this Meeting:, Recommend passage of the 2nd reading.

Previous Meetings and History: Discussed during the 8/5/2013 Council Workshop, public hearing and passage of the first reading was on 8/19/2013.

Attachments:

- Approved CIP List
- CIP voted on by Council
- Minutes of June 3, 2013
- Notice of Public Hearing
- Order 69-08192013

*Agenda items are not limited to these categories.

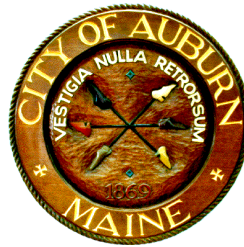
**CITY OF AUBURN - CAPITAL IMPROVEMENT PROGRAM
FY 2014**

	OPERATING	BOND	OTHER
<u>ASSESSING</u>			
Vehicle Replacement	\$0		
Total Assessing	\$0	\$0	\$0
<u>AUBURN-LEWISTON AIRPORT</u>			
Loader/Sweeper Replacement	\$0		
Mower Attachment	\$0		
Total Auburn-Lewiston Airport	\$0	\$0	\$0
<u>CITY CLERK</u>			
Record Restoration	\$12,500		
Voting Booths	\$6,000		
Total City Clerk	\$18,500	\$0	\$0
<u>ECONOMIC DEVELOPMENT</u>			
South Goff Street Extension		\$0	
Total Economic Development	\$0	\$0	\$0
<u>ENGINEERING</u>			
Drainage Projects:			
Major Areas		\$60,000	
State Projects:			
MDOT Transportation Improvement Projects		\$500,000	
Street Improvement Projects:			
Reclaim/Resurfacing Program		\$1,250,000	
Retaining Wall (Engineering and Design)		\$0	
Reconstruction/Construction Projects		\$1,000,000	
Bridge Repairs		\$125,000	
Total Engineering Department	\$0	\$2,935,000	\$0
<u>FIRE DEPARTMENT</u>			
Generator South Main Street Fire Station		\$0	
Security/Proximity Locking System		\$0	
Thermal Imaging Cameras		\$0	
Reclaim and repave Central Station back yard		\$0	
Tablets	\$0		
Total Fire Department	\$0	\$0	\$0
<u>INFORMATION COMMUNICATION TECHNOLOGY</u>			
Call Recording		\$0	
Web Site - Second Phase			\$20,000 (1)
Network Security		\$40,000	
Total ICT	\$0	\$40,000	\$20,000
<u>LA911</u>			
Server Upgrade/Virtualization Project - Phase III			\$49,772 (1)
Total LA911	\$0	\$0	\$49,772
<u>LATC</u>			
Bus Replacement Funds			\$40,000 (1)
Total LATC	\$0	\$0	\$40,000
<u>PARKING FACILITIES</u>			
Mechanics Row Parking Garage Maintenance		\$0	
Total Parking Facilities	\$0	\$0	\$0
<u>PARKS & RECREATION</u>			
Asbestos Removal @ Hasty Community Center			\$85,000 (1)
Tractor w/Attachments		\$0	
Replace Holder Tractor		\$165,000	
Turf Machine			\$0 (3)
Remove Underground Storage Tank		\$0	
Repair and Replace Playground Equipment City Wide			\$38,000 (1,3)
Hasty Window Replacement			\$46,000 (1)
Hasty Kitchen Upgrade	\$0	\$0	\$3,500 (1)

**CITY OF AUBURN - CAPITAL IMPROVEMENT PROGRAM
FY 2014**

	OPERATING	BOND	OTHER
Total Parks & Recreation	\$0	\$165,000	\$172,500
<u>PLANNING & CODE DEPARTMENT</u>			
Municipal Street Light Purchase		\$750,000	
Traffic Signal Pole Replacement		\$10,736	
Street Light Pole Replacement and Wiring (21 poles)		\$25,000	
Replacement of Traffic Signal Controller Equipment Fype TSII		\$0	
Replace existing HPS fixtures and poles with LED fixtures		\$26,000	
Traffic Signal Controller Upgrades		\$0	
Vehicle Replacement	\$0		
Comprehensive Plan Property Acquisition Program			\$0 (4)
Androscoggin Greenway Signage and Wayfinding Pilot Program			\$75,000 (4)
Total Planning & Code Department	\$0	\$811,736	\$75,000
<u>POLICE DEPARTMENT</u>			
Scheduled Vehicle Replacement	\$70,000		
Mobile Radio Replacement	\$20,000		\$0 (1)
Total Police Department	\$90,000	\$0	\$0
<u>PUBLIC LIBRARY</u>			
Building Improvements		\$24,136	
HVAC Automation System	\$7,500		
Technology Replacement	\$12,000		
Total Public Library	\$19,500	\$24,136	\$0
<u>PUBLIC WORKS DEPARTMENT</u>			
Heavy Equipment			
Dump Trucks		\$320,000	
Street Sweeper		\$0	
Vehicles		\$38,000	
Floor Sweeper/Scrubber		\$0	
Non Vehicle Equipment			
Trench Box	\$0		\$17,000 (1)
Message Sign Board	\$0		
Portable Traffic Signals	\$0		
Replace Festival Plaza Canopies			\$20,000 (4)
Cemetery Improvements			\$24,000 (1)
Total Public Works Department	\$0	\$358,000	\$61,000
Contingency		\$66,128	
Total Municipal Capital Improvements	\$128,000	\$4,400,000	\$418,272
<u>SCHOOL DEPARTMENT</u>			
Total School Department	\$0	\$1,500,000	\$0
Total Capital Improvement Program - Municipal and Schools	\$128,000	\$5,900,000	\$418,272
(1) Unallocated Bond Funds	\$285,272		
(3) Recreation Special Revenue Funds	\$38,000		
(4) Downtown TIF	\$95,000		
	\$418,272		

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 35-05132013

ORDERED, that Capital Purchases (CIP) Bond Projects for FY 2014 in the amount of \$6,500,000 Acquisition of the following capital equipment and the design, construction, renovation, and rehabilitation of the following capital improvements, all constituting part of the City's FY14 Capital Improvement Program:

Department	FY14 Projects Only (See CIP for full description)	Proposed Financing	CIP	FY 2014 CIP Bond
School	Building and Equipment Improvements	Bond	CIP	\$1,500,000
Engineering	Major Drainage	Bond	CIP	\$60,000
Engineering	MDOT Match	Bond	CIP	\$500,000
Engineering	Reclaim/Resurface	Bond	CIP	\$1,250,000
Engineering	Reconstruction	Bond	CIP	\$1,000,000
Engineering	Bridge Repairs	Bond	CIP	\$125,000
ICT	Network Security	Bond	CIP	\$40,000
Parks & Recreation	Holder Tractor	Bond	CIP	\$165,000
Planning & Code	Municipal Street Light Purchase	Bond	CIP	\$750,000
Planning & Code	Traffic Signal Pole Replacement	Bond	CIP	\$10,736
Planning & Code	Street Light Pole Replacement	Bond	CIP	\$25,000
Planning & Code	Replace Existing HPS Fixtures and Poles	Bond	CIP	\$26,000
Library	Building Improvements	Bond	CIP	\$24,136
Public Works	Heavy Equipment-Dump Trucks	Bond	CIP	\$320,000
Public Works	Vehicles	Bond	CIP	\$38,000
Contingency	Retained earnings for bid variances			\$66,128
TOTALS				\$5,900,000

Passage on 6/3/2013, 5-2 (Councilors Gerry and Crowley opposed).

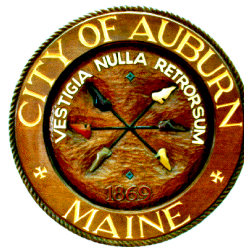
**CITY OF AUBURN
NOTICE OF PUBLIC HEARING**

Pursuant to Section 8.13 of the City Charter, notice is hereby given that the Auburn City Council will hold a public hearing on Monday, August 19, 2013, at 7:00 p.m. in the Council Chambers, Auburn Hall, 60 Court Street on a proposed order authorizing the City's general obligation bonds in the amount of \$5,900,000 to finance the City's FY14 Capital Improvement Program.

Following the public hearing, the City Council expects to conduct the second reading and take final action on the order at the same September 3, 2013 meeting.

The order is available for inspection at the City Clerk's office during regular business hours.

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



Jonathan LaBonte, Mayor

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

IN CITY COUNCIL

ORDER 69-08192013

Ordered by the Auburn City Council, following a public hearing duly called and held as required by Article 8, Section 8.13 of the Auburn City Charter, that there be and hereby is authorized the issuance and sale of the City's general obligation bonds on either a taxable or a tax-exempt basis in the amount of \$5,900,000, the proceeds of which, including premium, if any, and investment earnings thereon, are hereby appropriated to finance the following capital equipment and capital improvements (including costs of issuance for the bonds), all constituting part of the City's FY14 Capital Improvement Program:

Department	FY14 Projects Only (See CIP for full description)	FY 2014 CIP Bond
School	Building and Equipment Improvements	\$1,500,000
Engineering	Major Drainage	\$60,000
Engineering	MDOT Match	\$500,000
Engineering	Reclaim/Resurface	\$1,250,000
Engineering	Reconstruction	\$1,000,000
Engineering	Bridge Repairs	\$125,000
ICT	Network Security	\$40,000
Parks & Recreation	Holder Tractor	\$165,000
Planning & Code	Municipal Street Light Purchase	\$750,000
Planning & Code	Traffic Signal Pole Replacement	\$10,736
Planning & Code	Street Light Pole Replacement	\$25,000
Planning & Code	Replace Existing HPS Fixtures and Poles	\$26,000
Library	Building Improvements	\$24,136
Public Works	Heavy Equipment-Dump Trucks	\$320,000
Public Works	Vehicles	\$38,000
Contingency	Retained earnings for bid variances	\$66,128
TOTAL		\$5,900,000

THAT the bonds shall be issued as authorized hereunder and shall be signed by the City's Finance Director and its Treasurer, attested by the City Clerk under the seal of the City. A tax levy is hereby provided for each fiscal year that the bonds authorized hereunder remain outstanding to meet the annual

Tizz E. H. Crowley, Ward One
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David Young, Ward Four



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

Jonathan LaBonte, Mayor

installments of principal and interest as may accrue in each respective year. The bonds may be issued at one time or from time to time, either singly or in series, and the authority and discretion to fix method of sale, issue date, maturities, denominations, interest rate, place of payment, form and other details of said bonds and notes, and to take all other actions and to sign and deliver all other documents, certificates and agreements in order to provide for the sale thereof is hereby delegated to the City's Finance Director.

THAT in order to finance temporarily the projects described above, the Finance Director is authorized to expend up to \$5,600,000 either from available funds of the City or from the proceeds of BAN's which would be reimbursed or refinanced from bond proceeds.

THAT in order to finance temporarily the projects described above, the Finance Director is authorized to expend up to \$5,900,000 either from available funds of the City or from the proceeds of BAN's which would be reimbursed or refinanced from bond proceeds.

THAT the bonds authorized hereunder may be made subject to call for redemption, either with or without premium, on such terms as may be determined by the Finance Director.

THAT the authority and discretion to designate the bond or notes, or a portion thereof, as qualified tax-exempt obligations under Section 265 of the Internal Revenue Code of 1986, as amended, is hereby delegated to the Finance Director.

THAT the City's Finance Director, Treasurer, Clerk, and other proper officials of the City be, and hereby are, authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things, and to execute, deliver, file, approve, and record all financing documents, contracts, agreements, certificates, preliminary and final official statements, tax certificates and other documents as may be necessary or advisable, with the advice of counsel for the City, to carry out the provisions of this order, as may be necessary or desirable.

THAT if the Finance Director, Treasurer, or Clerk are for any reason unavailable to approve and execute the bonds or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.

THAT this order is a declaration of official intent pursuant to Treas. Reg. § 1.150-2 and shall be kept available for public inspection during reasonable business hours at the office of the City Clerk.

A Public Notice describing the general purpose of the borrowing and the terms thereof was published on or before August 5, 2013, in the Lewiston Sun-Journal, a daily newspaper published in the City of Auburn and in Androscoggin County.

A public hearing was held on August 19, 2013.



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: September 3, 2013

Ordinance 10-08192013

Author: Jason Moen, Deputy Chief of Police

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 regarding Synthetic Drugs

Information: The Police Department is requesting that the City Council consider adopting a new ordinance regulating the sale and possession of synthetic drugs. This ordinance is addressed as a class of drugs known initially as bath salts. As regulations have been placed on these substances, manufacturers have slightly modified them to sidestep the regulations. This ordinance would address that issue and is modeled after ordinances adopted in several other communities, most notably Bangor which has experienced significant problems associated with these drugs.

Financial: N/A

Action Requested at this Meeting: Discussion and future action

Previous Meetings and History: Discussion at the 8/5/2013 City Council Workshop, passage of first reading on 8/19/2013.

Attachments: Proposed Ordinance 10-08192013

*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

ORDINANCE 10-08192013

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

AN ORDINANCE PERTAINING TO SYNTHETIC DRUGS THE CITY OF AUBURN HEREBY ORDAINS:

Chapter 32 of the Code of Ordinances of the City of Auburn, Maine is hereby amended as follows:

Chapter 32 Offenses
Article I, In General

Sec. 32.7

Purpose

The purpose of this article is to regulate the availability of products which are enhanced with synthetic chemicals, which chemicals mimic the effects of controlled substances on users, because these products are a danger to the public health, safety and welfare.

Definitions

For purposes of interpreting this article, the following terms, phrases, words and their derivatives shall have the meanings given herein unless the context clearly indicates or requires a different meaning:

SPICE, SYNTHETIC CANNABINOIDS, SYNTHETIC MARIJUANA - Any aromatic plant material in granular, loose leaf or powder form, or in liquid or as a food additive, or any herbal-incense-type stimulant or hallucinogen product, when the label is in any way false or misleading, or which does not contain a label specifying (1) the identity of the commodity and (2) the name and place of business of the manufacturer, packer, or distributor. Street names for these products include, but are not limited to: Bliss, Black Mamba, Bombay Blue, Fake Weed, Genie, Spice, Zohai, K2, K3, Smoke, PotPourri, Buzz, Spice 99, Voodoo, Pulse, Hush, Mystery, Earthquake, Stinger, Ocean Blue, Serenity, Chronic Spice, Spice Gold, Spice Silver, Skunk, Mr. Nice Guy, Mr. Happy, K3 Legal, Sence, Smoke, Chill X, Earth Impact, Galaxy Gold, Space Truckin, Solar Flare, Moon Rocks, Aroma, Scope, Sky High, Atomic, G-20, Guerrilla Warfare, Makes Scents, g-I3, Tiger Shark, California Dreams, Dank, Bullet, Mind Trip, Voodoo Child, Jazz, Nightlights, Matrix, Hypnotiq, AK47, Maui Wowie, Cloud 9, Daylights, Joker, Dead Man Walking, Brain Storm, Soul Sence, Kush, Kush Mania, Dragons Fire, Lucid, Mad Hatter, Scooby Snax, D-ZL, OMG, Demon, Barely In, Pineapple Express, Hayze. This definition shall include any plant material to which any Synthetic Chemical or Synthetic Chemical Compound has been added which has no legitimate relation to the advertised use of the product whether or not the label meets the requirements herein.

BATH SALTS, SYNTHETIC CATHINONES, SYNTHETIC STIMULANTS - Any crystalline or powder product in crystalline, loose-powder, block, tablet, or capsule form, or any stimulant-type product, when the label is in any way false or misleading. Street names for these products include, but are not limited to: Bliss, Blue Silk, Cloud Nine, Drone, Energy-I, Ivory Wave, Lunar Wave, Meow Meow, Ocean Burst, Pure Ivory, Purple Wave, Red Dove, Snow Leopard, Stardust, Vanilla Sky, White Dove, White Knight, White Lightening, Blizzard, Bonzai Grow, Charge Plus, Charlie, Euphoria, Hurricane, Lunar Wave, Ocean, Pixie Dust, Posh, Scarface, Lovely Dovey, Aura, MDPV, MDPK, MTV, Maddie, Hurricane Charlie, Black Rob, Super Coke, PV, Peeve, Meph, Drone, MCAT. This definition shall include any product to which any Synthetic Chemical or Synthetic Chemical Compound has been added which has no legitimate relation to the advertised use of the product whether or not the label meets the requirements herein.

DRUG - An article that is intended to affect the function of the body of humans.

MISBRANDED DRUG - Any drug for which the label is in any way false or misleading.

ILLICIT SYNTHETIC DRUGS - Spice, synthetic cannabinoids, synthetic marijuana, bath salts, synthetic cathinones, synthetic stimulants, and misbranded drugs as defined herein.

SYNTHETIC CHEMICAL OR SYNTHETIC CHEMICAL COMPOUND - Any chemical or chemical compound whose molecular make up is similar to those substances listed as controlled substances in 17-A M.R.S. § 1101(16-A) (including any isomers, esters, ethers, salts, and salts of isomers, esters, and ethers of such substances) or to those substances listed in 17-A M.R.S. § 1102(4) (F) and whose intended use when introduced into the human body is to mimic or simulate the effects of a controlled substance.

Prohibition of Illicit Synthetic Drugs.

- A. It is unlawful for any person to possess, use, provide, sell, produce, manufacture, or distribute, or to offer, display, market, or advertise for sale, any illicit synthetic drug.
- B. In determining whether a product is prohibited by this article, statements on package labeling such as "not for human consumption" may be disregarded when other relevant factors (viewed alone or in totality) indicate that the product is intended to be consumed or ingested by humans, or is a product regulated by this article. Other relevant factors that may be used to determine whether a product or sale is prohibited by this article include, but are not limited to: verbal or written representations at the point of sale regarding the purpose, methods, use, or effect of the product; aspects of the packaging or labeling suggesting that the user will achieve a "high," euphoria, relaxation, mood enhancement, or that the product has other effects on the body; the cost of the product is disproportionately higher than other products marketed for the same use; the product contains a warning label stating or suggesting that the product is in compliance with state laws regulating controlled substances; the product's name or packaging uses images or slang referencing an illicit street drug; illicit or underground methods of sale or delivery are employed by the seller or provider; the product resembles an illicit street drug such as cocaine, methamphetamine, or marijuana.

- C. Defense. It shall be a defense to the prosecution of a violation of this article that a product is specifically excepted by, or regulated within and in compliance with, state or federal law. For the purposes of this section, it shall not be a defense that a product is not subject to regulation unless the product is specifically excepted from regulation; mere "non-regulation" by these acts without a specific regulatory exemption does not render a product exempt under this section.

Sale of Certain Products for Human Consumption Prohibited

It is unlawful for any person to provide, sell, or offer for sale a product for human consumption when the product is labeled "not for human consumption" or contains similar warnings.

Violation and Seizure

- A. Each package shall be a separate violation. The fine for each violation shall be \$500.
- B. Any products found in violation of this section may be seized and held as evidence to be used in any future proceeding and may be disposed of as appropriate after their use for evidentiary purposes is no longer required.



City Council Agenda Information Sheet

City of Auburn

Council Workshop Date: September 3, 2013

Order 70-09032013

Author: Reine Mynahan, Community Development Director

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

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

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

Subject: Conflict of Interest

Information: Councilor Leroy Walker has applied for and was awarded a \$10,000 Curb Appeal grant by the Curb Appeal Committee.

The Community Development Block Grant regulations state that no persons who exercise any function or responsibilities with respect to Community Development activities, or who are in a position to participate in a decisionmaking process, or gain inside information with regard to such activities, may obtain a financial interest or benefit from a Community Development activity. Persons covered by this rule include elected officials.

An exception may be granted by the U. S. Department of Housing and Urban Development when a case has satisfactorily met certain treshhold requirements. One of the thresholds has to do with public disclosure of the conflict.

Financial: \$10,000 grant award

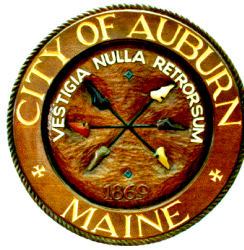
Action Requested at this Meeting: Read the Order during a City Council meeting.

Previous Meetings and History: August 19, 2013

Attachments: Order 70-09032013

**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 70-09032013

ORDERED, that the Community Development Director is authorized to submit a request for an exception to the U. S. Department of Housing and Urban Development regulations of the Community Development Block Grant Program on behalf of Councilor Leroy Walker.

WHEREAS, Title 24, Part 570, Section 570.611 of the Community Development Block Grant Program regulation contains a conflict of interest provision that identifies elected officials as a person covered by the regulation;

WHEREAS, the regulation states that no persons who are in a position to participate in a decision making process or gain inside information with regard to such activities may obtain a benefit for themselves or those with whom they have business or immediate family ties during their tenure or for one year thereafter.

WHEREAS, Councilor Leroy Walker was a City Councilor at the time the 2012-13 and 2013-14 budget of the Community Development Block Grant Program was adopted;

WHEREAS, Councilor Leroy Walker was a City Councilor at the time the Curb Appeal Program guidelines were adopted by the City Council;

WHEREAS, upon written request, the U. S. Department of Housing and Urban Development may grant an exception to the provision on a case-by-case basis when it has satisfactorily met threshold requirements.

WHEREAS, one of the threshold requirements is a public disclosure of the nature of the conflict.

NOW THEREFORE, be it Ordered by the City Council that the Community Development Director is authorized to submit a request for an exception to the U. S. Department of Housing and Urban Development regulations of the Community Development Block Grant Program on behalf of Councilor Leroy Walker.



City Council Agenda Information Sheet

City of Auburn

Council Workshop Date: September 3, 2013

Order 71-09032013

Author: Reine Mynahan, Community Development Director

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

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

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

Subject: Analysis of Impediments to Fair Housing

Information: The City's consultant, Planning Decisions, Inc., presented a report to the City Council on August 19, 2013. The purpose of the report is to document barriers to fair housing choice in Auburn and Lewiston. This study was undertaken to satisfy a requirement of the Department of Housing and Urban Development to meet a requirement of the Community Development Program with respect to Fair Housing laws. Fair Housing laws are somewhat prescriptive about categories of people the law aims to protect. These groups include race, color, religion, national origin, ancestry, sex, sexual orientation, disability, familial status and receipt of public assistance.

The Community Development Departments of Auburn and Lewiston organized the effort. We drew in members from Auburn and Lewiston's housing authorities since they are also accountable to promote fair housing. The group made many decisions about the process. We recognized the need to limit the data gathering efforts to issues of fair housing. We chose not to have an expanded the effort that included other housing issues.

In the investigation phase, we interviewed the staff of 30 agencies whom we felt had knowledge about the issues we were researching. These agencies covered all of the protected classes. Mayor Labonte and City Councilors had many suggestions about the study approach. Upon reviewing the breadth of information that was obtained from both census data and the interviews, the committee feels we have done a thorough search to identify the issues. The data covers both Auburn and Lewiston. Even though the issues seem to be more about Lewiston than Auburn, we know that tenants frequently move from Auburn to Lewiston and from Lewiston to Auburn, depending on apartment availability. The issues cross over with tenants. New information from additional interviewees would not change the strategies identified in this report. The committee intends to stay together to implement these strategies--we will help Lewiston and Lewiston will help us.

The driver in this report is access to housing, and the recommendations and strategies clearly address the impediments we have identified. Since the Community Development Departments will continue to be in the lead, the staffing effort to satisfy the requirements in this report will add another layer of work to be accomplished each year. Keeping that effort at a reasonable level was a goal of the committee. The data did not point to other significant issues that often occur in larger cities. The committee remains committed to the strategies.

Financial: Primarily staff time to coordinate and implement the strategies.

Action Requested at this Meeting: Adopt study.

Previous Meetings and History: August 19, 2013

Attachments: Order 71-09032013

Analysis of the Impediments to Fair Housing Choice

*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 71-09032013

ORDERED that the Auburn City Council hereby adopts the Analysis of the Impediments to Fair Housing Choice as recommended by Community Development staff.



**PLANNING
DECISIONS**

Research & Planning

Analysis of the Impediments to Fair Housing Choice

Lewiston and Auburn, Maine | 2013

Prepared for the Cities of Lewiston and Auburn

By Planning Decisions, Inc.
Portland and Hallowell, Maine
www.planningdecisions.com

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DRAFT

EXECUTIVE SUMMARY

This Analysis of Impediments combines the cities of Lewiston and Auburn, Maine. Auburn's last Analysis of Impediments was completed in 2005, and Lewiston's in 2006. The two cities are located next to each other in Androscoggin County, Maine, and receive direct federal funding from the Department of Housing and Urban Development (HUD). This analysis looks at protected groups in Lewiston and Auburn CDBG target areas, which are primarily in their adjoining downtowns.

Since 2006, studies in both cities have shown the need to replace unsafe downtown housing, improve landlord/tenant communications, encourage apartment rehabilitation and reconstruction, and increase access to public transportation. Below is a summary of issues and recommendations from this analysis.

Demographics

From 2001 to the present, approximately 4,000 immigrants (referred to as "New Mainers") have moved to Auburn and Lewiston. Most of these immigrants are secondary immigrants from Somalia, relocating from their initial placement elsewhere in the United States. This new population is not evenly distributed; of the Black/African American population in Lewiston and Auburn (combined), 61% live in the Lewiston target area. There are considerable cultural and language barriers between New Mainers and landlords in both cities, especially Lewiston. As tenants, many New Mainers lack information about their rights and responsibilities, and landlords can exploit language barriers.

Lewiston and Auburn face a number of demographic challenges. In Lewiston, 15.1% of the population between 5 and 17 has a disability, and of these, 85% have a cognitive difficulty. Maine Human Rights Commission data shows that disability-related housing complaints far outnumber other types of complaints for both cities. The Maine Human Rights Commission includes recipients of public assistance in its list of groups protected against discrimination. In April 2013, 35.6% of Lewiston's population received SNAP assistance; in Auburn, 26% of the population.

Housing

A sharp decline in housing prices in the mid-2000s increased the affordability of housing in both cities. The issuance of mortgages fell to all groups after 2006, but decline among blacks was greater than among other groups. Part of the reason for this may be that many black New Mainers are Muslim, and local mortgage originators may not have loan products to meet their needs.

Rental Housing

During the recent recession, rent levels continued to rise in Lewiston and Auburn (although modestly), while incomes stayed the same. The rental housing stock in both cities dates from

the days of high-density downtown mill jobs, and rental housing built before 1940 accounts for more than two-thirds of total rental housing in the target areas. Many landlords don't invest in maintaining rental properties, leading to deterioration.

Summary of Recommendations

After reviewing this analysis, the cities of Lewiston and Auburn will work together to create an ongoing series of landlord and tenant information and training workshops, targeted at specific groups (including New Mainers and tenants with disabilities). In addition, city staff and partners will visit elementary schools each year during Fair Housing Month, and distribute posters about tenant rights and responsibilities in local languages. To help increase the number of mortgages to New Mainer families, the cities will work with local and national lenders to identify culturally appropriate home financing products, and advertise them to the community.

DRAFT

INTRODUCTION

Purpose of Study

The purpose of this study is to identify impediments to fair housing choice in Auburn and Lewiston, Maine, and to identify strategies to overcome these impediments.

The United States Department of Housing and Urban Development (HUD) defines impediments to fair housing choice to be:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices
- Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.

The cities of Lewiston and Auburn, located next to each other in Androscoggin County, Maine, receive direct federal funding from the Department of Housing and Urban Development (HUD) to administer programs which include:

- Community Development Block Grant (CDBG)
- Home Investment Partnership (HOME)

In this role as so-called “Entitlement” communities, the cities are obligated under the federal Fair Housing Act and HUD regulation to affirmatively further fair housing. Although this obligation is not defined in statute, HUD defines it in regulation as “*requiring a grantee [State and Entitlement community] to:*

- *Conduct an analysis to identify impediments to fair housing choice within the jurisdiction*
- *Take appropriate actions to overcome the effects of any impediments identified through the analysis*
- *Maintain records reflecting the analysis and actions taken in this regard.*

Auburn’s prior Analysis of Impediments to Fair Housing Choice was conducted in 2005, and Lewiston’s in 2006. This report updates those reports and fulfills both Lewiston and Auburn’s HUD requirements as Entitlement communities.

REVIEW OF FAIR HOUSING LAWS

Federal Fair Housing Laws

Congress passed the Fair Housing Act in 1968. That Act has been amended several times since. Basic facts about the Fair Housing Act are summarized on HUD's web site¹, excerpts of which are given below.

What Housing Is Covered?

The Fair Housing Act covers most housing. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

What Is Prohibited?

In the sale and rental of housing: No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Make housing unavailable
- Deny a dwelling
- Set different terms, conditions or privileges for sale or rental of a dwelling
- Provide different housing services or facilities
- Falsely deny that housing is available for inspection, sale, or rental
- For profit, persuade owners to sell or rent (blockbusting) or
- Deny anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing.

In mortgage lending: No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap (disability):

- Refuse to make a mortgage loan
- Refuse to provide information regarding loans
- Impose different terms or conditions on a loan, such as different interest rates, points, or fees
- Discriminate in appraising property
- Refuse to purchase a loan or
- Set different terms or conditions for purchasing a loan.

In addition: It is illegal for anyone to:

¹ http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws/yourrights

- Threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right
- Advertise or make any statement that indicates a limitation or preference based on race, color, national origin, religion, sex, familial status, or handicap. This prohibition against discriminatory advertising applies to single-family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

Additional Protection: If you have a disability, your landlord may not:

- Refuse to let you make reasonable modifications to your dwelling or common use areas, at your expense, if necessary for the disabled person to use the housing. (Where reasonable, the landlord may permit changes only if you agree to restore the property to its original condition when you move.)
- Refuse to make reasonable accommodations in rules, policies, practices or services if necessary for the disabled person to use the housing.

State Fair Housing Laws

Maine's Human Rights Act protects all of the groups listed in the federal law, and adds two additional groups – those who discriminated against due to their sexual orientation, and those discriminated against because they receive public assistance. The Maine Human Rights Commission summarizes the housing protections as follows²:

- It is illegal to discriminate against any person because of race, color, religion, national origin, ancestry, sex, sexual orientation, disability, familial status, or receipt of public assistance.
- Covered fair housing activities include oral or written inquiries, sale or rental of housing/residential lots, advertisements, financing of housing, provision of real estate brokerage services, appraisal of housing, blockbusting and steering, harassment, and unequal terms and conditions of housing.
- As of September 1, 2012, the law's protection is being expanded to cover someone who is an "aggrieved person" (defined as "any person who claims to have been subject to unlawful discrimination").

² http://www.maine.gov/mhrc/guidance/fair_housing.htm

LEWISTON AND AUBURN POLICIES

City of Lewiston

In addition to its 2006 Analysis of Impediments to Fair Housing, Lewiston's downtown has been the subject of several studies – both municipal and community-based - over the last five years. Several common themes have emerged: replace unsafe downtown housing, improve landlord/tenant communications, encourage apartment rehabilitation and reconstruction, and increase access to public transportation. After downtown apartment fires in April/May 2013 left over 200 people homeless, Lewiston has aggressively moved forward with its plan to tear down vacant, abandoned buildings, many of which were low-quality apartments built to house mill workers in the late 19th and early 20th century. There is a perception that while there is plenty of low-cost housing in Lewiston, much of it is in older, poorly built structures that are safety hazards for tenants and neighborhoods.

Although most of the attention in Lewiston is focused on the safety hazards of downtown rental housing, there are several general affordable-housing policy changes since the 2006 Analysis of Impediments:

- **Changes in downtown density:** Previously, the Downtown Residential District had a general minimum of 1,500 square feet of net lot area per dwelling unit. However, there was a density bonus provision which allowed 1,000 square feet of net lot area per dwelling unit for projects in which 25% of the tenants were low and moderate income households. Because city staff lacked an effective way to track compliance with the density bonus provision, the bonus was eliminated. At the same time, the City reduced the general minimum from 1,500 square feet to 1,250 square feet within the district.
- **Lodging Houses:** The city create a new “Lodging House” definition that combines the previous categories of lodging house, shelter, and boarding house. At least two new developments have been created in this group.
- **Development Grid:** The city has created a comprehensive use grid for development: <http://www.lewistonmaine.gov/DocumentCenter/Home/View/249>
- **Disorderly Property Ordinance:** Lewiston's mayor is proposing a “disorderly house” ordinance, which would require landlords to address tenants who disturb their neighbors or commit crimes. Owners of disorderly properties would be required to meet with city officials and police to come up with solutions.³

Beyond specific zoning changes, the City of Lewiston has had a number of studies of housing policy in the last ten years. Starting with the most recent, those studies include:

³ <http://www.sunjournal.com/news/lewiston-auburn/array/array/array/array/1363768>

Lewiston Comprehensive Plan (2013)

In Process

Riverfront Master Plan (2012)⁴

- Focused on developing new market rate residential units in Bates Mill, Continental Mill, and Oxford Street
- Sees a potential for 110-210 market-rate residential units in downtown Lewiston over the next five years

Strategic Plan for the City of Lewiston (2010)⁵

Selected Strategies

- Improve, create, and maintain mixed-income housing.
- Review data, look for potential CDBG-eligible areas
- Identify properties that negatively impact neighborhoods, work with residents to address concerns
- Facilitate replacement of unsafe housing with safe housing
- Complete tenement and sprinkler inspections
- Work to implement 10-year plan to end homelessness
- Consider additional incentives to encourage rehab and re-construction of substandard, unsafe properties

Lewiston Auburn Homelessness Needs Assessment Report (2009)⁶ and The 10 Year Plan to Eliminate Homelessness in Lewiston and Auburn (2009)⁷

Challenges Identified

- There is a shortage of shelter beds
- There is confusion in the voucher program
- There is exploitation in the world of “couch-surfing”
- There is a job/incomes problem
- The housing stock is old and in poor condition
- Homeless people need help reintegrating into society

Selected Strategies

- Prevention – addressing the broad conditions that foster homelessness
- Early intervention – identifying and helping individuals at immediate risk of homelessness
- Crisis response – ensuring that emergency food, shelter, health care, are available
- Permanent affordable housing – achieving reintegration into the community

⁴ <http://www.lewistonmaine.gov/DocumentCenter/Home/View/2350>

⁵ <http://www.lewistonmaine.gov/DocumentCenter/Home/View/804>

⁶ http://www.unitedwayandro.org/media/Needs_Assessment_for_Lewiston_Auburn.pdf

⁷ http://www.unitedwayandro.org/media/Plan_to_End_Homelessness_in_Lewiston_Auburn.pdf

Downtown Neighborhood Action Plan (2009)⁸

Developed by the Downtown Neighborhood Task Force

Selected Recommendations

- Develop a Registration/Business Licensing program for rental property owners.
- Increase Landlord/voucher holder communications about conditions, behaviors and standards (for both landlords and tenants)
- Create a forum for downtown landlords to exchange ideas and information
- Create a new loan program using CDBG funds that encourages mixed-use developments in the downtown area.
- Use grants or loans to encourage affordable units in apartment rehabilitation or reconstructions
- Develop a formal policy on development of cooperative housing
- Promote condo conversion, which can minimize risk by being rented as apartments
- Facilitate the replacement of unsafe housing, and commission a scientific, detailed study of downtown housing conditions (too many housing condition reports are based on assumptions or haphazard inspections)

The People's Downtown Master Plan (2008)⁹

Project of Visible Communities (Lewiston downtown resident organization)

Priorities

- Expand affordable public transit
- Improve and create more safe, well maintained, truly affordable housing
- Establish accessible and free community center for persons of all ages
- Increase job opportunities and training for downtown residents.

2006 Analysis of Impediments to Fair Housing in the City of Lewiston

Issues

- Landlord lack of knowledge
- Landlord bias
- Bias among neighboring tenants
- Tenants don't know their rights
- How to deal with tenants who have difficulty living independently
- Language barriers for immigrants
- Problems with housing stock
- Problems with lack of resources
- Financial literacy for tenants and homeowners
- Transportation – need nighttime and weekend runs

Strategies

- Educate landlords about fair housing and lead paint laws.

⁸ <http://www.lewistonmaine.gov/DocumentCenter/Home/View/803>

⁹ <http://www.lewistonmaine.gov/DocumentCenter/Home/View/802>

- Promote financial education for tenants and recent in-migrants
- Provide lead paint services
- Create a broad-based forum and planning group for housing solutions in Lewiston

Table I: Barriers and Strategies from 2006 Lewiston Analysis of Impediments

Issues	Strategies	2006-ongoing
-Landlord lack of knowledge -Landlord bias -Bias among neighboring tenants	Educate landlords about fair housing and lead paint laws.	232 landlords were trained, and 185 landlords received certification in RRP
-Tenants don't know their rights -How to deal with tenants who have difficulty living independently	Educate tenants about fair housing and lead paint laws.	Trained 144 Somali-Somali Bantu in tenant rights, lead hazards and proper cleaning techniques
-Language barriers for immigrants -Problems with housing stock	Promote financial education for tenants and recent in-migrants	Trained 3 immigrant households in financial literacy and 1 family purchased a home and received a Sharia-style loan from the City for affordability
-Problems with lack of resources	Provide lead paint services	Created 114 lead safe units between May 1, 2009 and April 30, 2012
-Financial literacy for tenants and homeowners -Transportation – need nighttime and weekend runs	Create a broad-based forum and planning group for housing solutions in Lewiston	The majority of the housing issues in Lewiston are in the city's downtown core, which is also the local CDBG target area (Census Tracts 201-2014) where 70% of the households are low-income. There are several broad-based collaboratives that operate within this area to information planning for housing solutions in Lewiston of which the city is an active participant, including the Lewiston-Auburn Alliance for services to the homeless (2006-2007), Healthy Homes Healthy Families (2008), Downtown Neighborhood Action Committee (2009), Neighborhood Housing League (2009), Collective Impact (2012) and Community Concepts, Inc., a NeighborWorks grantee, which moved corporate offices and developed housing downtown.

City of Auburn

Auburn has some of the same housing issues as Lewiston, albeit on a smaller scale. Its 2005 Analysis of Impediments to Fair Housing recommended landlord/tenant education and interpreter services, and Auburn's 2010 Comprehensive Plan recommends maintaining the

safety of older housing, establishing a housing advocacy committee, and creating more new affordable housing units. In response to the fires in Lewiston, Auburn has also created a list of older residential buildings to inspect for safety issues. The 2005 Auburn study noted a few regulatory issues in the city – a status report is provided below.

Table 2: Regulatory Issues Noted in Auburn’s 2005 Analysis of Impediments to Fair Housing

2005	Status (2013)
“Has minimum building size requirements that do not exceed local housing or health code”	<i>Zoning does have a minimum size of 600 square feet for single-family homes. No minimum size for multi-family.</i>
“Has no impact fees, but has a recreation fee based on the number of units in a new subdivision, and can waive those fees”	<i>Still accurate – and recreation fees are almost always waived.</i>
“Does not have a housing rehab code, but uses the BOCA code”	<i>Now uses the Maine Uniform Building and Energy Code, which does allow for some rehab variation. The City of Auburn Home Improvement Program home rehab must comply with that program’s rehab standards¹⁰</i>
“Allows manufactured housing in all residential zones if it meets all the standards as a stick built home. There are overlay districts where mobile homes are allowed “as a right”	<i>Not allowed in all zones, but overlay districts allow them throughout much of the city.</i>
“Has modified infrastructure standards to reduce the cost of housing”	<i>“Planned Unit Development” allows clustering and reduced frontages. Setbacks have been reduced in urban core, creating more buildable lot area. Has not affected density much.</i>
“Does not give “as a right” density bonuses to offset the cost of building, except in cluster housing projects”	<i>Still Accurate</i>
“Performs housing development reviews by all relevant departments concurrently”	<i>Still Accurate</i>
“Has established time limits for government review and approval or disapproval”	<i>Most Subdivisions (or multi-family development) can be approved In 30-60 days</i>
“Allows “Accessory Apartments”	<i>Two-family units allowed in all residential zones (accessory apartments are defined as two-family units in Auburn)</i>

¹⁰ <http://www.auburnmaine.gov/Pages/Residents/Home-Improvement-Programs>

Auburn has also changed its policies to allow rooming or board houses in residential zones. This policy was created in response to multi-family rental owners creating illegal rooming houses without permits. One new rooming house has been created under this new system.¹¹

Table 3: Barriers and Strategies from 2005 Auburn Analysis of Impediments

Issue	Strategy	Status (2013)
Lack of understanding by landlords about Federal, State and local fair housing laws.	Provide information to landlords using a variety of media and organizational contact.	Accomplished.
Lack of understanding of people with mental illness.	Offer landlord training	Accomplished.
There is a problem with limited English proficiency.	Provide language training and fund interpreter services.	Not accomplished.
Lack of knowledge of the laws regarding reasonable accommodations and modifications.	Provide written information to landlords using a variety of media, organizational contact, and training.	Accomplished.
Discrimination based on receipt of public assistance.	Post notices in a variety of locations for both tenants and landlords	Accomplished.

City of Auburn Comprehensive Plan (2010)¹²

Selected Goals

- Maintain and enhance the existing housing stock throughout Auburn's neighborhoods
- Support the continued development of subsidized and other affordable housing to meet the needs of low-income individuals and families.

New Auburn Master Plan (2009)¹³

New Auburn is one of Auburn's CDBG Target Areas

Selected Goals

- Maintain the quality of the existing owner-occupied housing stock by providing financial assistance to low and moderate-income property owners
- Establish flexible zoning and land use regulations designed to promote private development and rehabilitation
- Support owner-occupied small-scale rental housing as a positive part of these neighborhoods
- Support the establishment of an Auburn housing advocacy committee to develop and oversee housing related projects and programs

¹¹ Auburn City Clerk's Office, May 2013.

¹² http://www.auburnmaine.gov/CMSContent/Planning/Comprehensive_Plan_FINAL_Approved_4_19_11.pdf

¹³ http://www.auburnmaine.gov/CMSContent/Planning/Comprehensive_Plan_FINAL_Approved_4_19_11.pdf

- Assure that the existing rental housing stock is well maintained and well managed

Lewiston Auburn Homelessness Needs Assessment Report (2009)¹⁴ and The 10 Year Plan to Eliminate Homelessness in Lewiston and Auburn (2009)¹⁵

Challenges Identified

- There is a shortage of shelter beds
- There is confusion in the voucher program.
- There is exploitation in the world of “couch-surfing”
- There is a job/incomes problem
- The housing stock is old and in poor condition
- Homeless people need help in reintegrating into society

Selected Strategies

- Prevention – addressing the broad conditions that foster homelessness
- Early intervention – identifying and helping individuals at immediate risk of homelessness
- Crisis response – ensuring that emergency food, shelter, health care, are available
- Permanent affordable housing – achieving reintegration into the community

City of Auburn Analysis of Impediments to Fair Housing (2005)

Issues Identified

- Lack of understanding by landlords about federal, state and local fair housing laws.
- Lack of understanding of people with mental illness.
- There is a problem with limited English proficiency.
- Lack of knowledge of the laws regarding reasonable accommodations and modifications.
- Discrimination based on receipt of public assistance.

Strategies

- Provide information to landlords using a variety of media and organizational contact.
- Offer landlord training
- Provide language training and fund interpreter services.
- Provide written information to landlords using a variety of media, organizational contact, and training.
- Post notices in a variety of locations for both tenants and landlords

¹⁴ http://www.unitedwayandro.org/media/Needs_Assessment_for_Lewiston_Auburn.pdf

¹⁵ http://www.unitedwayandro.org/media/Plan_to_End_Homelessness_in_Lewiston_Auburn.pdf

Conclusion

The preceding narrative shows that both Lewiston and Auburn have ongoing concerns about the availability of decent and affordable housing to its citizens, and both have created proactive policies and programs to address the issue. This report updates the information in these past reports, and provides the opportunity to revisit and revise policies to make them more effective. The following sections of this report provide an overview of market conditions in Lewiston and Auburn, provide evidence from testing and interviews about fair housing issues in both cities, summarize the findings about fair housing impediments, and provide recommendations.

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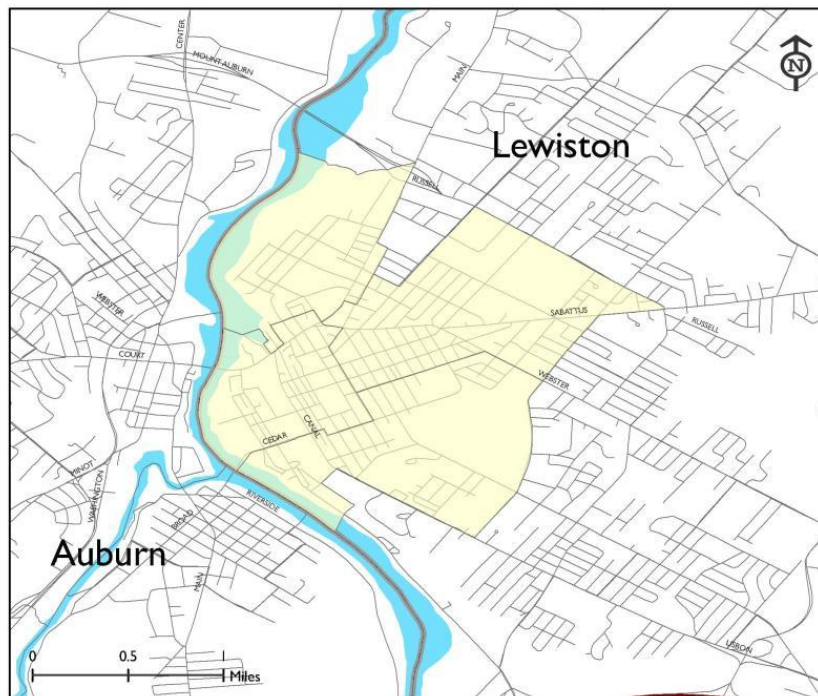
MARKET OVERVIEW


CDBG Target Areas

In 2010, Lewiston had a total population of 36,592. Lewiston’s CDBG target area is made up of Census Tracts 201-204, located in the downtown area. The four census tracts make up 34.4% of Lewiston’s total population, and 22.3% of the population of the two cities combined.

Figure 1: Lewiston CDBG Target Areas

Lewiston CDBG Target Areas Census Tracts 201-204



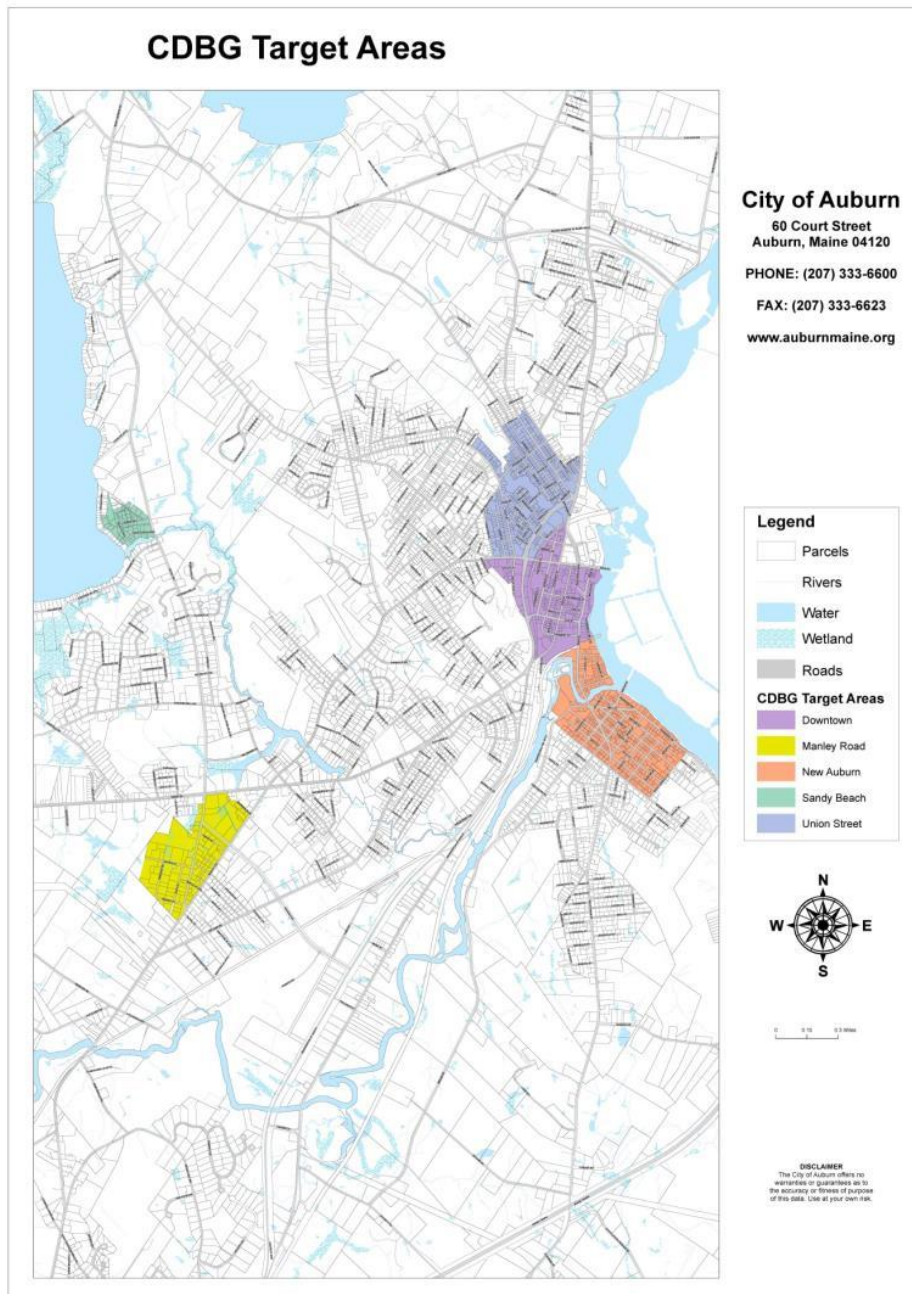
 Lewiston Census Tracts 201-204



Prepared by PDI, 5/17/13

In 2010, Auburn had a total population of 23,055. Auburn’s CDBG Target Areas are New Auburn, Downtown, Union St, Sandy Beach and Manley Road. The areas are based on blighted conditions, and designated by a 2010 urban conditions study by the Community Development Department. Although they are not surrounded by a municipal or census boundary, these neighborhoods are located within the following census tracts: 101, 103, 104, 105 and 108. These census tracts make up 53.4% of Auburn’s total population, and 14% of the two cities combined.

Figure 2: Auburn CDBG Target Areas



Housing

In both Auburn and Lewiston, housing prices are increasingly affordable when compared to each city's median income. This is due to a dramatic drop in housing prices over the past several years – in the mid-2000s, a person making the median income in each city could not have afforded to buy a house at the median sale price. The same cannot be said for rental prices; renter households were less likely to be able to afford an apartment in 2011 than 2006. This is because rent levels continued to rise in Lewiston and Auburn (although modestly), while incomes stayed the same through the recession. Across both cities (in and out of target areas), more than three-quarters of renters who make less than \$20,000/year spend 30% or more of their income on housing. While target areas have higher concentrations of low-income households, low-income renters with high housing costs live throughout both cities.

The combination of relatively modest rents (a quarter less than nearby Portland, see Table 5); relatively old rental stock (Table 8); and a relatively high vacancy rate (see Table 11); leads to a situation where landlords do not invest in maintaining their properties, deterioration occurs, and fires happen.

Housing Cost

Table 4: Housing Prices

	2006	2011	% Change
Auburn			
Median Income	\$40,525	\$40,307	-0.5%
Income Needed for Median Price	\$54,398	\$37,347	-31.3%
Median Sale Price	\$149,000	\$113,150	-24.1%
Lewiston			
Median Income	\$32,659	\$33,124	1.4%
Income Needed for Median Price	\$55,550	\$37,918	-31.7%
Median Sale Price	\$147,500	\$115,000	-22.0%
Portland			
Median Income	\$40,797	\$42,558	4.3%
Income Needed for Median Price	\$75,663	\$68,158	-9.9%
Median Sale Price	\$225,000	\$217,500	-3.3%

Source: Maine State Housing Authority

Table 5: Average 2 Bedroom Rent with Utilities

	2006	2011
Auburn	\$730	\$769
Lewiston	\$728	\$756
Portland	\$1,061	\$1,089

Source: Maine State Housing Authority

Table 6: Percent of Renter Households Unable to Afford Average 2 BR Rent
2008-2011

	2008	2011
Auburn	55.2%	55.9%
Lewiston	60.9%	62.4%
Portland	63.1%	64.4%

Source: Maine State Housing Authority

Table 7: Rental Households Paying 30% or More of Income in Housing Costs, 2011

Household Income	Lewiston Target Area	% of Total	Remainder of Lewiston	% of Total	Auburn Target Area	% of Total	Remainder of Auburn	% of Total	Androscoggin County (minus Lewiston and Auburn)	% of Total
Less than \$20,000	1,814	81.6%	658	75.5%	821	77.8%	305	89.7%	721	77.9%
\$20,000 to \$34,999	435	47.6%	563	72.9%	315	56.1%	159	53.2%	411	62.7%
\$35,000 to \$49,999	0	0.0%	57	13.5%	9	2.5%	68	25.2%	48	13.5%
\$50,000 or more	0	0.0%	43	11.5%	0	0.0%	4	1.4%	39	6.5%

Source: ACS 2007-2011

Age and Safety of Housing Stock

The rental housing stock in both cities dates from the days of high-density downtown mill jobs. In both cities, rental housing built before 1940 accounts for more than two-thirds of total rental housing in the target areas. Outside of target areas, the percentage of rental housing built before 1940 is between 22% and 26%.

Over 80% of pre-1940 rental housing in target areas has between two and nineteen units – indicating that most units are in “triple-decker” rental housing, which are large house-style apartment buildings subdivided into multiple units.

Older housing is more likely to have lead paint, and the Lewiston target area has three times the state average of children with lead poisoning. Over 50% of lead poisoning in this area occurs among immigrant children, and 90% occurs in rental housing. Maine public health nurses have determined that the lead poisoning is related to housing.¹⁶ In addition, the presence of bedbugs and cockroaches is increasing. Due to the poverty levels in this area, many residents are focused on basic needs, and not on pest control or lead paint testing - and New Americans in this area may not be aware U.S. pest-control methods, or the need to inspect donated

¹⁶ from Maine CDC data portal, www.gateway.maine.gov

mattresses and furniture for bedbugs. They may also not be aware that the landlord is responsible for fixing housing problems, decreasing communication between the tenant and landlord.

“Healthy Androscoggin”, a joint Lewiston/Auburn public health committee formed in 2008, is beginning a project that will help the reduce the incidence of lead poisoning and pest infestation in the Lewiston Target Area through prevention, education, and self-advocacy empowerment. Partners include the cities of Lewiston and Auburn, Maine CDC, Pine Tree Legal, Lewiston’s Neighborhood Housing League, public health professionals, the United Somali Woman of Maine, and Maine Cooperative Extension.¹⁷

Fires

Over the course of a week from April-May 2013, nine buildings in downtown Lewiston burned down due to three separate arson fires. These fires destroyed 77 apartment units, and left over 200 people homeless. At least 29 of the units in one building had federal subsidies, and almost all of the fire victims were refugees from Africa.¹⁸ As a result, Lewiston has designated four community resource officers to inspect the 86 properties on the city’s abandoned building list,¹⁹ and the Department of Corrections is supplying laborers to help Lewiston board up condemned properties.

After these inspections, Lewiston now has five buildings with 17 apartment units slated for demolition (in addition to the 77 units lost in the fire). Lewiston had already demolished 16 buildings (with 58 units) from 2010 to 2012. This loss of housing will affect vacancy rates and housing availability, and also the character of the neighborhoods in downtown Lewiston. HUD has waived subsidy application requirements for families impacted by the fire, and fast-tracked rental subsidies.²⁰ The United Way of Androscoggin County raised over \$180,000 to help displaced residents,²¹ and the U.S. Small Business Administration is offering a low-interest disaster loan program for residents and businesses affected by the fire.²² As of June 2013, all displaced families had been rehoused in either Lewiston or Auburn.

Auburn has also created a list of at least 65 buildings to inspect and patrol.²³

¹⁷ Healthy Androscoggin, 2013.

¹⁸ “Faces of the Fires,” Portland Press Herald, May 9 2013

¹⁹ <http://bangordailynews.com/2013/05/07/news/lewiston-auburn/lewiston-police-inspect-abandoned-tenements/>

²⁰ <http://www.sunjournal.com/news/lewiston-auburn/2013/05/08/housing-fair-seeks-help-fire-victims/1360777>

²¹ http://www.pressherald.com/news/a-place-for-lewistons-displaced_2013-05-18.html

²² <http://bangordailynews.com/2013/06/02/news/lewiston-auburn/mayor-says-disaster-loans-will-help-downtown-lewiston/>

²³ <http://www.wcsh6.com/news/article/243988/2/After-Lewiston-fires-Auburn-steps-up-building-patrols>

Table 8: Age of Rental Stock, 2011

	Lewiston Target Area	% of Total	Remainder of Lewiston	% of Total	Auburn Target Area	% of Total	Remainder of Auburn	% of Total	Androscoggin County (minus Lewiston and Auburn)	% of Total
Built 2000 or later:	80	1.8%	142	4.7%	23	0.9%	46	3.3%	196	6.3%
Built 1980 to 1999:	83	1.9%	705	23.5%	196	7.9%	562	40.5%	1,105	35.6%
Built 1960 to 1979:	625	14.1%	786	26.1%	259	10.4%	364	26.2%	734	23.7%
Built 1940 to 1959:	621	14.0%	596	19.8%	295	11.9%	106	7.6%	229	7.4%
Built 1939 or earlier:	3,030	68.3%	777	25.8%	1,710	68.9%	309	22.3%	836	27.0%
TOTAL	4,439		3,006		2,483		1,387		3,100	

Source: ACS 2007-2011

Table 9: Age of Rental Housing Stock by Unit Type, 2011

	Lewiston Target Area	% of Total	Remainder of Lewiston	% of Total	Auburn Target Area	% of Total	Remainder of Auburn	% of Total	Androscoggin County (minus Lewiston and Auburn)	% of Total
Built 2000 or later:	80		142		23		46		196	
1, detached or attached	19	23.8%	142	100.0%	3	13.0%	26	56.5%	89	45.4%
2 to 4	0	0.0%	0	0.0%	20	87.0%	20	43.5%	90	45.9%
5 to 19	31	38.8%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
20 to 49	9	11.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
50 or more	21	26.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Mobile home, boat, RV, van, etc.	0	0.0%	0	0.0%	0	0.0%	0	0.0%	17	8.7%
Built 1980 to 1999:	83		705		196		562		1,105	
1, detached or attached	14	16.9%	89	12.6%	38	19.4%	34	6.0%	101	9.1%
2 to 4	34	41.0%	67	9.5%	60	30.6%	77	13.7%	295	26.7%
5 to 19	12	14.5%	425	60.3%	21	10.7%	216	38.4%	115	10.4%
20 to 49	11	13.3%	33	4.7%	0	0.0%	171	30.4%	109	9.9%
50 or more	0	0.0%	36	5.1%	53	27.0%	54	9.6%	0	0.0%
Mobile home, boat, RV, van, etc.	12	14.5%	55	7.8%	24	12.2%	10	1.8%	485	43.9%

	Lewiston Target Area	% of Total	Remainder of Lewiston	% of Total	Auburn Target Area	% of Total	Remainder of Auburn	% of Total	Androscoggin County (minus Lewiston & Auburn)	% of Total
Built 1960 to 1979:	625		786		259		364		734	
1, detached or attached	121	19.4%	93	11.8%	24	9.3%	16	4.4%	169	23.0%
2 to 4	141	22.6%	291	37.0%	88	34.0%	39	10.7%	159	21.7%
5 to 19	183	29.3%	321	40.8%	75	29.0%	71	19.5%	83	11.3%
20 to 49	25	4.0%	56	7.1%	8	3.1%	102	28.0%	41	5.6%
50 or more	117	18.7%	0	0.0%	64	24.7%	96	26.4%	8	1.1%
Mobile home, boat, RV, van, etc.	38	6.1%	25	3.2%	0	0.0%	40	11.0%	274	37.3%
Built 1940 to 1959:	621		596		295		106		229	
1, detached or attached	22	3.5%	185	31.0%	27	9.2%	70	66.0%	62	27.1%
2 to 4	310	49.9%	304	51.0%	170	57.6%	36	34.0%	89	38.9%
5 to 19	255	41.1%	100	16.8%	49	16.6%	0	0.0%	23	10.0%
20 to 49	9	1.4%	0	0.0%	22	7.5%	0	0.0%	19	8.3%
50 or more	25	4.0%	7	1.2%	27	9.2%	0	0.0%	0	0.0%
Mobile home, boat, RV, van, etc.	0	0.0%	0	0.0%	0	0.0%	0	0.0%	36	15.7%
Built 1939 or earlier:	3,030		777		1,710		309		836	
1, detached or attached	51	1.7%	155	19.9%	94	5.5%	29	9.4%	306	36.6%
2 to 4	1,234	40.7%	535	68.9%	886	51.8%	138	44.7%	383	45.8%
5 to 19	1,369	45.2%	87	11.2%	558	32.6%	88	28.5%	67	8.0%
20 to 49	228	7.5%	0	0.0%	67	3.9%	12	3.9%	53	6.3%
50 or more	148	4.9%	0	0.0%	105	6.1%	42	13.6%	0	0.0%
Mobile home, boat, RV, van, etc.	0	0.0%	0	0.0%	0	0.0%	0	0.0%	27	3.2%

Source: ACS 2007-2011



Housing Occupancy

In the Lewiston target area, about 85% of occupied housing is rental, which is a far higher percentage than the Auburn target area, or the remainder of either city. The rental vacancy rate in the Lewiston target area is 4.7%, and the owner vacancy rate is 11.6%. However, a relatively large percent (7.6%) of housing in Lewiston’s target area falls into a different category, called “other vacant” by the US Census. Housing in this category doesn’t overlap with any other category, and includes units might be held for caretaking by a janitor (but not occupied, or for rent), or units that are boarded-up.²⁴ The City of Lewiston has identified 14 buildings (with 38 total units) as vacant or abandoned.

Both the Lewiston and Auburn target areas have a larger percentage of studio or one-bedroom rental units than the remainder of the city, or the county. Outside of the target areas, however, two-to-four bedroom units make up a higher percentage of the total.

The relatively low number of 7+ person households reported by the Census is a warning sign that Census counters are not fully capturing the New American community. But there are not enough 5+ bedroom units to meet even this understated demand.

Table 10: Occupied Housing Unit Tenure, 2011

	Lewiston Target Area	Remainder of Lewiston	Auburn Target Area	Remainder of Auburn	Androscoggin County (minus Lewiston and Auburn)
<i>Total</i>	5,194	9,852	5,461	4,614	18,847
Owner occupied	755	1,396	2,978	3,227	15,747
Renter occupied	4,439	3,006	2,483	1,387	3,100

Source: ACS 2007-2011

²⁴ http://www.census.gov/geo/lv4help/apen_bhous.html

Table 11: Housing Unit Vacancy, 2011

	Lewiston Target Area	Remainder of Lewiston	Auburn Target Area	Remainder of Auburn	Androscoggin County (minus Lewiston and Auburn)
Total Housing Units	5,998	10,598	6,130	5,014	21,252
Seasonal	0	22	101	0	1,130
Other Vacant	457	338	207	215	670
<i>% Other Vacant (of Total Housing Units)</i>	<i>7.6%</i>	<i>3.2%</i>	<i>3.4%</i>	<i>4.3%</i>	<i>3.2%</i>
Total Year-Round Units	5,998	10,576	6,029	5,014	20,122
OWNER					
Total Owner Units	854	7,030	3,058	3,285	16,017
Owner Occupied	755	6,846	2,978	3,227	15,747
Vacant for Sale	99	99	80	58	270
Owner Vacancy Rate	11.6%	1.4%	2.6%	1.8%	1.7%
RENTAL					
Total Renter Units	4,687	3,208	2,764	1,514	3,435
Renter Occupied	4,439	3,006	2,483	1,387	3,100
For Rent	222	168	269	127	201
Rental Vacancy	4.7%	5.2%	9.7%	8.4%	5.9%

Source: ACS 2007-2011

Table 12: Owner and Renter Housing by Household Size, 2010

	Lewiston Target Area	Remainder of Lewiston	Auburn Target Area	Remainder of Auburn	Androscoggin County (minus Lewiston and Auburn)
Total	5,194	9,852	5,461	4,614	18,847
<i>Owner-occupied housing units</i>	<i>755</i>	<i>6,846</i>	<i>2,978</i>	<i>3,227</i>	<i>21,799</i>
1-person household	187	1,362	699	728	2,785
2-person household	294	3,115	1,374	1,272	6,755
3-person household	105	1,150	378	427	2,706
4-person household	82	858	428	592	2,322
5-person household	74	284	74	170	851
6-person household	13	46	13	26	269
7+ person household	0	31	12	0	59
<i>Renter-occupied housing units</i>	<i>4,439</i>	<i>3,006</i>	<i>2,483</i>	<i>1,387</i>	<i>3,100</i>
1-person household	2,144	1,254	1,261	720	969
2-person household	1,068	954	662	349	982
3-person household	677	370	231	127	611
4-person household	427	167	164	114	344
5-person household	74	214	139	9	119
6-person household	35	0	14	68	33
7+ person household	14	47	12	0	42

Source: 2010 US Census

Table 13: Rental Housing by Number of Bedrooms, 2011

	Lewiston Target Area	% of Total	Remainder of Lewiston	% of Total	Auburn Target Area	% of Total	Remainder of Auburn	% of Total	Androscoggin County (minus Lewiston and Auburn)	% of Total
Renter occupied:	4,439		3,006		2,483		1,387		3,100	
No bedroom	343	7.7%	20	0.7%	179	7.2%	84	6.1%	90	2.9%
1 bedroom	1,535	34.6%	595	19.8%	902	36.3%	370	26.7%	645	20.8%
2 bedrooms	1,485	33.5%	1,349	44.9%	870	35.0%	696	50.2%	1,446	46.6%
3 bedrooms	890	20.0%	1,728	57.5%	371	14.9%	189	13.6%	619	20.0%
4 bedrooms	173	3.9%	31	1.0%	132	5.3%	144	10.4%	211	6.8%
5 +BR	13	0.3%	0	0.0%	29	1.2%	7	0.5%	89	2.9%

Source: ACS 2007-2011

Home Mortgage Data

From 2004 to 2011, the number of mortgages issued in the Lewiston Auburn Metro area (the smallest geographic area for which data was available) fell by over 60% (Table 14). Mortgages issued to all income categories fell between 2007 and 2008, and only very low income and low-income mortgages have increased since (Figure 3), showing an increased affordability for those groups. During this period, the average loan amount has stayed below the 2005 average, while the number of government-insured mortgages has increased (Table 15). From 2004 to 2011, the percent of mortgages issued to white households has held steady between 98% and 99% - which is slightly higher than the percent of white households in the metro area (95%).

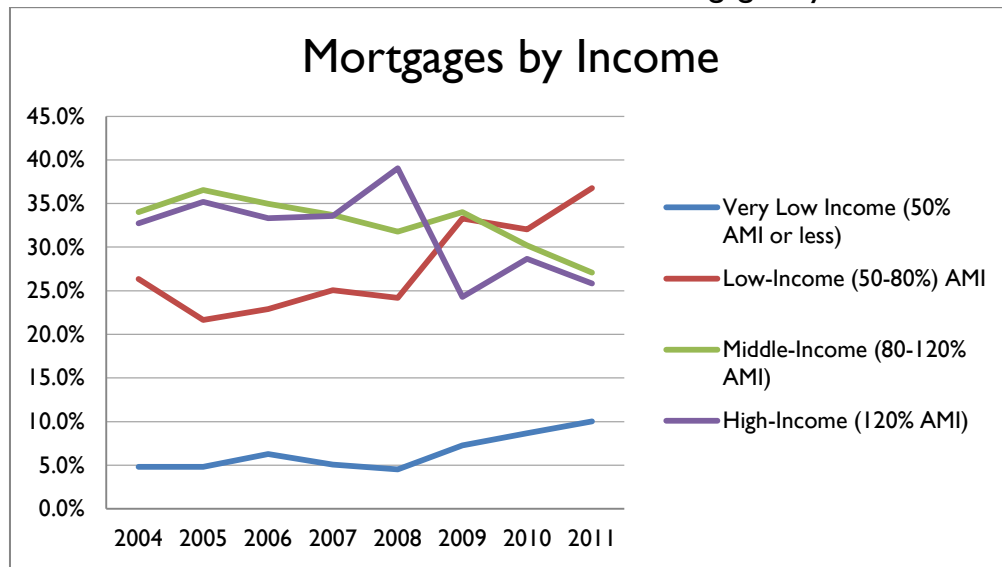
Most households in the Lewiston-Auburn Metro area are white (Table 16). The issuance of mortgages fell to all groups after 2006 (Table 17). However, the decline among blacks was greater than among other groups (Table 17), and the 2010 incidence rate of mortgages among blacks is lower than other groups (Table 18). Part of the reason for this may be that many black New Americans are from Somalia, and are Muslim, and local mortgage originators may not have loan products to meet their needs, especially Sharia-compliant home financing mechanisms.

Table 14: Lewiston-Auburn Metro First-Lien Home Mortgages by Income, 2004-2011

	2004	2005	2006	2007	2008	2009	2010	2011
<i>Mortgages</i>	1,723	1,645	1,398	926	620	811	715	639
Very Low Income (50% AMI or less)	4.8%	4.8%	6.3%	5.1%	4.5%	7.3%	8.7%	10.0%
Low-Income (50-80%) AMI	26.3%	21.6%	22.9%	25.1%	24.2%	33.3%	32.0%	36.8%
Middle-Income (80-120% AMI)	34.0%	36.5%	35.0%	33.7%	31.8%	34.0%	30.2%	27.1%
High-Income (120% AMI)	32.7%	35.2%	33.3%	33.6%	39.0%	24.3%	28.7%	25.8%
Income not specified	2.1%	1.8%	2.5%	2.6%	0.5%	1.1%	0.4%	0.3%

Source: Urban Institute Analysis of Home Mortgage Disclosure Act data

Figure 3: Lewiston-Auburn Metro First Lien Home Mortgages by Income, 2004-2011



Source: Urban Institute Analysis of Home Mortgage Disclosure Act data

Table 15: Lewiston-Auburn Metro Mortgage Amount and Type, 2004-2011

	Average Loan Amount	Conventional Mortgages	Government Insured Mortgages	Government Insured Mortgages as a Percent of Total
2004	\$121,000	1,782	384	17.7%
2005	\$134,000	2,089	224	9.7%
2006	\$141,000	1,666	205	11.0%
2007	\$147,000	953	169	15.1%
2008	\$144,000	495	214	30.2%
2009	\$130,000	407	477	54.0%
2010	\$131,000	352	451	56.2%
2011	\$124,000	286	423	59.7%

Source: Urban Institute Analysis of Home Mortgage Disclosure Act data

Table 16: Lewiston-Auburn Metro Households by Race, 2010

	Lewiston-Auburn, ME Metro Area	% of Total
Total:	44,315	
Householder who is White alone	42,287	95.4%
Householder who is Black or African American alone	949	2.1%
Householder who is American Indian and Alaska Native alone	172	0.4%
Householder who is Asian alone	219	0.5%
Householder who is Native Hawaiian and Other Pacific Islander alone	12	0.0%
Householder who is Some Other Race alone	132	0.3%
Householder who is Two or More Races	544	1.2%

Source: US Census 2010

Table 17: Lewiston-Auburn Metro Mortgage Origination by Race, 2004-2011

	2004	2005	2006	2007	2008	2009	2010	2011
White	1,576	1,526	1,282	853	562	753	671	613
Hispanic	15	15	7	5	6	5	4	6
Black	8	17	7	3	2	3	4	2
Asian/Pacific Islander	7	11	10	8	4	3	3	0

Source: Urban Institute Analysis of Home Mortgage Disclosure Act data

Table 18: Lewiston-Auburn Metro Mortgage Incidence by Race, 2010

	Households	Mortgages	Incidence
White	42,287	671	0.016
Black	949	4	0.004
Asian/Pacific Islander	231	3	0.013
Hispanic	457	4	0.009

Source: Urban Institute Analysis of Home Mortgage Disclosure Act data, US Census 2010

Population

One million refugees left Somalia after the civil war in the 1980s, many heading for refugee camps in Kenya. In 1999, the United States began to resettle Somalis in mid-to-large size cities across the U.S. However, the Somali population was often placed in poverty-stricken city centers, and many began looking to resettle elsewhere. Portland, Maine became a popular destination – but Portland’s public housing and housing stock couldn’t meet the new demand, so in 2001 Somali refugees started moving north into Lewiston.²⁵ While Somali refugees make up the vast majority of the New American community, there are also immigrants from several other African countries.

Lewiston experienced a total population increase of 902 between 2000 and 2010; the Black/African American population in the city, however, increased by 2,791 during this same time. Without the New American population, the city’s total population would have declined by almost 2,000. Auburn experienced a similar, if smaller, population change; while the population of the city as a whole decreased by 148 between 2000 and 2010, the Black or African American population increased by 433 – indicating that the city would have lost a greater percentage of its population without New Americans. This new population is not evenly distributed. Of the Black/African American population in Lewiston and Auburn (combined), 61% live in the Lewiston target area.

Table 19: Population Change, 2000-2010

	2000	2010	% Change
Lewiston Target Area	12,861	13,313	3.5%
Remainder of Lewiston	22,829	23,279	2.0%
Auburn Target Area	12,508	12,317	-1.5%
Remainder of Auburn	10,695	10,738	0.4%
Androscoggin County (minus Lewiston and Auburn)	44,900	48,055	7.0%

Source: US Census 2000 and 2010

²⁵ <http://abacus.bates.edu/pix/PerceivedBarriers09Jan20.pdf>

Table 20: Race, 2000-2010

	Lewiston Target Area		Remainder of Lewiston		Auburn Target Area		Remainder of Auburn		Androscoggin County (minus Auburn and Lewiston)	
	2000	2010	2000	2010	2000	2010	2000	2010	2000	2010
<i>Total population</i>	12,861	13,313	22,829	23,279	12,508	12,317	10,695	10,738	44,900	48,055
White	12,044	10,384	22,128	21,310	12,060	11,576	12,124	10,028	43,969	46,641
Black or African American	243	2,066	140	1,108	93	209	44	361	163	187
American Indian and Alaska Native	61	83	39	73	55	70	14	28	113	155
Asian	110	117	191	267	73	105	64	113	134	176
Native Hawaiian and Other Pacific Islander	3	9	8	5	6	0	6	10	17	8
Some other race	86	128	44	91	16	50	8	27	140	161
Two or more races	314	517	279	434	205	359	102	119	364	727
Hispanic or Latino (of any race)	269	393	179	337	115	227	54	122	371	590

Source: US Census 2000 and 2010

Table 21: Race as Percent of Total Population, 2000-2010

	Lewiston Target Area		Remainder of Lewiston		Auburn Target Area		Remainder of Auburn		Androscoggin County (Minus Lewiston and Auburn)	
	2000	2010	2000	2010	2000	2010	2000	2010	2000	2010
<i>Total population</i>	12,861	13,313	22,829	23,279	12,508	12,317	10,695	10,738	44,900	48,055
White	93.6%	78.0%	96.9%	91.5%	96.4%	94.0%	113.4%	93.4%	97.9%	97.1%
Black or African American	1.9%	15.5%	0.6%	4.8%	0.7%	1.7%	0.4%	3.4%	0.4%	0.4%
American Indian and Alaska Native	0.5%	0.6%	0.2%	0.3%	0.4%	0.6%	0.1%	0.3%	0.3%	0.3%
Asian	0.9%	0.9%	0.8%	1.1%	0.6%	0.9%	0.6%	1.1%	0.3%	0.4%
Native Hawaiian and Other Pacific Islander	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.1%	0.1%	0.0%	0.0%
Some other race	0.7%	1.0%	0.2%	0.4%	0.1%	0.4%	0.1%	0.3%	0.3%	0.3%
Two or more races	2.4%	3.9%	1.2%	1.9%	1.6%	2.9%	1.0%	1.1%	0.8%	1.5%
Hispanic or Latino (any race)	2.1%	3.0%	0.8%	1.4%	0.9%	1.8%	0.5%	1.1%	0.8%	1.2%

Source: US Census 2000 and 2010

Table 22: Ancestry, 2000-2011

	Lewiston Target Area		Remainder of Lewiston		Auburn Target Area		Remainder of Auburn		Androscoggin County (minus Lewiston and Auburn)	
	2000	2011	2000	2011	2000	2011	2000	2011	2000	2011
Arab	0	5	15	84	7	20	9	25	18	38
Subsaharan African	67	476	33	414	0	280	8	310	40	11

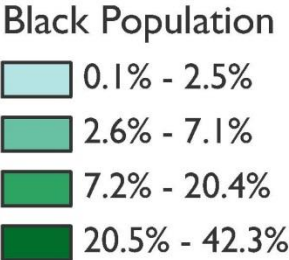
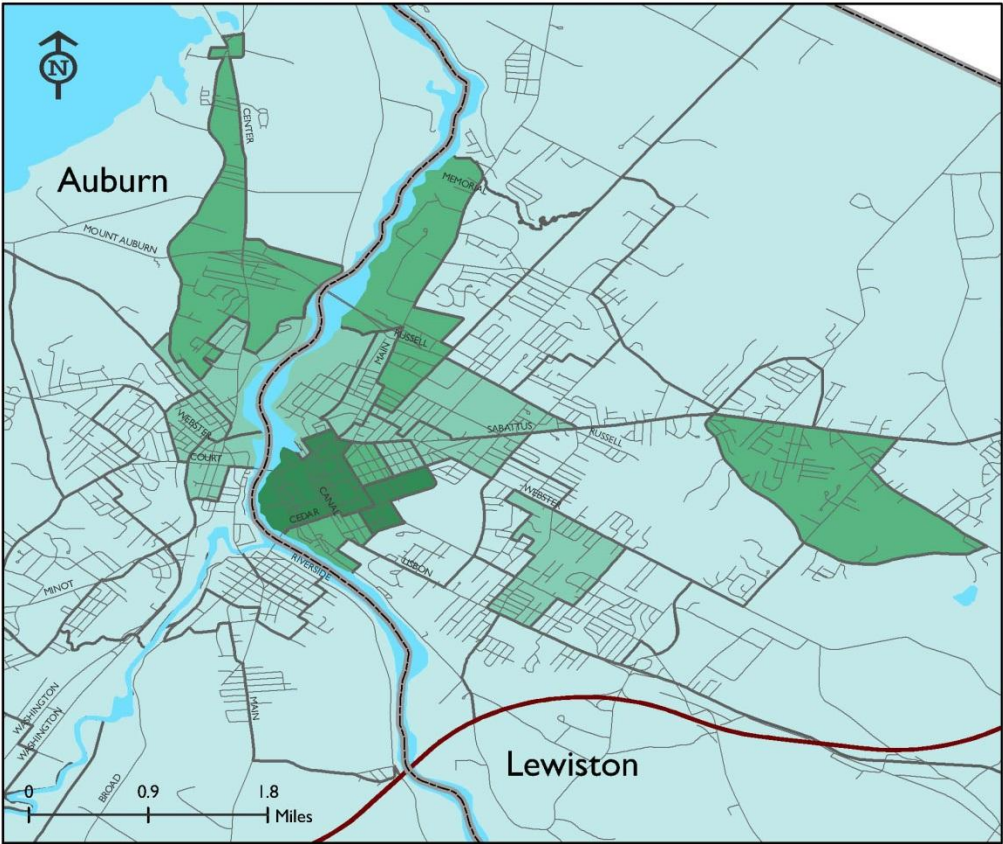
Source: US Census (2000), ACS 2007-2011 (2011)

Table 23: Number of blacks who speak English “less than very well” in 2011

	Lewiston Target Area	Remainder of Lewiston	Auburn Target Area	Remainder of Auburn	Androscoggin County (minus Lewiston and Auburn)
	Total	428	328	408	169
Native	22	34	0	0	0
Foreign Born	145	182	166	22	0

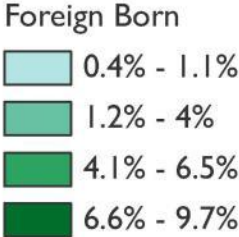
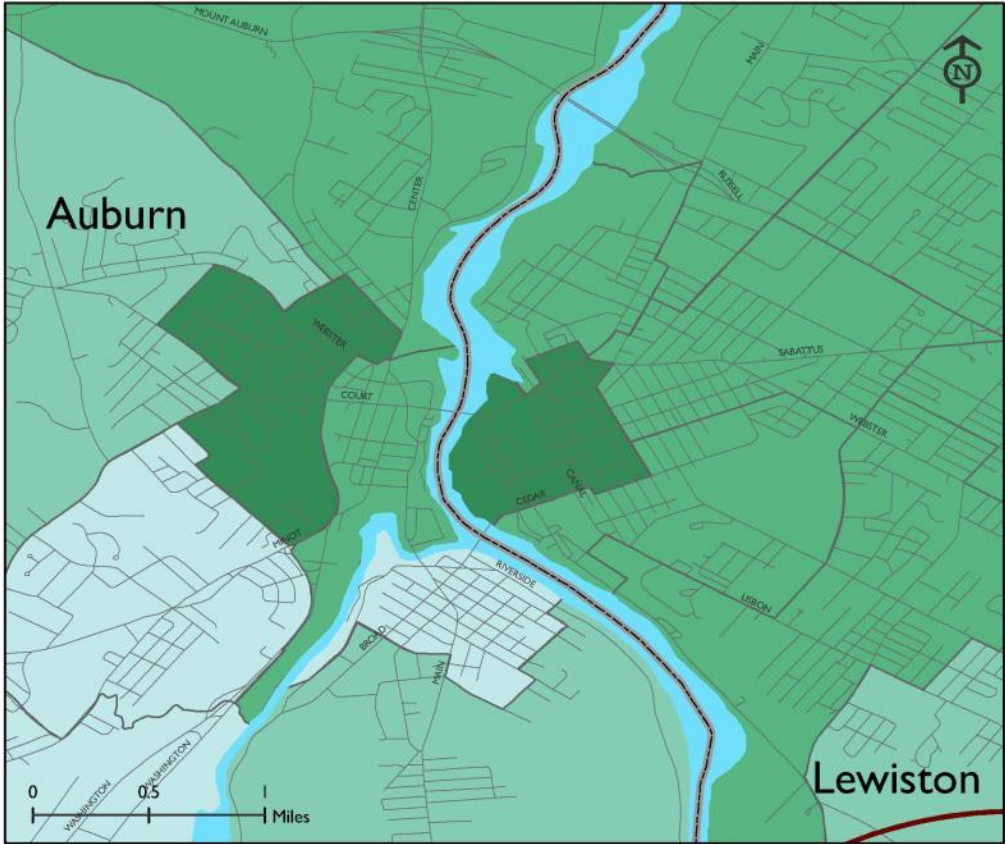
Source: ACS, 2007-2011

Black Population by Census Block Group Auburn/Lewiston Demographics



Prepared by PDI, 6/3/2013
Source: ACS 2007-2011

Foreign Born by Census Tract Auburn/Lewiston Demographics



Prepared by PDI, 4/4/13
Source: ACS 2007-2011

Poverty

Almost 50% of families with children in the Lewiston target area live below the poverty line. Of families without children, over 34% live below the poverty line. These families are primarily white (90.4% White in the Lewiston target area, and 9.6% Black/African American) and living in rental housing (93.2% in the Lewiston target area).

Auburn fares slightly better – but the percentage of families with children below the poverty line in the target area is still 18.6%, and those without children, 11.2%.

Table 24: Families Below Poverty Level, 2011

	Lewiston Target Area	Remainder of Lewiston	Auburn Target Area	Remainder of Auburn	Androscoggin County (minus Lewiston and Auburn)
Families Below Poverty	34.4%	8.9%	11.2%	7.1%	6.9%
Families with related children under 18 Below Poverty	47.8%	18.8%	18.6%	12.2%	13.0%

Source: ACS, 2007-2011

Table 25: Families Below Poverty by Race, 2011

	Lewiston Target Area	Remainder of Lewiston	Auburn Target Area	Remainder of Auburn	Androscoggin County (minus Lewiston and Auburn)
White	629	522	294	192	823
Black or African American	67	56	33	15	0
American Indian and Alaska Native	0	0	0	0	3
Asian	0	0	0	0	0
Native Hawaiian and Other Pacific Islander	0	0	0	0	0
Some other race	0	0	0	0	58
Hispanic or Latino origin (of any race)	36	0	15	0	100

Source: ACS 2007-2011

Table 26: Families below Poverty by Housing Type, 2011

	Lewiston Target Area	Remainder of Lewiston	Auburn Target Area	Remainder of Auburn	Androscoggin County (minus Lewiston and Auburn)
<i>Total Families</i>	2,204	6,354	3,041	2,875	13,732
Income in last 12 months below poverty level	758	572	341	205	952
Owner Occupied	51	189	14	69	500
Renter Occupied	707	383	327	136	452

Source: ACS 2007-2011

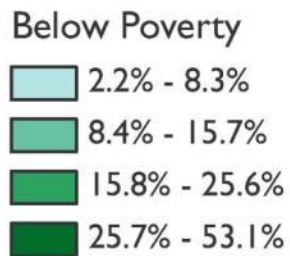
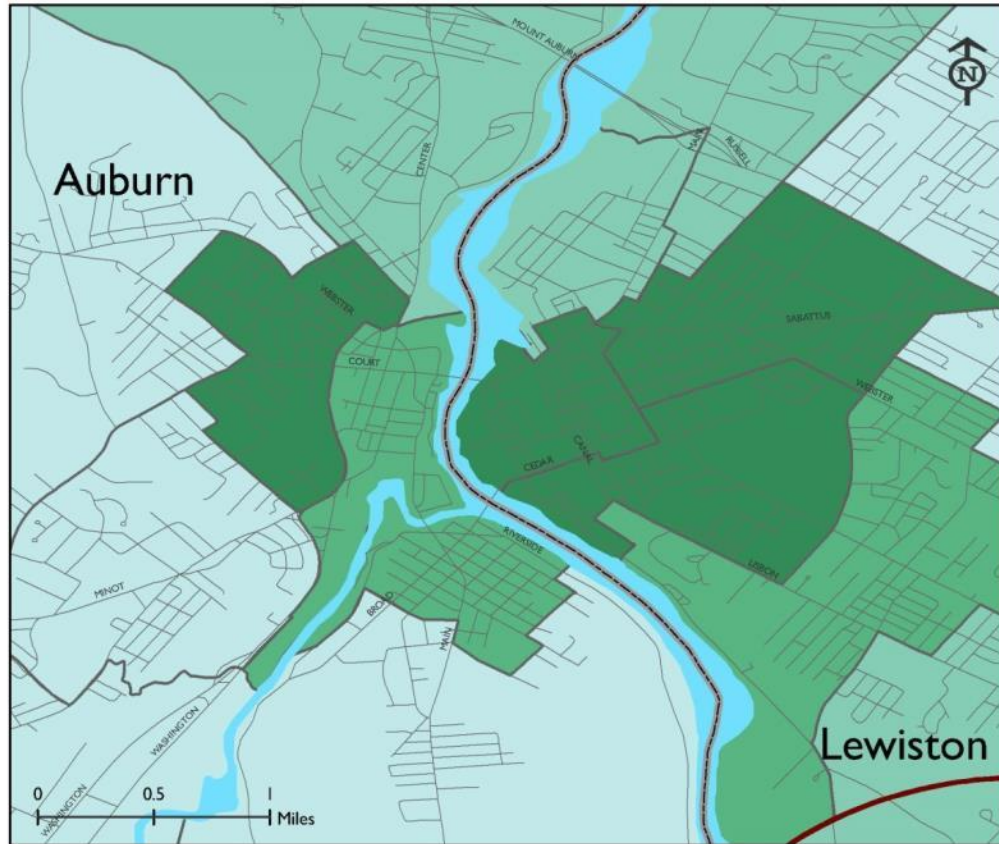
Table 27: Families below Poverty by Household Size, 2011

	Lewiston Target Area	Remainder of Lewiston	Auburn Target Area	Remainder of Auburn	Androscoggin County (minus Lewiston and Auburn)
<i>Total Families</i>	2,204	6,354	3,041	2,875	13,732
Income in the past 12 months below poverty level:	758	572	341	205	952
2 people	388	295	168	60	368
3 to 4 people	277	191	95	145	500
5 to 6 people	84	64	66	0	68
7+ people	9	22	12	0	16

Source: ACS 2007-2011

Below Poverty by Census Tract

Auburn/Lewiston Demographics



Prepared by PDI, 4/4/13
Source: ACS 2007-2011

Disability

Disability data is only available from the Census at the city level (or higher). It is important to note that, since it is Census data, it is self-reported, and does not necessarily reflect formal medical evaluations.

Lewiston's disability rate is higher than Auburn's and the remainder of the county. The largest discrepancy between Lewiston and comparison areas is in youth disability; 15.1% of the population between 5 and 17 has a disability, and of these 85% have cognitive difficulty.

In Androscoggin County, 3.5% of the county's population collected Social Security Disability benefits in 2012 – slightly higher than Cumberland County (home to the state's largest city, Portland), and the state as a whole.

Table 28: Incidence of Disabilities (outside of institutions like nursing homes)

	Lewiston			Auburn			Androscoggin County (minus Lewiston and Auburn)		
	Total	With a disability	% with a disability	Total	With a disability	% with a disability	Total	With a disability	% with a disability
Total civilian noninstitutionalized population	36,004	6,889	19.1%	22,634	3,305	14.6%	47,832	6,924	14.5%
Population under 5 years	2,470	38	1.5%	1,306	0	0.0%	2,969	41	1.4%
With a hearing difficulty	(X)	24	1.0%	(X)	0	0.0%	(X)	21	0.7%
With a vision difficulty	(X)	14	0.6%	(X)	0	0.0%	(X)	20	0.7%
Population 5 to 17 years	5,553	837	15.1%	4,105	324	7.9%	7,756	580	7.5%
With a hearing difficulty	(X)	16	0.3%	(X)	0	0.0%	(X)	59	0.8%
With a vision difficulty	(X)	94	1.7%	(X)	20	0.5%	(X)	65	4.9%
With a cognitive difficulty	(X)	712	12.8%	(X)	304	7.4%	(X)	383	4.9%
With an ambulatory difficulty	(X)	0	0.0%	(X)	0	0.0%	(X)	0	0.0%
With a self-care difficulty	(X)	43	0.8%	(X)	0	0.0%	(X)	44	0.6%
Population 18 to 64 years	22,694	3,611	15.9%	13,942	1,667	12.0%	31,015	3,868	12.5%
With a hearing difficulty	(X)	520	2.3%	(X)	268	1.9%	(X)	932	3.0%
With a vision difficulty	(X)	431	1.9%	(X)	190	1.4%	(X)	531	1.7%
With a cognitive difficulty	(X)	1,928	8.5%	(X)	862	6.2%	(X)	1,564	5.0%
With an ambulatory difficulty	(X)	1,939	8.5%	(X)	855	6.1%	(X)	1,805	5.8%
With a self-care difficulty	(X)	477	2.1%	(X)	185	1.3%	(X)	378	1.2%
With independent living difficulty	(X)	1,387	6.1%	(X)	484	3.5%	(X)	1,135	3.7%
Population 65 years and over	5,287	2,403	45.5%	3,281	1,314	40.0%	6,092	2,435	40.0%
With a hearing difficulty	(X)	951	18.0%	(X)	611	18.6%	(X)	1,161	19.1%
With a vision difficulty	(X)	383	7.2%	(X)	114	3.5%	(X)	365	6.0%
With a cognitive difficulty	(X)	628	11.9%	(X)	445	13.6%	(X)	548	9.0%
With an ambulatory difficulty	(X)	1,608	30.4%	(X)	714	21.8%	(X)	1,369	22.5%
With a self-care difficulty	(X)	435	8.2%	(X)	248	7.6%	(X)	487	8.0%
With independent living difficulty	(X)	1,191	22.5%	(X)	522	15.9%	(X)	994	16.3%

Source: ACS 2009-2011

Table 29: Social Security-Disability Recipients, December 2012

	Androscoggin	Cumberland	Maine
<i>Total</i>	3,810	5,412	36,259
% of Total Population	3.5%	1.9%	2.7%

Source: US Social Security Administration, US Census

Housing Authorities

Not including housing choice vouchers, the Auburn and Lewiston Housing Authorities administer 1,195 units. A little over half of these are traditional public housing units, with the remainder moderate rehab or affiliated developments.

Auburn Housing Authority

- Over 70% of Auburn's units are one-bedroom, which reflects the fact that over 77% (405) of the units are for the elderly or disabled.
- Auburn had 590 Section 8 Housing Choice Vouchers, but the number was reduced to 560 after the federal sequestration. The Housing Authority is trying to decrease the number of vouchers by attrition. Vouchers are currently closed to new applicants.
- Families looking for two-bedroom units in Auburn spend the longest time on the waiting list.
- Most of the families looking for larger units (4-5 bedrooms) are New Americans.
- Fewer New American families are arriving than in the past years.
- The Auburn Housing Authority needs larger units for families, along with increased funds for maintenance – large families create a lot of wear and tear. Because of the limited number of large units, some families take housing choice vouchers and find rental housing outside of the city.²⁶

Lewiston Housing Authority

- Just over 40% (275) of Lewiston's public housing units are designated for families.
- Until 2001 (when New American community begin arriving), LHA was having trouble renting 4-5 bedroom units.
- New American families like the location of LHA properties – especially those in more suburban areas, outside of downtown Lewiston.
- Lewiston Housing Choice Voucher territory includes Lisbon Falls, Green and Sabbatus – but the city bus doesn't go past Lisbon.
- In 2010, a white family filed a fair housing complaint, saying LHA discriminated against whites. The complaint was dismissed.
- New American families often start in a public housing apartment, and later get a housing choice voucher and move into a private apartment.²⁷

²⁶ Personal Communication, Auburn Housing Authority. March 2013.

²⁷ Personal Communication, Lewiston Housing Authority. March 2013.

Table 30: Auburn and Lewiston Housing Authority Units and Vouchers, 2013

	Auburn Housing Authority	Lewiston Housing Authority	Total
Public Housing Units	222	437	659
Lewiston-Auburn Area Housing Development Corporation	0	22	22
LHA Affiliate	0	32	32
Section 8 Moderate Rehab Units	291	181	472
Section 8 Housing Choice Voucher	590*	1,050	1,640
Market Rent	10	0	10
TOTAL	1,113	1,722	2,835

*changing to 560 in 2013

Source: Lewiston Housing Authority, Auburn Housing Authority

Table 31: Auburn and Lewiston Housing Units* by Bedroom, 2013

	Auburn	Auburn % of Total	Lewiston	Lewiston % of Total
Efficiencies/OBR	35	6.7%	119	17.7%
1BR	368	70.4%	328	48.8%
2BR	41	7.8%	97	14.4%
3BR	45	8.6%	95	14.1%
4BR	29	5.5%	31	4.6%
5BR	5	1.0%	2	0.3%
Total	523		672	

*Public Housing Units, Section 8 Moderate Rehab, Housing Authority Affiliates and Market Rent

Source: Lewiston Housing Authority, Auburn Housing Authority

Table 32: Waiting Lists by Bedroom Size, 2013

	Auburn	Auburn % of Total	Lewiston	Lewiston % of Total
TOTAL	680		409	
0BR	0	0.0%	108	26.4%
1BR	251	36.9%	126	30.8%
2BR	292	42.9%	95	23.2%
3BR	91	13.4%	41	10.0%
4BR	38	5.6%	27	6.6%
5+BR	8	1.2%	12	2.9%

Source: Lewiston Housing Authority, Auburn Housing Authority

Table 33: Auburn and Lewiston Housing Units* by Type, 2013

	Auburn Housing Authority	Auburn % of Total	Lewiston Housing Authority	Lewiston % of Total
Family	118	22.6%	275	40.9%
Elderly/Disabled	405	77.4%	391	58.2%
SRO	0	0.0%	6	0.9%
Total	523		672	

*Public Housing Units, Section 8 Moderate Rehab, Housing Authority Affiliates and Market Rent
Source: Lewiston Housing Authority, Auburn Housing Authority

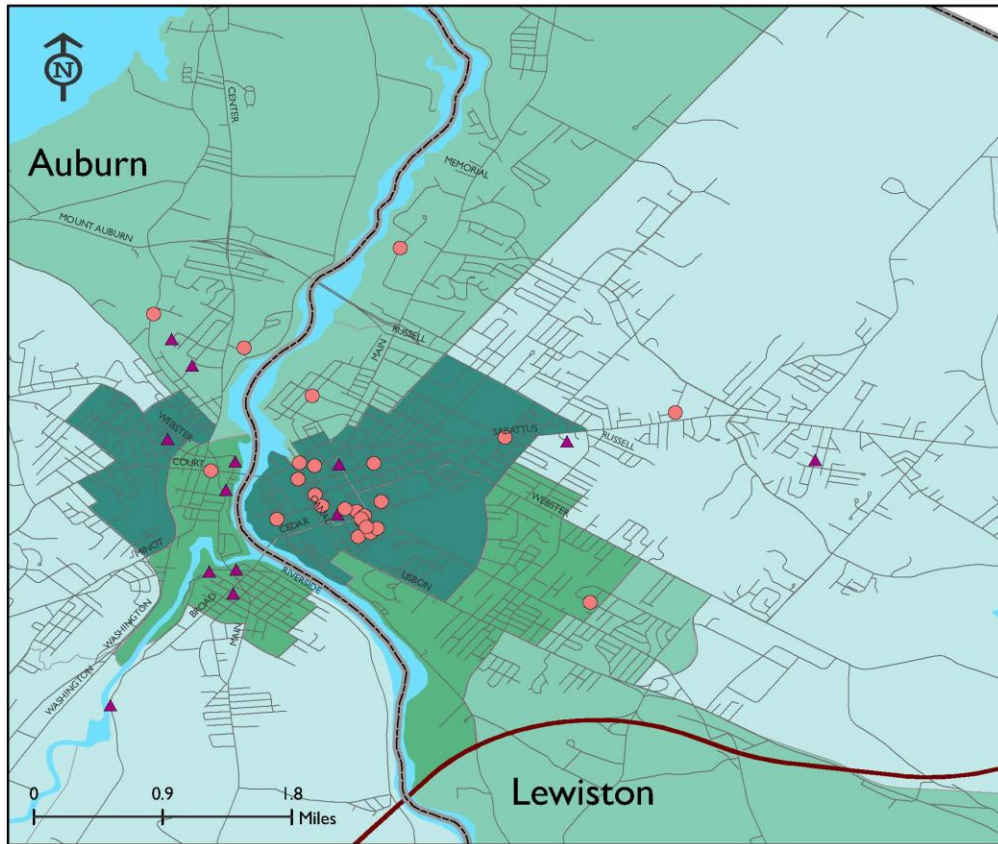
Table 34: Lewiston Housing Authority Head of Household by Race, 2013

	Lewiston Housing Authority*	Auburn Housing Authority**
White	367	481
Black	48	40
Asian	N/A	2
N/A	9	N/A

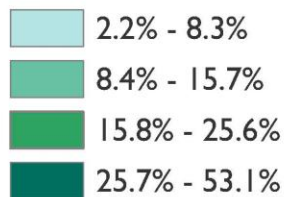
*Public Housing Units

** Public Housings Units, Moderate Rehab, Market Rate
Source: Lewiston Housing Authority, Auburn Housing Authority

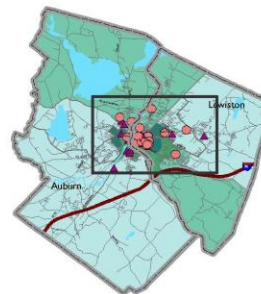
Subsidized Housing & Percent Below Poverty Auburn/Lewiston Demographics



Below Poverty



Subsidized Housing



Prepared by PDI, 6/3/2013
Source: ACS 2007-2011

LGBTQ

The Maine Human Rights Commission includes lesbian, gay, bisexual or transsexual people its list of groups protected against discrimination. There is no information in the Census about the numbers of lesbian, gay, bisexual, or transsexual people in the area.

Public Assistance

The Maine Human Rights Commission includes recipients of public assistance in its list of groups protected against discrimination. In addition to federal programs such as Section 8 vouchers and TANF, the municipalities of Lewiston and Auburn provide emergency help known as General Assistance. This program helps lower-income residents with basic needs such as food, rent, and medication. In February 2013, Lewiston General Assistance served 224 households, and Auburn served 45.

SNAP (the Supplemental Nutrition Assistance Program, formerly known as “food stamps”) assists many people in Lewiston and Auburn. In Lewiston, 35.6% of the population received SNAP assistance in April 2013; in Auburn, 26% of the population.

Table 35: General Assistance Expenditures, February 2013 (month)

	Lewiston	Auburn
Households Served	224	45
Housing Expenditures	\$63,162	\$11,902
Total Expenditures	\$75,466	\$16,094

Source: Lewiston City Administrator’s Office, Auburn City Manager’s Office

Table 36: TANF and SNAP Cases, April 2013

	Lewiston	Auburn	Androscoggin County (minus Lewiston and Auburn)
TANF Cases	735	274	301
<i>Children on TANF</i>	<i>1,489</i>	<i>475</i>	<i>483</i>
SNAP Cases	6,836	3,180	4,152
<i>SNAP Individuals Served</i>	<i>13,048</i>	<i>6,004</i>	<i>8,490</i>

Source: Office for Family Independence, Maine DHHS

Sex Offenders

Although they are not a protected group, those who are on the registered sex offender list face significant hurdles in finding house. HUD regulations prohibit sex offenders from being placed in public housing.

Table 37: Registered Sex Offenders in Lewiston and Auburn, May 2013

	Number
Lewiston	165
Auburn	83
Total	248

Source: Maine Sex Offender Registration

DRAFT

INTERVIEW SUMMARY

See Table 38 on the next page for a summary of the major points made by interviewees, organized by theme..

DRAFT

Table 38: Interview Summary

Group affected or topic	Housing Problems	Discrimination	Recommendations
<i>Race, Color, National Origin, New Americans</i>	<ul style="list-style-type: none"> • Landlords slow to respond to maintenance (heat), generally unresponsive • Two year wait for Section 8 vouchers • Lack of information on how Section 8 vouchers work (portability, etc.) • Lack of information on how leases work (leading to evictions), and cultures that are taught to “never close their” doors on someone in need • Poor quality housing • Lead paint • A non-profit inspects apartments before families move in – most apartments fail. The non-profit negotiates with the owner, who is unwilling to fix. Family moves in, then moves out (breaking the lease) when the apartment hasn’t been fixed – leading to a bad reference • Landlords blame new tenants for pre-existing bedbugs • Lead paint poisoning of children under 5 • Residents evicted when they try to address apartment problems with landlord 	<ul style="list-style-type: none"> • Landlords unwilling to rent to large families • Landlords charge excessive amounts for repairs – or wait until tenant moves out, then keep the deposit. Families afraid of losing housing if they don’t pay. • Tenants flee apartments with roaches and bedbugs, forfeiting their security deposit • Larger landlords like renting to new immigrants, most of the issues happen with smaller landlords • Difficulty communicating, even with clear cases of discrimination • Landlords exploit language barriers 	<ul style="list-style-type: none"> • Tenant education (especially around utilities) • Increased code enforcement • Cultural sensitivity training for landlords, judges, code officers • Keep tearing down old buildings
<i>Disability</i>	<ul style="list-style-type: none"> • Lack of security deposit/first month rent funds • Poor credit/rental history • Housing needs to be on bus line • Not enough money in moderate rehab to help with handicapped housing • Hard to bring old mill buildings up to code – and very little rental housing built in the last 20 years 	<ul style="list-style-type: none"> • Generally looked down upon by landlords • A non-profit sends about five calls a year to MHRC – mostly when landlords won’t allow accessible equipment to be installed 	<ul style="list-style-type: none"> • Case management • Supportive housing • Tenant and landlord forums • More subsidized units • More vouchers

	<ul style="list-style-type: none"> • Housing, but no services – so many don’t succeed in housing • Tenant blacklists among landlords – if evicted once, likely to not get housing again for several years • Seniors in subsidized housing share buildings with youth with disabilities – groups don’t mix well, seniors feel overwhelmed/frightened 		
<p>Public Assistance</p>	<ul style="list-style-type: none"> • Lack of funds for security deposit/first & last month rent (which landlords often require when renting to this population) <i>(Auburn and Lewiston have security deposit programs for renters with vouchers, but not the rest of the community)</i> • Landlords abandon buildings, don’t return security deposits, let oil run out • Don’t know how to be a good tenant • Hard to find safe rental properties that fit within General Assistance maximums • Poor housing stock • Families afraid to complain because they’re afraid of losing housing • Younger tenants (18-24) – Live in substandard units where landlords have lost their Section 8 status • Younger tenants (18-24) – Tenants live in “Pooling” situations, where they live in motels and pool resources like food stamps and TANF benefits (this has gotten worse in the past several years) 	<ul style="list-style-type: none"> • Subtle discrimination based on color and income • DHHS has heard of landlords asking for sexual favors in exchange for rent 	<ul style="list-style-type: none"> • Better communication with VA homeless program • Landlord and tenant awareness and education • Support programs like YouthBuild (teaches young adults how to get construction jobs) • Security deposit/first month rent programs

<p><i>Landlords</i></p>	<ul style="list-style-type: none"> • Housing expenses are increasing, but unable to raise rents to a level that helps them meet expenses (local jobs don't pay high enough wages) • Big Expenses: water/sewer fees, trash collection, and pest control (bed bugs) 	<ul style="list-style-type: none"> • Some landlords don't like Somalis – not because of their race, but because they “get many government benefits, taking it away from our own citizens” 	<ul style="list-style-type: none"> • City should increase inspections • Watch out for people cheating the public assistance system • Problems have been the same for 30 years – Lewiston struggles more than Auburn, but it's 10% of the tenants that are the problem – most are good, hard-working families
<p><i>Sex Offenders</i></p>	<ul style="list-style-type: none"> • Nobody wants to rent to a sex offender • People getting out of jail/prison – can only afford to live downtown, can't get away from the lifestyle they're trying to change 		<ul style="list-style-type: none"> • More vouchers • Apartment inspections
<p><i>Homeless</i></p>	<ul style="list-style-type: none"> • Homeless vets and disabled can't find housing – lack references, assistance • Homeless need a location when applying for assistance • No homeless shelters in Auburn 		
<p><i>City Policies</i></p>	<ul style="list-style-type: none"> • Transient populations seem to be encouraged • Transportation problem – plenty of affordable units on outer Lisbon or Sabbathus, but bus doesn't go out here • Seems like service providers want to keep tenants downtown • Cities looking for people with higher incomes to live in downtown areas 		<ul style="list-style-type: none"> • Neighborhood Housing League is working on a citywide Rental Registry (Lewiston) that will require all landlords to register their property with the city, and will through ordinance require units to meet minimum housing standards. Will encourage GA, the housing authority, and other agencies to only pay for registered units that have met standards

DATA ON DISCRIMINATION

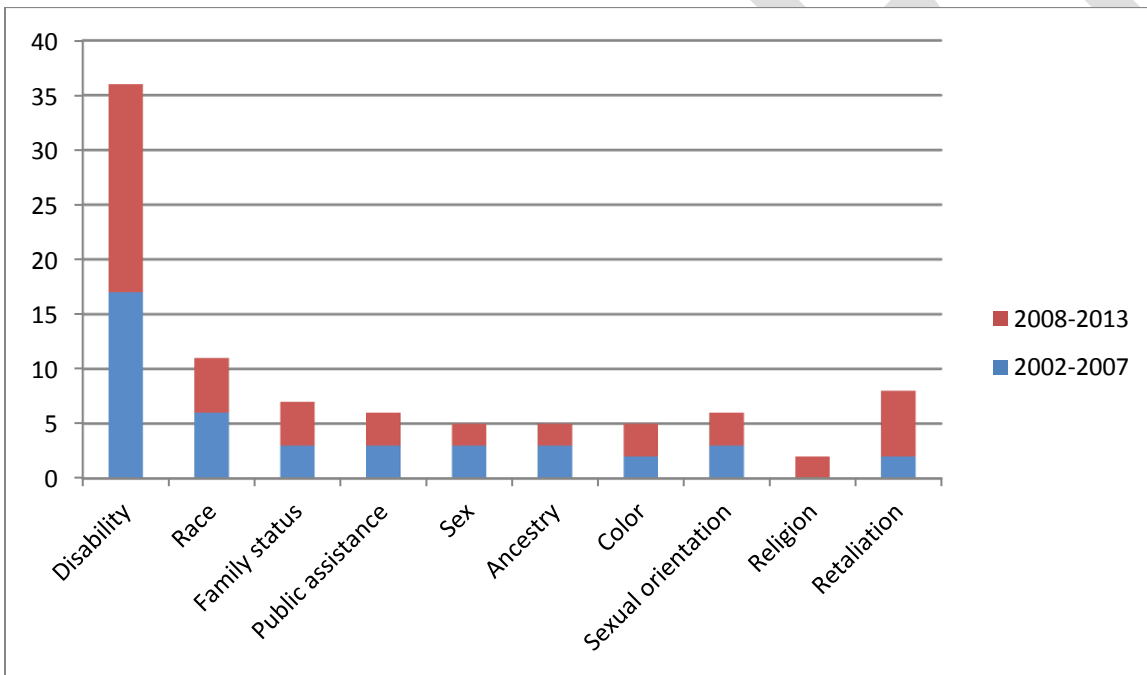
There are two sources of data on housing discrimination in Lewiston and Auburn. The first is from complaints that are filed with the Maine Human Rights Commission or HUD. The second is from “testing” that takes place under the auspices of Pine Tree Legal Assistance.

Maine Human Rights Commission

The most common basis for fair housing complaints from tenants in Lewiston and Auburn is disability. Some of the reason for this is administrative: the Disability Rights Center and other legal services provide representation to this group not always available to other groups.

Some of these cases have to do with misunderstandings about the role of service animals. In one case, a landlord charged the tenant a fee for a service animal as if it were a pet. The landlord was not aware that under Maine law, it is illegal to charge extra fees for service animals.

Figure 3: Housing Discrimination Complaints, Lewiston-Auburn, 2002-2013



Source: Maine Human Rights Commission

Others may have to do with making access improvements to the units, or dealing with mental illnesses. In general, landlords are not well informed about their responsibilities (and rights) under the law.

**Table 39: Maine Human Rights Commission Lewiston-Auburn
Disability Housing Complaints, 2002-2013 (based on residence of complainant)**

Nature of disability	# of complaints
Alzheimers	2
Cancer	1
Depression	3
Diabetes	1
Guide Dog, Support Animal	7
Handicap, Not ADA	3
Hearing Impairment	2
Heart, Cardiovascular	3
Manic Depression, Bi-polar	1
Nonparalytic Orthopedic Impairment	2
Orthopedic Structural Back Impairment	7
Other Anxiety Disorder	5
Other Disability	12
Other Psychiatric Disorders	4
Other Pulmonary, Respiratory	3
Post-Traumatic Stress Disorder	1
Relationship, Association	1
Vision Impairment	1

Source: Maine Human Rights Commission

It is not always easy to tell from the data in what city the complaint arose. The Maine Human Rights Commission has records of the landlord's address (which may be out of town) and the complainant's address (who may have moved to another city since the incident). In about half of the cases, both addresses were in Lewiston or Auburn.

Table 40: Geography of Complaints and Responses, 2002-2013

	2002-2007	2008-2013
Only complainant's address in L-A	6	8
Only respondent's address in L-A	8	11
Both complainant's and respondent's address in LA	13	21
Total Cases	29	38

Source: Maine Human Rights Commission

Complaints are resolved in a variety of ways in front of the Maine Human Rights Commission. Sometimes the complainant doesn't follow up; sometimes the Commission finds no merit in the complaint; sometimes the differences are mediated. Cases are categorized as a "merit closure" when either the Commission finds for the complainant, or the complainant settles with the landlord and receives some benefits. In both situations, the original complaint is assumed to have "merit." In Lewiston-Auburn fair housing cases, about half of the complaints result in

merit closures. Statewide, in all cases (many of which are employment-related), only a third result in merit closures.

**Table 41: Merit Closures among Lewiston and Auburn Housing Cases, 2002-2013
(by city of origin of complainant)**

	Merit closures	Total cases	% merit closures
Color	1	8	13%
Disab: Alheimers	2	2	100%
Disab: Cancer	1	1	100%
Disab: Depression	2	2	100%
Disab: Diabetes	1	3	33%
Disab: Guide Dog, Support Animal	2	5	40%
Disab: Handicap, Not ADA	2	3	67%
Disab: Hearing Impairment	1	1	100%
Disab: Heart, Cardiovascular	3	3	100%
Disab: Manic Depression, Bi-polar	0	1	0%
Disab: Nonparalytic Orthopedic Impairment	0	1	0%
Disab: Orthopedic Structural Back Impairment	4	7	57%
Disab: Other Anxiety Disorder	4	5	80%
Disab: Other Disability	5	11	45%
Disab: Other Psychiatric Disorders	1	3	33%
Disab: Other Pulmonary, Respiratory	1	2	50%
Disab: Post-Traumatic Stress Disorder	1	1	100%
Disab: Relationship, Association	0	1	0%
Disab: Vision Impairment	1	2	50%
Familial Status	6	10	60%
Natl Origin Arab, Afghani, Mid-Eastern	0	3	0%
Natl Origin Other	0	5	0%
Other	0	1	0%
Race Black	0	7	0%
Race Other (old code)	0	1	0%
Race White	1	5	20%
Religion: Other	1	1	100%
Retaliation	4	9	44%
Sex Female	0	5	0%
Sex Male	0	1	0%
Sexual Orientation	3	3	100%
Source of Income	4	6	67%
Total Allegations	51	119	43%

Source: Maine Human Rights Commission

The highest number of merit closures was for familial status cases. A typical family status case is described by a Maine Human Rights Commission staff as follows:

One of the familial status discrimination cases involved a couple who were told, soon after the Respondent found out that the woman was pregnant, that “It would be best for you to find another place to live,” because “We don’t feel comfortable with children in our apartments.” The couple did not move out and, a few months later after the baby was born, Respondent raised the rent by \$10 per week and sent a note saying, “It would be best for you to find another place. Shared living is not a good situation with children involved...” Here again, a voluntary, confidential agreement was reached to resolve the complaint.

Pine Tree Legal Assistance

Pine Tree Legal Assistance conducts fair housing “tests” of the Lewiston and Auburn markets under a grant from HUD. A “test” consists of a white individual or household member following up on an ad for an apartment, as well as an individual or household member from a protected class of citizens. If the two inquirers are treated differently, there could be discrimination involved.

This year Pine Tree has performed fourteen tests in Lewiston. Ten tests were testing for racial discrimination. Two tested for disability discrimination. The remainder were tests for discrimination against families. In two of the tests, the results have not returned.

As a result of the Lewiston tests, Pine Tree lawyers have four complaints with the Maine Human Rights Commission. In one test there appeared to be racial discrimination. In the other test an individual with a service animal was treated poorly and in this same test there appeared to be evidence of race-based steering (directing whites and minorities to different geographic areas). The other two complaints were filed because the applications given to testers indirectly asked questions about family status and sexual orientation in violation of the Maine Human Rights Act, but not the Federal Fair Housing Act.

None of Pine Tree’s testers of color in the Lewiston area are “New Mainers/Americans.” The difficulty of recruiting testers from this community limits the ability to find discrimination.

Based on testing results in Portland, the Pine Tree lawyer believes that there is probably discrimination against people with foreign accents. For that matter, there is also discrimination against people with speech-related disabilities. Training for landlords (and all people) to learn how to speak with people with speech disabilities is an area of need. Training for how to deal with service animals, and other disability-related issues, is also desirable for the landlord community.

SUMMARY OF IMPEDIMENTS

Lack of Investment: The combination of relatively modest rents, relatively old rental stock, and a relatively high vacancy rate, leads to a situation where landlords do not invest in maintaining their properties, deterioration occurs, and fires happen. In addition, it is expensive for landlords to bring older buildings up to code, especially for tenants with disabilities.

Lead Paint & Pest Control: Older housing is more likely to have lead paint, and the Lewiston target area has three times the state average of children with lead poisoning. Over 50% of lead poisoning in this area occurs among immigrant children, and 90% occurs in rental housing. New Americans might not know about U.S. pest-control methods, or the need to inspect donated mattresses and furniture for bedbugs.

Landlord/Tenant Communications: New Americans in this area may not be aware of tenant rights, or that a landlord is responsible for fixing housing problems - which decreases communication between the tenant and landlord.

Bedroom Size: The relatively low number of 7+ person households reported by the Census is a warning sign that Census counters are not fully capturing the New American community. But there are not enough 5+ bedroom units to meet even this understated demand.

Abandoned Buildings/Fire Hazards: A relatively large percent (7.6%) of housing in Lewiston's target area falls into the "other vacant" US Census category, which means that many units might be boarded-up.

Lack of Sharia-Compliant Home Financing: The 2010 incidence rate of mortgages among blacks is lower than other groups. Part of the reason for this may be that many black New Americans are from Somalia, and are Muslim, and local mortgage originators may not have loan products to meet their needs.

High Rates of Disability: Lewiston's disability rate is higher than Auburn's and the remainder of the county. The largest discrepancy between Lewiston and comparison areas is in youth disability; 15.1% of the population between 5 and 17 has a disability, and of these 85% have a cognitive disability. The most common basis for fair housing complaints from tenants in Lewiston and Auburn is disability. In general, landlords are not well informed about their responsibilities (and rights) under the law.

RECOMMENDATIONS

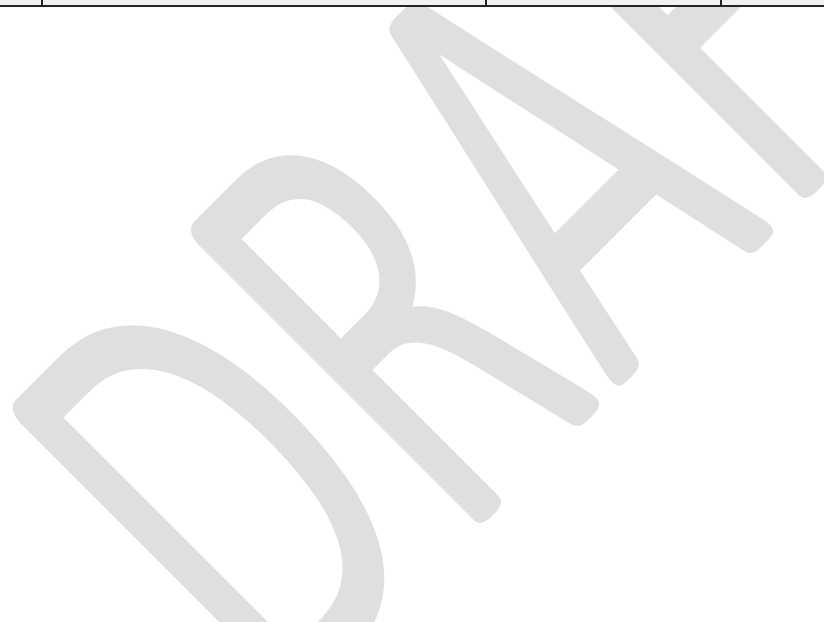
Lewiston and Auburn face different types of obstacles to fair housing:

1. **Informational:** Many landlords and renters don't understand their rights and responsibilities. This is especially true for New Mainers (who might be unaware of lease terms, or maintenance and overcrowding concerns) and tenants with disabilities (many landlords and renters don't understand what is considered a reasonable accommodation or modification).
2. **Language & Culture:** Landlords and New Mainer tenants may not be able to understand each other due to language and cultural differences.
3. **Physical:** Much of the apartment stock in in-town Lewiston and Auburn is old, and lacks accessibility for people with disabilities, enough bedrooms for new Americans, and essential safety and fire code compliance.
4. **Financial:** Local banks don't have mortgage products that meet Sharia standards for the local Muslim community, which discourages New Mainer families from buying homes in the two cities (which would also decrease the need for high-occupancy apartments). Several New Mainer families have approached the cities about home financing, but have not found a suitable solution.

Therefore, the cities of Lewiston and Auburn need to pursue a variety of strategies to overcome these barriers:

Issues & Impediments	Strategies	Year 1	Year 2	Year 3	Year 4	Year 5	Partners
<p>Information Language and Culture (New Mainers): Conflicts arise between tenant and landlord due to language & cultural barriers, tenant lack of knowledge of rights and responsibilities.</p> <p>Reasonable Accommodation (Tenants with disabilities): Small landlords unaware, confused by reasonable accommodations or modifications. Tenants also don't understand.</p> <p>Rights and Responsibilities (Young Tenants, 18-24): Increase in young renters living in substandard housing, pooling resources, not knowing rights or responsibilities.</p> <p>Other Issues: Tenants not caring for apartment unit, landlords neglecting unit, not collecting rent.</p>	<p>1. Landlord workshops: Educate landlords about rights and responsibilities. Focus on established organizations. Include public safety officers, who respond to landlord or tenant complaints. Do event evaluations.</p> <p>2. Tenant Workshops: Educate tenants about rights and responsibilities. Focus outreach to tenants of recently trained landlords. Target specific groups: New Mainers, young tenants, tenants with disabilities. Include public safety officers. Do event evaluations.</p> <p>3. School Outreach: Mayors of both cities declare April "Fair Housing Month." City staff or partners visit one elementary schools in each city (each year) to provide activities that promote fair housing. Do event evaluations.</p> <p>4. Posters: Create poster with basic information on tenant housing rights & a complaint hotline (use local languages). Distribute to appropriate locations.</p>	<p>1. Landlord workshop on disability rights and policies.</p> <p>2. Tenant workshop targeted toward tenants with disabilities on disability rights and policies.</p> <p>3. Mayors of both cities declare April "Fair Housing Month." Fair Housing Month event at a local elementary school in each city.</p> <p>4. Create Fair Housing posters for distribution.</p>	<p>1. Landlord workshop on cultural and language issues relating to New Mainers.</p> <p>2. Tenant workshop targeted toward New Mainers on cultural and language issues, rights and responsibilities.</p> <p>3. Fair Housing Month event at a local elementary school in each city.</p>	<p>1. Landlord workshop on general issues.</p> <p>2. Tenant workshop on general issues.</p> <p>3. Fair Housing Month event at a local elementary school in each city.</p>	<p>1. Landlord workshop on issues relating to younger tenants.</p> <p>2. Tenant workshop targeted toward younger tenants.</p> <p>3. Fair Housing Month event at a local elementary school in each city.</p>	<p>Evaluate progress, prepare for next AI.</p>	<p>Cities of Auburn and Lewiston: Community Development Departments, Housing Authorities, public safety officers, elementary schools, public transit.</p> <p>Community Groups: Community Concepts, Ethnic-Based Community Organizations, Neighborhood Housing League, and other social agencies.</p> <p>Workshops: Collaborative partnerships could include Maine Housing, Healthy Androscoggin.</p> <p>Landlord Workshops: Landlord associations, County realtor conventions</p>

Issues & Impediments	Strategies	Year 1	Year 2	Year 3	Year 4	Year 5	Partners
<p>Home Financing Sharia Lending: Lack of Sharia-lending financing products in Lewiston and Auburn have prevented New Mainers from purchasing homes, which could also help ease the burden on the need for large rental units. Families may qualify for homeownership opportunities, but lending laws require interest on home loans.</p>	<p>1. Identify obstacles to Sharia-lending financing products by convening a group of local private and non-profit lenders, representatives from the New Mainer community, and other experts.</p> <p>2. Inform New Mainers about homeownership opportunities.</p>	<p>Convene homeownership lending group, identify obstacles and solutions.</p>	<p>Outreach to New Mainer community with information about Sharia-friendly homeownership loans.</p>			<p>Evaluate progress, prepare for next AI</p>	<p>Cities of Auburn and Lewiston: Community Development Departments, Local Housing Authorities State Legislators</p> <p>Lenders/Experts: Coastal Enterprises, HUD, National Sharia-lending organizations, Community Concepts</p> <p>Community: Ethnic-Based Community Organizations, potential homeowners</p> <p>Education: Bates College</p>



APPENDIX A: INTERVIEWS & PUBLIC PROCESS

Interviewed

Somali Bantu Youth Organization of Maine
Downtown Neighborhood Action Committee
Seniors Plus
Neighborhood Housing League
Auburn Police Department
Department of Corrections
United Somali Women of Maine
City of Lewiston – Social Services
Catholic Charities – Refugees and Immigration Services
Tedford Housing
Maine Veterans Services – Lewiston
New Beginnings
Safe Voices
Lewiston/Auburn Landlord Association
Alpha One
DHHS – Lewiston Office
Pathways, Inc.
Goodwill Industries
City of Auburn – General Assistance
Landlord
United Way of Androscoggin
Trinity Episcopal Church
City of Auburn General Assistance
Common Ties Mental Health Coalition
City of Lewiston – Planning
City of Auburn – Planning
Auburn Housing Authority
Lewiston Housing Authority
Pine Tree Legal Assistance
Maine Human Rights Commission

Responded to Survey Questions

Maine People’s Alliance
Neighborhood Housing League

Report Analysis & Feedback

Reine Mynahan, Auburn Community Development
Yvette Bouttenot, Auburn Community Development
Jayne Jochem, Lewiston Economic & Community Development
Lincoln Jeffers, Lewiston Economic & Community Development
Jeanine Dubay, Lewiston Housing Authority
Rick Porter, Auburn Housing Authority

Public Meetings

Interviews with Stakeholders
Lewiston City Council
Auburn City Council

DRAFT



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: September 3, 2013

Order 72-09032013

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: Election of Androscoggin County Budget Committee Members

Information: The Commissioners held the caucus for Districts 5 and 6 on August 21, 2013 for the purpose of accepting nominations for the Androscoggin County Budget Committee for a 3 year term for budget years 2014, 2015, and 2016. Nominations were accepted and those names have been placed on the ballots. For each District (5 and 6) the Councilor must, as a Board, vote for 2 Budget Committee Members to serve on the Committee, the Municipal Officers must vote for at least one candidate who is a municipal official. The ballots must be returned to the County Commissioners no later than September 10, 2013.

Financial:

Action Requested at this Meeting: Elect Budget Committee Members. Council may enter into Executive Session pursuant to 1 M.R.S.A. Section 405(6) (A).

Previous Meetings and History:

Attachments:

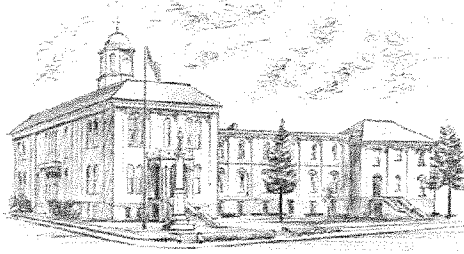
District 5 letters and ballot from the County Commissioners
District 6 letters and ballot from the County Commissioners
Order 72-09032013

*Agenda items are not limited to these categories.

ANDROSCOGGIN COUNTY

COMMISSIONERS

Randall A. Greenwood, Chairperson
Elaine Makas, Commissioner
Beth C. Bell, Commissioner



CLERK

Patricia Fournier

TO: Municipal Officers

FROM: County Commissioners

DATE: August 23, 2013

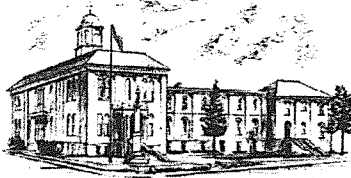
The Commissioners held the caucus for District 5, on August 21, 2013 at 7:00 p.m. in the Androscoggin County Building for the purpose of accepting nominations for the Androscoggin County Budget Committee for a 3-year term for budget years 2014, 2015 & 2016. Nominations were accepted and those names have been placed on the enclosed ballot.

The Councilor must, as a Board, vote for two (2) Budget Committee members to serve on the Committee, the Municipal Officers must vote for at least one (1) candidate who is a municipal official.

The ballots must be returned to the County Commissioners no later than September 10, 2013.

If you have any questions please feel free to call the Commissioners' Office.

ANDROSCOGGIN COUNTY COMMISSION
DISTRICT 5
(Part of Auburn)



ANDROSCOGGIN COUNTY BUDGET COMMITTEE
2014 / 2015 / 2016

OFFICIAL BALLOT

Municipal Officers shall vote, as a board, for two (2) Budget Committee members to serve on the Androscoggin County Budget Committee to represent District 5. The municipal officers must vote for at least one (1) candidate who is a municipal official. 30-A M.R.S.A. §722 defines municipal officials to mean "mayor, alderman, councilors or manager of a city".

Mark the box with an X.

- Tizz Crowley (Councilor)
35 University Street
Auburn

- Andrew Titus (Resident)
17 Lamplighter Circle
Auburn

VOTED AT MEETING OF _____, 2013

_____, Councilor

_____, Councilor

_____, Councilor

_____, Councilor

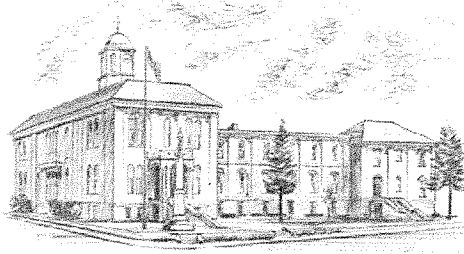
_____, Councilor

_____, Councilor

_____, Councilor

ANDROSCOGGIN COUNTY

COMMISSIONERS
Randall A. Greenwood, Chairperson
Elaine Makas, Commissioner
Beth C. Bell, Commissioner



CLERK
Patricia Fournier

TO: Municipal Officers
FROM: County Commissioners
DATE: August 23, 2013

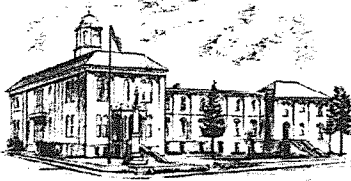
The Commissioners held the caucus for District 6, on August 21, 2013 at 7:15 p.m. in the Androscoggin County Building for the purpose of accepting nominations for the Androscoggin County Budget Committee for a 3-year term for budget years 2014, 2015 & 2016. Nominations were accepted and those names have been placed on the enclosed ballot.

The Councilor must, as a Board, vote for two (2) Budget Committee members to serve on the Committee, the Municipal Officers must vote for at least one (1) candidate who is a municipal official.

The ballots must be returned to the County Commissioners no later than September 10, 2013.

If you have any questions please feel free to call the Commissioners' Office.

ANDROSCOGGIN COUNTY COMMISSION
DISTRICT 6
(Part of Auburn, Mechanic Falls, Poland)



ANDROSCOGGIN COUNTY BUDGET COMMITTEE
2014 / 2015 / 2016

OFFICIAL BALLOT

Municipal Officers shall vote, as a board, for two (2) Budget Committee members to serve on the Androscoggin County Budget Committee to represent District 6. The municipal officers must vote for at least one (1) candidate who is a municipal official. 30-A M.R.S.A. §722 defines municipal officials to mean "mayor, alderman, councilors or manager of a city".

Mark the box with an X.

- Norman J. Beauparlant (Resident)
329 Harris Hill Road
Poland
- Stanwood Gray (Resident)
1200 Sopers Mill Road
Auburn
- Robert Hayes (Councilor)
172 Allen Avenue
Auburn
- Nancy Richards (Selectman)
67 Saunders Road
Mechanic Falls

VOTED AT MEETING OF _____, 2013

_____, Councilor/Selectman

_____, Councilor/Selectman

_____, Councilor/Selectman

_____, Councilor/Selectman

_____, Councilor/Selectman

_____, Councilor/Selectman

_____, Councilor/Selectman

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 72-09032013

ORDERED, that the City Council hereby casts their votes for the following individuals to serve on the Androscoggin County Budget Committee;

District 5

1.

2.

District 6

1.

2.

3.



City Council Information Sheet

City of Auburn

Council Meeting Date: September 3, 2013

Subject: Executive Session

Information: Discussion on a poverty abatement, pursuant to 36 M.R.S.A. §842(2) with possible action to follow.

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 73-09032013

ORDERED, that the City Council hereby grants/denies the poverty abatement in the amount of \$_____ pursuant to Title 36 M.R.S.A. §841 (2).

Passage on 8/5/2013, 5-0 (Councilors Hayes and Young absent).