



**City Council Workshop & Meeting  
Agenda  
April 3, 2023  
Auburn Hall, Council Chambers**

**5:30 P.M. City Council Workshop**

- A. FY 24 Preliminary Budget & 5-year Capital Improvement Plan (CIP) Discussion – Phil Crowell
- B. Lewiston Falls/Monty Hydro Facility licensing process – Eric Cousens
- C. Executive Session - Economic Development, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.
- D. Executive Session - Economic Development, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.

**7:00 P.M. City Council Meeting** - Roll call votes will begin with Councilor Walker

**Pledge of Allegiance**

- I. **Consent Items** – All items with an asterisk (\*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
  1. **Order 36-04032023\***  
Setting the date for the School Budget Validation Referendum Election (June 13, 2023).
  2. **Order 45-04032023\***  
Approving the transfer of \$1,600 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department.
  3. **Order 46-04032023\***  
Approving the transfer of \$2,000 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department.
- II. **Minutes**
  - March 20, 2023, Regular Council Meeting
- III. **Communications, Presentations and Recognitions**
  - Communication – Request for funds from David Chittim, President of the Androscoggin Historical Society
  - LA Arts programming review and funding request
  - Council Communications (about and to the community)
- IV. **Open Session** – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

**V. Unfinished Business**

**1. Order 33-03202023**

Approving \$4,598,331 of additional costs for environmental remediation of the new high school project and authorizing general obligation bonds and a tax levy therefor. Public hearing and second reading.

**VI. New Business**

**1. Order 37-04032023**

Approving the question for a Municipal Referendum Election with respect to environmental remediation costs for the new high school construction project and general obligation bonds therefor.

**2. Order 38-04032023**

Authorizing the City Manager to execute the sale of St. Louis Church, 32 Dunn Street, Auburn, Maine.

**3. Order 39-04032023**

Approving the liquor license for the Olive Garden. Public hearing and vote.

**4. Order 40-04032023**

Approving the Annual Reports to the Maine State Housing Authority for Tax Year 4/1/2022 – 3/31/2023.

**5. Order 41-04032023**

Authorizing the City Manager to execute the Collective Bargaining Agreement with the Public Works Teamsters (Drivers), effective 07/01/2023.

**6. Order 42-04032023**

Authorizing the City Manager to execute the Collective Bargaining Agreement with the Public Works Teamsters (Mechanics), effective 07/01/2023.

**7. Order 43-04032023**

Approving the Mass Gathering for the Auburn Lobster Festival event to be held 05/06/2023. Public hearing.

**8. Order 44-04032023**

Approving the temporary liquor license for an Incorporated Civic Organization for the Auburn Lobster Festival event to be held 05/06/2023. Public hearing.

**9. Order 47-04032023**

Authorizing the City Manager to accept the Riverside Drive property, Map 184, Lot 30, as a gift on behalf of the City.

**10. Order 48-04032023**

Authorizing the City Manager to enter into a naming rights agreement of the Drummond Street Playground Park with Tizz Crowley.

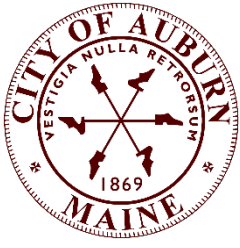
**VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda***

**VIII. Reports (from sub-committees to Council)**

- a. Mayor's Report
- b. City Councilors' Reports
- c. City Manager Report

**IX. Executive Sessions**

**X. Adjournment**



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 3, 2023

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

**Subject:** FY2024 Preliminary Budget and CIP 5-Year Plan discussion

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**Information:** City Manager Phil Crowell will provide information to the Mayor and City Council regarding the FY24 Preliminary Budget and proposed 5-year Capital Improvement Plan.

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**City Budgetary Impacts:** None at this time.

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**Staff Recommended Action:** Review the preliminary budget and 5 year CIP plan/projects.

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**Previous Meetings and History:** The 5 Year CIP Plan was discussed at the 3/20/2023 Council workshop.

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**City Manager Comments:**

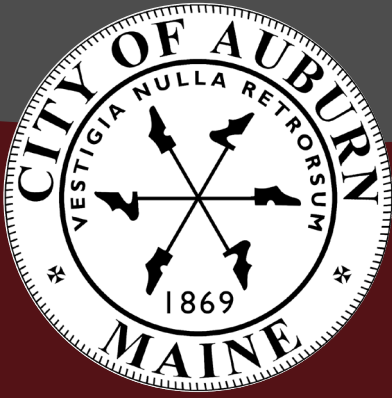
*Phillip Crowell Jr.*

I concur with the recommendation. Signature:

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**Attachments:** Final Five Year CIP Plan





City of Auburn

# **BUDGET** **FY24**

5-Year Capital Improvement Plan

**CITY MANAGER'S PROPOSED  
FY24 CIP PLAN**

March 30, 2023

Honorable Mayor Jason Levesque  
Auburn City Council Members

RE: Five Year Capital Improvement Program Plan

Dear Mayor and Councilors:

The Five-Year City of Auburn Capital Improvement Plan is hereby submitted for your review in accordance with the provisions of the City Charter.

## **CAPITAL IMPROVEMENT**

### *Introduction*

My preliminary draft recommendations for the FY24 Capital Improvement Program were presented for your review at the Joint City Council and School Committee workshop on March 20, 2023. The City of Auburn Capital Improvement Plan, updated annually, is a five-year plan that serves as a multi-year planning instrument. The expectation is that looking longer-term will bring stability to requests over time. While the long-term CIP Plan takes a five year look at the needs of the city, the focus will be on the projects requested for the upcoming fiscal year. Finally, the initial presentation of the CIP includes all needs of the city to sustain operations.

As usual the CIP includes a spreadsheet for FY 2024 by expenditure and department, including the intended source of funds. There is also a more detailed sheet of expenditures planned for this year.

### *Charter Requirements*

1. A clear general summary of its contents;
2. Identification of the long-term goals of the community;
3. A list of all capital improvements and other capital expenditures which are proposed to be undertaken during the fiscal years next ensuing, with appropriate supporting information as to the necessity of each;
4. Cost estimates and recommended time schedules for each improvement or other capital expenditures;
5. Method of financing upon which each capital expenditure is to be reliant;
6. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired;
7. A commentary on how the plan addresses the sustainability of the community and the region of which it is a part; and
8. Methods to measure outcomes and performance of the capital plan related to the long-term goals of the community.

## *Long-term Goals*

The goals of the City of Auburn focus on these 5 general areas. These are not in any particular order of importance:

1. Planning for a better future.
2. Reclaiming our streets.
3. Making housing more attainable.
4. Enacting resilient solutions.
5. Enriching neighborhood identities

The FY24 Work Plan recognizes that there are also other goals that serve as a “catch-all” for items outside of these 5 areas.

Of course, we must remain aware of the overall cost of services and taxes. And we must also acknowledge that there is a limit to the amount of spending and debt service the City can afford. This leads me to suggest that the CIP has a final, general goal, “to assure that the assets of the City are maintained in a fiscally responsible manner.” Following this approach recognizes that neglect or underfunding the capital needs of the City results in long-term increased costs.

## *Cost and Schedule*

Please see attached spreadsheet at the end of the memo.

## *Status (See Next Page)*

## *Sustainability*

Sustainability has two concepts that must be acknowledged. The first is the core principle that assets are maintained such that they do not deteriorate to the point of being destroyed or beyond repair. The second concept identifies that the City of Auburn can only afford to sustain a certain annual expense. The job of the staff and Council is to strike that balance the best way possible.

The following chart shows the amount of debt issued and retired over the last fifteen years.

**CAPITAL IMPROVEMENT PROGRAM - Fund 3000**

**CURRENT STATUS OF BONDED PROJECTS**

FY 22-23

Description	Original Budget	Revised Budget	FY 22	FY 23	Total Exp	Encumbered	Unexpended (Over exp)	Notes
			Actual	To Date 3/7/2023				
<b>2021 GO BOND (FY 21-22)</b>								
Airport Snow Removal	125,000.00	125,000.00		125,000.00	125,000.00		-	Completed
Union St/Chestnut Park	90,000.00	90,000.00	90,000.00		90,000.00		-	Completed
Hasty HVAC/Efficiency	375,000.00	375,000.00			-	253,668.00	121,332.00	
Comp Plan Property Acquisition	800,000.00	800,000.00	7,411.63	789,555.32	796,966.95	3,033.05	0.00	Completed
Pettingill Ball Field Renovation	350,000.00	350,000.00	330,675.00	8,989.69	339,664.69		10,335.31	
Park Upgrades	50,000.00	50,000.00	50,000.00		50,000.00		-	Completed
Airport East Side Ramp	78,750.00	78,750.00	78,750.00		78,750.00		-	Completed
Fiber Rollout	43,000.00	43,000.00	43,000.00		43,000.00		-	Completed
Eagle View Oblique	50,000.00	50,000.00	29,695.30	2,078.70	31,774.00	18,226.00	-	
PD-Body Cameras	170,000.00	170,000.00	170,000.00		170,000.00		-	Completed
Festival Plaza Rehab	100,000.00	100,000.00	4,181.00	542.14	4,723.14	819.00	94,457.86	
NSBA Dehumidification	20,000.00	20,000.00	-		-	20,000.00	-	
NSBA RO Water Treatment	35,000.00	35,000.00	-		-		35,000.00	
Public Safety Facility	200,000.00	200,000.00	160,838.33	39,161.67	200,000.00		-	Completed
Major Drainage	725,000.00	725,000.00	-	65,510.61	65,510.61	659,489.39	-	
Rec Playground Upgrade	1,300,000.00	1,300,000.00	10,416.24	547,906.63	558,322.87	200,300.00	541,377.13	
Reclamation	1,275,000.00	1,275,000.00	24,286.09	383,268.08	407,554.17	448,335.21	419,110.62	
Reconstruction	1,000,000.00	1,000,000.00	-	542,427.35	542,427.35	457,572.65	-	
Resurfacing	1,000,000.00	1,000,000.00	679,693.13	62,502.68	742,195.81	295,731.37	(37,927.18)	
MDOT Match	900,000.00	900,000.00	12,000.00	123,739.68	135,739.68	674,856.48	89,403.84	
Fire Air Pack	280,000.00	280,000.00	-	267,754.30	267,754.30	12,245.70	-	
PW 12 YD Pow	232,000.00	232,000.00	216,899.00	15,101.00	232,000.00		-	Completed
PW-Tracked Excavation	260,000.00	260,000.00	260,000.00	-	260,000.00		-	Completed
PW-Tractor Replacement	160,000.00	160,000.00	160,000.00		160,000.00		-	Completed
Police Vehicles	159,000.00	159,000.00	34,580.33	124,419.67	159,000.00		-	Completed
Police Motorcycle	18,000.00	18,000.00	18,000.00		18,000.00		-	Completed
Planning Inspection Vehicle	24,000.00	24,000.00	24,000.00		24,000.00		-	Completed
Fire Apparatus	45,000.00	45,000.00	45,000.00		45,000.00		-	Completed
Fire UTV/Rescue Equipment	30,000.00	30,000.00	6,165.00	23,835.00	30,000.00		-	Completed
Contingency	5,250.00	5,250.00	5,250.00		5,250.00		-	Completed
School Department	1,250,000.00	1,250,000.00	1,076,370.46		1,076,370.46		173,629.54	
<b>Subtotal 2021 Bonds</b>	<b>11,150,000.00</b>	<b>11,150,000.00</b>	<b>3,537,211.51</b>	<b>3,121,792.52</b>	<b>6,659,004.03</b>	<b>3,044,276.85</b>	<b>1,446,719.12</b>	
<b>2022 GO BOND (FY 22-23)</b>								
Auburn Hall Lighting	60,000.00	60,000.00			-		60,000.00	
Dangerous Buildings	120,000.00	120,000.00		58,442.73	58,442.73	47,430.57	14,126.70	
PO-Mobile Printers	50,000.00	50,000.00		24,179.80	24,179.80		25,820.20	
Public Safety Facility	300,000.00	300,000.00			-	32,000.00	268,000.00	
Major Drainage	500,000.00	500,000.00		4,748.80	4,748.80	1,912.50	493,338.70	
Reclamation	1,800,000.00	1,800,000.00			-	1,800,000.00	-	
Reconstruction	1,200,000.00	1,200,000.00			-		1,200,000.00	
Resurfacing	600,000.00	600,000.00			-		600,000.00	
Sidewalks	100,000.00	100,000.00			-		100,000.00	
Enhanced Crosswalks	200,000.00	200,000.00			-		200,000.00	
MDOT Match	1,100,000.00	1,100,000.00		238,514.20	238,514.20		861,485.80	
Downtown Parking & Walkability	148,000.00	148,000.00			-		148,000.00	
12 Yard Plow Truck	520,000.00	520,000.00			-	520,000.00	-	
Street Sweeper	265,000.00	265,000.00		265,000.00	265,000.00		-	Completed
Tractor (haul) Replacemnt	75,000.00	75,000.00		75,000.00	75,000.00		-	Completed
Portable Flagging System	50,000.00	50,000.00		50,000.00	50,000.00		-	Completed
Police Vehicles	165,000.00	301,595.00		169,212.59	169,212.59	108.00	132,274.41	
Contingency	47,000.00	47,000.00		15,685.00				
<b>Subtotal 2022 Bonds</b>	<b>7,300,000.00</b>	<b>7,436,595.00</b>	<b>-</b>	<b>900,783.12</b>	<b>900,783.12</b>	<b>2,401,451.07</b>	<b>4,103,045.81</b>	
<b>TOTAL</b>	<b>18,450,000.00</b>	<b>18,586,595.00</b>	<b>3,537,211.51</b>	<b>4,022,575.64</b>	<b>7,559,787.15</b>	<b>5,445,727.92</b>	<b>5,549,764.93</b>	

## Debt Service Analysis

	Outstanding Debt at Beginning of Fiscal Year	Debt Issued	Debt Retirement	Outstanding Debt at End of Fiscal Year
FY 08-09	\$70,267,000	\$6,430,000	\$8,772,000	\$67,925,000
FY 09-10	\$67,925,000	\$6,500,000	\$8,452,000	\$65,973,000
FY 10-11	\$65,973,000	\$7,900,000	\$8,412,000	\$65,461,000
FY 11-12	\$65,461,000	\$4,500,000	\$8,722,000	\$61,239,000
FY 12-13	\$61,239,000	\$6,207,323	\$7,912,000	\$59,534,323
FY 13-14	\$59,534,323	\$5,625,000	\$8,332,732	\$56,826,591
FY 14-15	\$56,826,591	\$6,800,000	\$8,455,733	\$55,170,858
FY 15-16	\$55,170,858	\$9,950,000	\$12,895,732	\$52,225,126
FY 16-17	\$52,225,126	\$5,030,000	\$8,620,732	\$48,634,394
FY 17-18	\$48,634,394	\$8,500,000	\$8,250,732	\$48,883,662
FY 18-19	\$48,883,662	\$7,655,000	\$8,872,811	\$47,665,851
FY 19-20	\$44,720,000	\$22,900,000	\$7,695,000	\$59,925,000
FY 20-21	\$59,925,000	\$76,445,000	\$24,240,000	\$112,130,000
FY 21-22	\$112,130,000	\$60,070,000	\$8,299,900	\$163,900,100
FY 22-23	\$163,900,100	\$6,800,000	\$12,328,518	\$158,371,582

Average Debt Issued FY 08 - FY 23            \$10,387,909  
 Minus the debt for ELHS new High School

Between FY09 and FY19 the City's total outstanding debt was reduced by **\$22,601,149**. Due to the approval by the State of the New Edward Little High School, In FY 20 through FY 22 the City has borrowed the \$120,000,000 to complete the project. Of this \$120,000,000, the State of Maine will pay the debt service on approximately \$105,000,000, leaving \$15,000,000 to be paid by the City. It is my goal to keep the debt service payments at 12% - 14% of the total operating budget as recommended by our bond advisors. This is the range that bond rating agencies look favorably on. Less than this and the bond rating agencies will feel that we are not addressing our infrastructure needs. And more than this will make them concerned about our ability to repay the debt. These efforts in conjunction with other sound management policies should continue to support or improve the City's bond rating.

Per the State of Maine's state valuation for 2023, below is a table that shows what the City of Auburn's legal debt limitation is as of June 30, 2023. This statutory analysis needs to be reviewed with the understanding of the City's capacity to meet debt service payments.

**CITY OF AUBURN, MAINE**  
**Legal Debt Management**  
**Last Ten Years**

**Computation of Legal Debt Margin**  
**June 30, 2023**

Total State Valuation	\$ 2,607,050,000
Legal Debt Limitation:	
15% of State Valuation	391,057,500

Debt Applicable to Debt Limitation:			Bonded General Obligation Debt		
Legal Maximum		Dollar		As a Percent of	
				Legal	State
Purpose	Percentage	Amount	Amount	Maximum	Valuation
Municipal & School	15.0%	\$ 391,057,500	-	0.00%	0.00%
			\$		
			Margin for Additional Borrowing:	<u><u>391,057,500</u></u>	

**Historical Legal Debt Margin**  
**Last Ten Fiscal Years**

	Legal Debt Limit	Debt Outstanding	Legal Debt Margin	Debt Outstanding/ Legal Debt Limit
	\$			
2007	288,330,000	72,629,000	215,701,000	25.2%
2016	294,015,000	52,225,126	241,789,874	17.8%
2017	297,592,500	48,634,394	248,958,106	16.3%
2018	297,255,000	48,883,662	248,371,338	16.4%
2019	300,330,000	48,082,930	252,247,070	16.0%
2020	315,592,500	59,925,000	255,667,500	14.9%
2021	326,385,000	112,130,000	214,255,000	14.9%
2022	342,300,000	178,342,692	163,957,308	52.1%
2023	391,057,500	159,770,000	231,287,500	40.9%

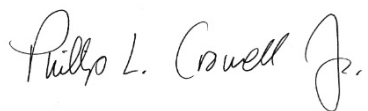
The most significant impact to the City of Auburn's debt service being sustainable is investment in road infrastructure. Auburn's local roads currently have zero funding in the operating budget. In the City's Engineering CIP request there is \$6.0 million recommended for this coming fiscal year. The \$6.0 million, if funding and construction costs remain stable, would result in an ability to reconstruct, reclaim or overlay only 10% of the roads over the next 10 years.

The funding allocated to overlays will proportionally grow as the City's roadways are reconstructed. The overlay acts as a surface maintenance that protects and sustains previous reconstruction and reclamation projects. These funds account for 25% of the current request for the recommended budget but account for 80% of the roads undergoing work.

Capital Investment Director Dan Goyette has said a maintenance program that would stabilize the remaining 90% of local roads would require \$10,000,000 per year. Due to both staff capacity and financial availability this is too much to add to the operating budget in one year.

Finally, I would like to thank the City Finance Director Jill Eastman for her major contribution to the preparation of this memo and her overall assistance with the Five-Year CIP Plan, the FY24 CIP, and the FY24 Budget. The City of Auburn has a capable and dedicated team with sound financial management.

Sincerely,

A handwritten signature in cursive script that reads "Phillip L. Crowell Jr.".

Phillip L. Crowell Jr., City Manager

**CITY OF AUBURN**  
**CITYWIDE FIVE YEAR - CAPITAL IMPROVEMENT PLAN**  
**FY 24 - FY 28**

Description	FY24	FY25	FY26	FY27	FY28
<b>AUBURN-LEWISTON AIRPORT</b>					
Airport Owned T-Hangars	\$ -				
<b>TOTAL AUBURN-LEWISTON AIRPORT</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>CITY CLERK</b>					
Record Restoration	\$ 50,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
Fireproof Vault Construction			\$ 100,000		
<b>TOTAL CITY CLERK</b>	<b>\$ 50,000</b>	<b>\$ 100,000</b>	<b>\$ 200,000</b>	<b>\$ 100,000</b>	<b>\$ 100,000</b>
<b>PLANNING &amp; PERMITTING</b>					
Dangerous Buildings and Junkyard Cleanups	\$ 400,000	\$ 200,000	\$ 100,000	\$ 100,000	
Comprehensive Plan Program	\$ 200,000	\$ 400,000			
Discontinue Municipal Fire Alarm System		\$ 200,000			
Downtown Parking and Walkability-Grant Match		\$ 400,000	\$ 400,000	\$ 400,000	
<b>TOTAL PLANNING AND PERMITTING</b>	<b>\$ 600,000</b>	<b>\$ 1,200,000</b>	<b>\$ 500,000</b>	<b>\$ 500,000</b>	<b>\$ -</b>
<b>CAPITAL INVESTMENT AND PURCHASING</b>					
<b>Facilities</b>					
Auburn Hall Carpet Replacement	\$ 85,000				
Auburn Hall Boiler/Mechanical Upgrades			\$ 865,000		
Hasty HVAC Replacement and Ventilation Upgrades	\$ 550,000				
Auburn Public Library Boiler Replacement		\$ 125,000			
NSBA Exhaust Fan and Control System Upgrade	\$ 68,000				
Ingersoll Field Lighting Replacement	\$ 35,000				
Ingersoll Arena Installation of Air Conditioning				\$ 445,000	
Library HVAC and Controls Upgrade		\$ 630,000			
Public Safety Facility	\$ 3,000,000	\$ 25,000,000	\$ 25,000,000		
Public Works Space Needs Analysis/Addition		\$ 100,000			\$ 3,500,000
Intermodal Facility		\$ 25,000			
Auburn Hall Building Envelope Repairs			\$ 100,000		
Building Management Control System			\$ 200,000		
Public Works Repoint Brick			\$ 100,000		
Auburn Hall Reconfiguration/APD Relocate				\$ 500,000	
PAL Center (new)	\$ 1,500,000	\$ 1,500,000			
Parking		\$ 400,000			
<b>Total Facilities</b>	<b>\$ 5,238,000</b>	<b>\$ 27,780,000</b>	<b>\$ 26,265,000</b>	<b>\$ 945,000</b>	<b>\$ 3,500,000</b>
<b>City wide Vehicles</b>					
Police Vehicle Replacement	\$ 225,500	\$ 265,300	\$ 267,300	\$ 269,300	\$ 271,300
Public Works Replace Car (Ford Ranger)	\$ 25,000				
Recreation Minibus replacement/upgrade	\$ 80,000		\$ 80,000		
<b>Total City-Wide Vehicles</b>	<b>\$ 330,500</b>	<b>\$ 265,300</b>	<b>\$ 347,300</b>	<b>\$ 269,300</b>	<b>\$ 271,300</b>
<b>Engineering</b>					
Reconstruction	\$ 1,500,000	\$ 3,600,000	\$ 1,300,000	\$ 1,400,000	\$ 1,000,000



**CITY OF AUBURN**  
**CITYWIDE FIVE YEAR - CAPITAL IMPROVEMENT PLAN**  
**FY 24 - FY 28**

Description	FY24	FY25	FY26	FY27	FY28
Reclamation	\$ 1,500,000	\$ 1,150,000	\$ 1,000,000	\$ 1,000,000	\$ 1,200,000
Major Drainage	\$ 500,000	\$ -	\$ -	\$ -	\$ -
MDOT Match	\$ 1,500,000	\$ 1,100,000	\$ 1,000,000	\$ 1,000,000	\$ 1,200,000
Resurfacing	\$ 750,000	\$ 900,000	\$ 1,000,000	\$ 700,000	\$ 300,000
Retaining Walls	\$ 250,000	\$ 444,000	\$ 40,000		
Pavement Assessment	\$ 100,000				
<b>Total Engineering</b>	<b>\$ 6,100,000</b>	<b>\$ 7,194,000</b>	<b>\$ 4,340,000</b>	<b>\$ 4,100,000</b>	<b>\$ 3,700,000</b>
<b>TOTAL CAPITAL INVESTMENTS &amp; PURCHASING</b>	<b>\$ 11,668,500</b>	<b>\$ 35,239,300</b>	<b>\$ 30,952,300</b>	<b>\$ 5,314,300</b>	<b>\$ 7,471,300</b>
<b><u>FIRE DEPARTMENT</u></b>					
<b>Fire</b>					
Apparatus Replacement	\$ 60,000	\$ 785,000	\$ 60,000	\$ 50,000	
Fire Hose Replacement			\$ 40,000		
Extrication equipment replacement	\$ 50,000				
Air-pac replacement					
Rescue Boat Replacement		\$ 30,000			
AEDs for Police & Fire	\$ 45,000				
Cascade air fill station system replacement			\$ 60,000		
Rescue Trailer	\$ 15,000				
<b>Total Fire</b>	<b>\$ 170,000</b>	<b>\$ 815,000</b>	<b>\$ 160,000</b>	<b>\$ 50,000</b>	<b>\$ -</b>
<b>EMS</b>					
Ambulance Replacement	\$ 450,000	\$ 170,000		\$ 180,000	
Cardiac monitors	\$ 47,000	\$ 70,000	\$ 70,000	\$ 70,000	
Stretcher Replacement		\$ 30,000		\$ 32,000	
Chest Compression Systems	\$ 21,000				
<b>Total EMS</b>	<b>\$ 518,000</b>	<b>\$ 270,000</b>	<b>\$ 70,000</b>	<b>\$ 282,000</b>	<b>\$ -</b>
<b>TOTAL FIRE DEPARTMENT</b>	<b>\$ 688,000</b>	<b>\$ 1,085,000</b>	<b>\$ 230,000</b>	<b>\$ 332,000</b>	<b>\$ -</b>
<b><u>INFORMATION TECHNOLOGY</u></b>					
Security Camera Project	\$ 50,000				
<b>TOTAL INFORMATION TECHNOLOGY</b>	<b>\$ 50,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b><u>LA911 (Auburn's share)</u></b>					
Server Infrastructure Replacement	\$ 150,000				
Communications Center				\$ 1,250,000	
Dispatch Center HVAC			\$ 100,000		
<b>TOTAL LA911</b>	<b>\$ 150,000</b>	<b>\$ -</b>	<b>\$ 100,000</b>	<b>\$ 1,250,000</b>	<b>\$ -</b>
<b><u>NSBA</u></b>					
Gold Series Stadium Charis (750 w/rack)		\$ 100,000	\$ 100,000		
Rehab Front Desk to Ticket Office	\$ 50,000				
Rubber Flooring, Front Lobby w/ new Logo, Locker room area	\$ 100,000				
Rubber Flooring, Mezzanine and Rink 1 and 2		\$ 100,000			

**CITY OF AUBURN**  
**CITYWIDE FIVE YEAR - CAPITAL IMPROVEMENT PLAN**  
**FY 24 - FY 28**

Description	FY24	FY25	FY26	FY27	FY28
Protective netting Rink 1 and 2			\$ 35,000		
New LED Scoreboards (2)			\$ 100,000		
New Zamboni				\$ 200,000	
New board system w/glass for Rink 2					\$ 300,000
<b>TOTAL NSBA</b>	<b>\$ 150,000</b>	<b>\$ 200,000</b>	<b>\$ 235,000</b>	<b>\$ 200,000</b>	<b>\$ 300,000</b>
<b>POLICE DEPARTMENT</b>					
Cruiser Camera System Replacement				\$ 200,000	
Body worn Cameras					\$ 280,000
Gym Equipment Replacement		\$ 25,000			
Digital Mapping Equipment					\$ 50,000
Patrol Rifle Replacement	\$ 21,000				
Emergency Operations Center Upgrade		\$ 50,000			
TASER Upgrade	\$ 169,000				
Mobile Data Terminal Replacement		\$ 125,000			
Command Vehicle Replacement			\$ 300,000		
<b>TOTAL POLICE DEPARTMENT</b>	<b>\$ 190,000</b>	<b>\$ 200,000</b>	<b>\$ 300,000</b>	<b>\$ 200,000</b>	<b>\$ 330,000</b>
<b>PUBLIC WORKS</b>					
<b>Public Works</b>					
Replace 7-yard plow trucks (plowing/sanding and roadway maintenance)	\$ 601,600	\$ 601,000	\$ 902,000	\$ 601,000	\$ 1,203,200
Replace 12-yard plow trucks (plowing/sanding and roadway maintenance)				\$ 700,000	
Replace front end loader (loading materials and snow removal)	\$ 250,000		\$ 250,000	\$ 500,000	
Weather Station		\$ 47,150			
Grader			\$ 450,000		\$ 450,000
Weekingtech Foam Stream		\$ 35,300			
Replace One Ton Truck with Plow (2)	\$ 150,000	\$ 70,000		\$ 70,000	\$ 70,000
Replace 3/4 Ton Pickup w Plow		\$ 160,000	\$ 80,000	\$ 50,000	\$ 90,000
Hot Box Pavement Reclaimer			\$ 50,000		
Backhoe		\$ 185,000			
Replace sidewalk tractor (sidewalk maintenance and mowing)		\$ 170,000	\$ 170,000	\$ 170,000	
Longley Park Renovation		\$ 110,500			
Scorpion Trailer Crash Pad (Safety)		\$ 50,000			
Ventrac Machine with Attachments		\$ 48,000			
Hay Bale Chopper (Erosion Control)	\$ 10,000	\$ 10,000			
Trench Box		\$ 15,000			
Drone		\$ 20,000			
Replace Vactor Truck		\$ 525,000			
Pressure Washer for Wash Bay		\$ 50,000			
Replace Western Star Pulp Truck				\$ 275,000	
Replace Chipper		\$ 80,000			

**CITY OF AUBURN**  
**CITYWIDE FIVE YEAR - CAPITAL IMPROVEMENT PLAN**  
**FY 24 - FY 28**

Description	FY24	FY25	FY26	FY27	FY28
Replace Loader Mounted Snow Blower					\$ 150,000
Field GPS Painter		\$ 63,000			
Electrical Division - Vehicle Replacement		\$ 50,000			
Electrical Division - Bucket Truck Replacement					
Upper Pettengill Light Replacement			\$ 300,000		
Replace Softball Field Wall Pads			\$ 11,000	\$ 11,000	
Mount Auburn Ave Retaining Wall Replacement		\$ 185,250			
Repair Brick Sidewalk-Main St		\$ 262,700			
<b>TOTAL PUBLIC WORKS</b>	<b>\$ 1,011,600</b>	<b>\$ 2,737,900</b>	<b>\$ 2,213,000</b>	<b>\$ 2,377,000</b>	<b>\$ 1,963,200</b>
<b>RECREATION &amp; SPORTS FACILITIES</b>					
<b>Recreation</b>					
Update Basketball Court Logo	\$ 35,000				
Senior Center Building Upgrades and Repairs	\$ 10,000		\$ 10,000		\$ 10,000
Equipment Repairs Ingersoll	\$ 10,000		\$ 10,000		\$ 10,000
Replace Turf at Ingersoll			\$ 300,000		
<b>TOTAL RECREATION &amp; SPORTS FACILITIES</b>	<b>\$ 55,000</b>	<b>\$ -</b>	<b>\$ 320,000</b>	<b>\$ -</b>	<b>\$ 20,000</b>
<b>TRANSPORTATION</b>					
Traffic Calming and Pedestrian Safety	\$ 200,000				
<b>TOTAL TRANSPORTATION</b>	<b>\$ 200,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>EDUCATION (See attached list)</b>					
<b>TOTAL CIP</b>	<b>\$ 14,813,100</b>	<b>\$ 40,762,200</b>	<b>\$ 35,050,300</b>	<b>\$ 10,273,300</b>	<b>\$ 10,184,500</b>

**CITY OF AUBURN  
CAPITAL IMPROVEMENT PLAN  
FY 23 - 24 Only**

Description	Bonds	Operating	Other
<b>CITY CLERK</b> Record Restoration	\$ 50,000		
<b>TOTAL CITY CLERK</b>	<b>\$ 50,000</b>	<b>\$ -</b>	<b>\$ -</b>
<b>PLANNING &amp; PERMITTING</b>			
Dangerous Building Demolition	\$ 400,000		
Comprehensive Plan Program	\$ 200,000		
<b>TOTAL PLANNING AND PERMITTING</b>	<b>\$ 600,000</b>	<b>\$ -</b>	<b>\$ -</b>
<b>CAPITAL INVESTMENT AND PURCHASING</b>			
<b>Facilities</b>			
PAL Center (new)	\$ 1,500,000		
Public Safety Facility	\$ 3,000,000		
Carpet Replacement - Auburn Hall	\$ 85,000		
NSBA Exhaust Fan and Control System Upgrade			\$ 68,000
Hasty HVAC Replacement and Ventilation Upgrades			\$ 550,000
Ingersoll Field Lighting Replacement		\$ 35,000	
<b>Total Facilities</b>	<b>\$ 4,585,000</b>	<b>\$ 35,000</b>	<b>\$ 618,000</b>
<b>City wide Vehicles</b>			
Police Vehicle Replacement	\$ 225,500		
Public Works-Vehicle Replacement	\$ 25,000		
Recreation Minibus replacement/upgrade	\$ 80,000		
<b>Total City-Wide Vehicles</b>	<b>\$ 330,500</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Transportation</b>			
Traffic Calming and Pedestrian Safety	\$ 200,000		
<b>Total Transportation</b>	<b>\$ 200,000</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Engineering</b>			
Reconstruction	\$ 1,500,000		
Reclamation	\$ 1,500,000		
Major Drainage	\$ 500,000		
MDOT Match	\$ 1,500,000		
Resurfacing	\$ 750,000		
Retaining Walls	\$ 250,000		
Pavement Assessment		\$ 100,000	
<b>Total Engineering</b>	<b>\$ 6,000,000</b>	<b>\$ 100,000</b>	<b>\$ -</b>
<b>TOTAL CAPITAL INVESTMENTS &amp; PURCHASING</b>	<b>\$ 11,115,500</b>	<b>\$ 135,000</b>	<b>\$ 618,000</b>

**CITY OF AUBURN  
CAPITAL IMPROVEMENT PLAN  
FY 23 - 24 Only**

Description	Bonds	Operating	Other
<b><u>FIRE &amp; EMS</u></b>			
<b>Fire</b> Apparatus Replacement	\$ 60,000		\$ -
Extrication Equipment	\$ 50,000		
Rescue Trailer	\$ 15,000		
	<b>\$ 125,000</b>	<b>\$ -</b>	<b>\$ -</b>
<b>EMS</b> Ambulance Replacement			\$ 450,000
AEDs for Police and Fire			\$ 45,000
Cardiac monitors			\$ 47,000
Chest Compression Systems			\$ 21,000
	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 563,000</b>
<b>TOTAL FIRE AND EMS</b>	<b>\$ 125,000</b>	<b>\$ -</b>	<b>\$ 563,000</b>
<b><u>INFORMATION TECHNOLOGY</u></b>			
Security Camera Project	\$ 50,000		
<b>TOTAL IT</b>	<b>\$ 50,000</b>	<b>\$ -</b>	<b>\$ -</b>
<b><u>LA 911</u></b> Server Infrastructure Replacement	\$ 150,000		
<b>TOTAL LA911</b>	<b>\$ 150,000</b>	<b>\$ -</b>	<b>\$ -</b>
<b><u>NSBA (Norway Savings Bank Arena)</u></b>			
Rehab front desk to Ticket Office		\$ 50,000	
Rubber Flooring, Front Lobby w/new Logo, Locker room area	\$ 100,000		
<b>TOTAL NSBA</b>	<b>\$ 100,000</b>	<b>\$ 50,000</b>	<b>\$ -</b>
<b><u>POLICE</u></b>			
Patrol Rifle Replacement	\$ 21,000		
TASER Upgrade	\$ 169,000		
<b>TOTAL POLICE</b>	<b>\$ 190,000</b>	<b>\$ -</b>	<b>\$ -</b>
<b><u>PUBLIC WORKS</u></b>			
<b>2</b> Replace 12-yard plow trucks (plowing/sanding and roadway maintenance)	\$ 601,600		
<b>1</b> Replace Front End Loader	\$ 250,000		
<b>3</b> Replace One ton truck w/plow (2)	\$ 150,000		
<b>4</b> Hay Bale Chopper (Erosion Control)		\$ 10,000	
<b>TOTAL PUBLIC WORKS</b>	<b>\$ 1,001,600</b>	<b>\$ 10,000</b>	<b>\$ -</b>

**CITY OF AUBURN  
CAPITAL IMPROVEMENT PLAN  
FY 23 - 24 Only**

Description	Bonds	Operating	Other
<b>RECREATION &amp; SPORTS FACILITIES</b>			
<b>Recreation</b>			
Update Basketball Court Logo	\$ 35,000		
Senior Center Building Upgrades and Repairs			\$ 10,000
Equipment Repairs Ingersoll		\$ 10,000	
<b>TOTAL RECREATION AND SPORTS FACILITIES</b>	<b>\$ 35,000</b>	<b>\$ 10,000</b>	<b>\$ 10,000</b>
<b>EDUCATION (See attached list)</b>	<b>\$ -</b>		
<b>TOTAL CIP</b>	<b>\$ 13,417,100</b>	<b>\$ 205,000</b>	<b>\$ 1,191,000</b>

**CITY WIDE  
CAPITAL IMPROVEMENT PLAN  
FY 24 BONDS**

Description			Page
City Clerk	Record Restoration	\$ 50,000	16
Econ Dev & Planning	Dangerous Building Demolition	\$ 400,000	17
Econ Dev & Planning	Comprehensive Plan Program	\$ 200,000	18
Facilities	PAL Center	\$ 1,500,000	
Facilities	Public Safety Facility	\$ 3,000,000	19
Facilities	Carpet Replacement - Auburn Hall	\$ 85,000	20
City Wide Vehicles	Police Vehicle Replacement	\$ 225,500	21
City Wide Vehicles	Public Works-Vehicle Replacement	\$ 25,000	22
City Wide Vehicles	Recreation Minibus Replacement	\$ 80,000	23
Transportation	Traffic Calming and Pedestrian Safety	\$ 200,000	24
Engineering	Reclamation	\$ 1,500,000	25
Engineering	Reconstruction	\$ 1,500,000	26
Engineering	Major Drainage	\$ 500,000	27
Engineering	MDOT Match	\$ 1,500,000	28
Engineering	Resurfacing	\$ 750,000	29
Engineering	Retaining Walls	\$ 250,000	30
Fire	Apparatus Replacement	\$ 60,000	31
Fire	Excavation Equipment	\$ 50,000	32
Fire	Rescue Trailer	\$ 15,000	33
IT	Security Camera Project	\$ 50,000	34
LA911	Server Infrastructure Replacement	\$ 150,000	35
NSBA	Rubber Flooring, Front Lobby and Locker Room Area	\$ 100,000	36
Police	Patrol Rifle Replacement	\$ 21,000	37
Police	TASER Upgrade	\$ 169,000	38
Public Works	Replace 12-yard plow trucks	\$ 601,600	39&40
Public Works	Replace Front End Loader	\$ 150,000	41
Public Works	Replace One ton truck w/ plow	\$ 250,000	42
Recreation	Update Basketball Court w/new logo	\$ 35,000	43
Administration	Contingency	\$ 82,900	
<b>TOTAL CIP</b>		<b>\$ 13,500,000</b>	

**CITYWIDE  
CAPITAL IMPROVEMENT PLAN  
FY 24 Other Funds**

Description		Funds		Page
Facilities	NSBA Exhaust Fan and Control System	ARPA	\$ 68,000	44
Facilities	Hasty HVAC Replacement & Ventilation	ARPA	\$ 550,000	45
EMS	Ambulance Replacement	EMS Capital Reserve	\$ 450,000	46
EMS	AEDs for Police and Fire	ARPA	\$ 45,000	
EMS	Cardiac Monitors	EMS Capital Reserve	\$ 47,000	47
EMS	Chest Compression Systems	EMS Capital Reserve	\$ 21,000	48
Senior Center FB	Building Upgrades and Repairs	Senior Center FB	\$ 10,000	49
<b>TOTAL CIP</b>			<b>\$ 1,191,000</b>	





**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: High

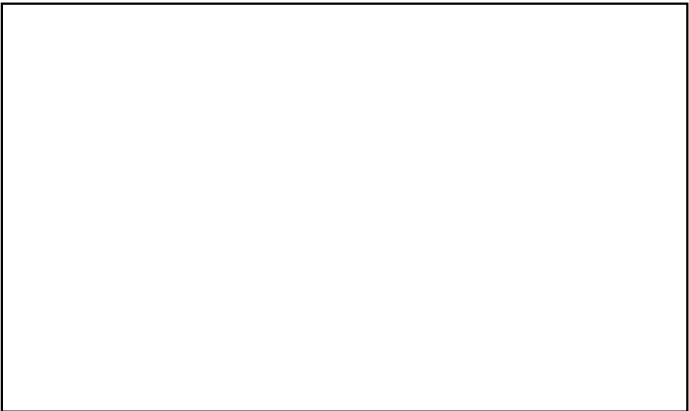
**Project Title:** Record Restoration

Project Purpose: Restore and protect all of the City's old records

**Department:** City Clerk

**Project Description:**

Binding and preserving the City's old records of Council Minutes, etc.



**Location:** City Clerks Vault

**Justification:**

We are required by Statute to keep these records forever.

**Useful Life:** 20 yrs

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 50,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 450,000



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: High

**Project Title:** Dangerous Buildings and Junkyard Cleanups

Project Purpose: Removal of Dangerous conditions from properties

**Department:** Planning & Permitting

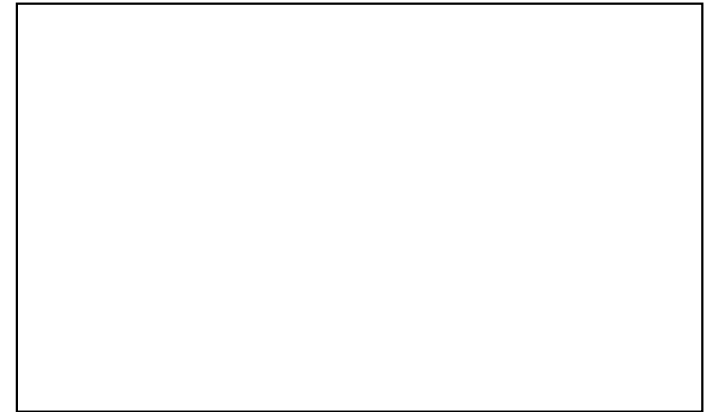
**Project Description:**

We have completed two more junkyard cleanups at tax acquired properties in 2022 2 (1865 Hotel 145 Eastman Lane). We will be pursuing cleanup at 250 Hackett Road Junkyard in 2023/2024 and have a condemned building at 100 Hampshire Street that may require demolition. Others may come to our attention in any given year due to complaints, fire, or damage. We attempt to recoup costs from the sale of property and special tax filings but need to address the safety and

**Location:**

**Justification:**

Without these funds we will not be able to address dangerous buildings or illegal junkyard cleanups.



**Useful Life:**

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 400,000	\$ -	\$ -	\$ -	\$ -	\$ 400,000



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: High

**Project Title:** Comprehensive Plan Program Implementation

**Project Purpose:** Implement Elements of the Comprehensive Plan Prioritized by

**Department:** Planning & Permitting

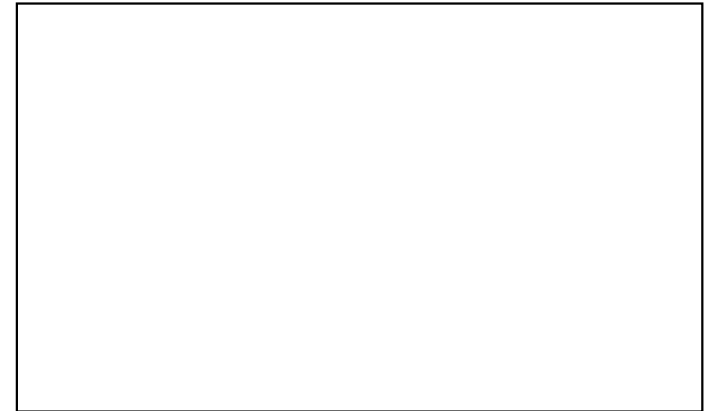
**Project Description:**

Comprehensive Plan Implementation Program-Council reserved funding for priority comprehensive plan efforts and property acquisition when opportunities present themselves. Past years projects include ballfields design, Mapping services for Comp Plan Update and printing updated plan, Lake Auburn Study.

**Location:**

**Justification:**

Without these funds we will not be able to implement comprehensive and strategic plan initiatives. If there is not funding available, the Council will need to budget for priorities next year and that does not place the City in a Competitive position for a property that may become available during the year. Council will be asked to vote to allocate this funding to specific efforts during the year.



**Useful Life:**

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 200,000	\$	- \$	- \$	-	\$ 200,000



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: Very High

**Project Title:** Public Safety Facility

Project Purpose:

**Department:** Capital Investment and Purchasing

**Project Description:**

Half of cost for Engine 2 reconstruction.

**Location:**

**Justification:**

Existing facility is beyond useful life.

**Useful Life:**

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 3,000,000	\$ 25,000,000	\$ 25,000,000		\$ -	\$ 53,000,000

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**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: Very High

**Project Title:** Auburn Hall Carpet Replacement

Project Purpose: Facility Maintenance

**Department:** Capital Investment and Purchasing

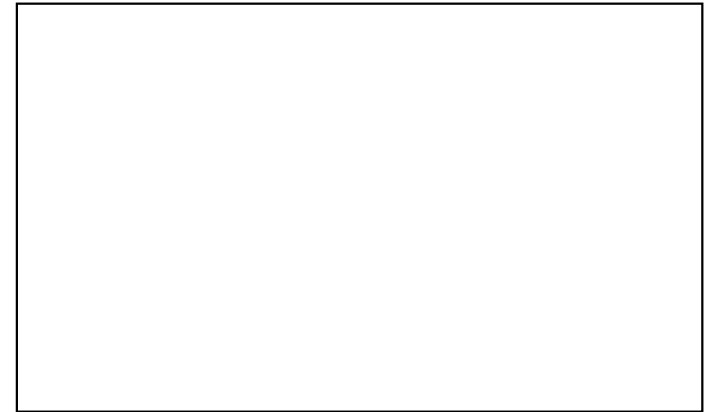
**Project Description:**

Replace existing carpet on 1st and 2nd floors with new carpet tiles.

**Location:** Auburn City Hall

**Justification:**

Existing carpet is old, stained and worn out.



**Useful Life:**

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 85,000	\$ -	\$ -	\$ -	\$ -	\$ 85,000



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: Very High

**Project Title:** Scheduled Fleet Replacement

Project Purpose: Vehicle Replacement

**Department:** Police

**Project Description:**

Scheduled replacement of four police vehicles.

**Location:** Police Department

**Justification:**

The department has established a three-year life cycle for the patrol fleet and a five to seven year life cycle for support vehicles. Due to previous budget cuts, the service life of some patrol vehicles has been extended. This has increased vehicle repair costs significantly while drastically reducing trade-in value. The department will trade out a 2012 vehicle, a 2015 vehicle and two 2016 vehicles. The department will purchase four new vehicles. one of which will be an electric vehicle for Support Services / CID.



**Useful Life:** Five Years

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ -	\$ 225,500	\$ -	\$ -	\$ -	\$ 225,500



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: High

**Project Title:** Electric Vehicle

Project Purpose: Replace worn-out equipment

**Department:** Public Works

**Project Description:**

Replace Ford Ranger pick-up truck with Electric Vehicle and install charging station at Public Works

**Location:** Woodbury Brackett Municipal Garage

**Justification:**

This unit would replace unit 89 a Ford Ranger pick-up truck.



**Useful Life:** 10

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ 25,000



**City of Auburn, Maine  
 FY 2024 Capital Improvement Program  
 Project Description Worksheet**

**Fiscal Year:** 2024

Priority: High

**Project Title:** New Minibus

Project Purpose: Replace "Age-Friendly" Mini Bus with a new one

**Department:** Recreation

**Project Description:** Current Minibus used for senior trips is in-need of many repairs and is currently unsafe to take on long trips. We are looking to replace that Minibus with a new one. Looking to add an additional \$2,500 to cover the possible repair costs in 2-3 years.

**Location:** Auburn Senior Community Center

**Justification:** Senior/age-friendly trips are limited to the space we have on our minibusses. With our before & aftercare program that limits the use of that "Rec" minibus to 9-2PM Mon-Fri. Having another reliable bus will ensure that all programs get the proper and safe transportation.



**Useful Life:** 5-10 years

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 80,000	\$ -	\$ 2,500	\$ -		\$ 82,500





**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

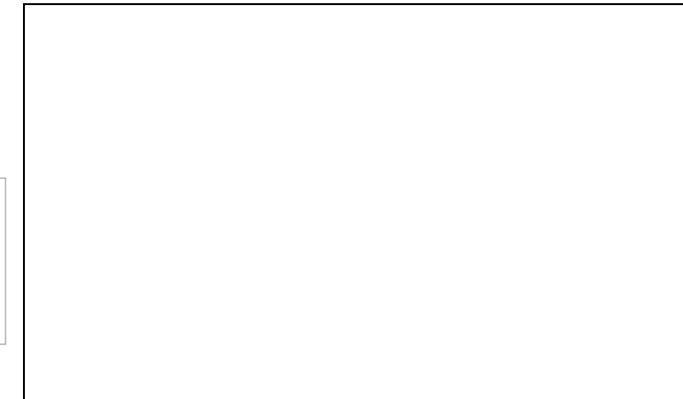
**Fiscal Year:** 2024

Priority: High

**Project Title:** Traffic Calming and Pedestrian Safety

Project Purpose: To create targeted funds for neighborhood-initiated traffic calming

**Department:** Transportation



**Project Description:**

Modeling after the FY23 City Council amended request, these funds would be available to support the implementation of traffic calming and pedestrian safety efforts that align with neighborhood-initiated requests.

**Location:** Various locations throughout the City

**Justification:**

Traffic calming and pedestrian safety are regular requests from Councilors and citizens city-wide. A dedicated fund of capital resources, aligned with policies to manage requests for safety evaluations, will improve livability in the city and support the Reclaiming our Streets recommendation in the strategic plan.

**Useful Life:**

	<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$	200,000	\$ -	\$ -	\$ -	\$ -	\$ 200,000



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: Very High

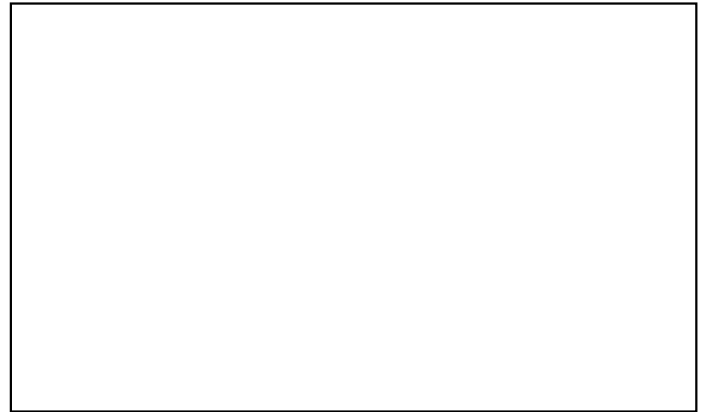
**Project Title:** Road Reclamation

Project Purpose: Street Improvement

**Department:** Capital Investment and Purchasing

**Project Description:**

Hersey Hill Road from North Auburn Road to Minot Town Line.  
 Harmon's Corner Road from South Witham Road to Pownal Road.



**Location:** Various

**Justification:**

These road segments have low Pavement Condition Ratings and are in need of repair. These roads are good candidates for reclamation, where existing road base is utilized, and the road grade is raised.

**Useful Life:** 20 Years

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 1,500,000	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: Very High

**Project Title:** Road Reconstruction

Project Purpose: Street Improvement

**Department:** Capital Investment and Purchasing

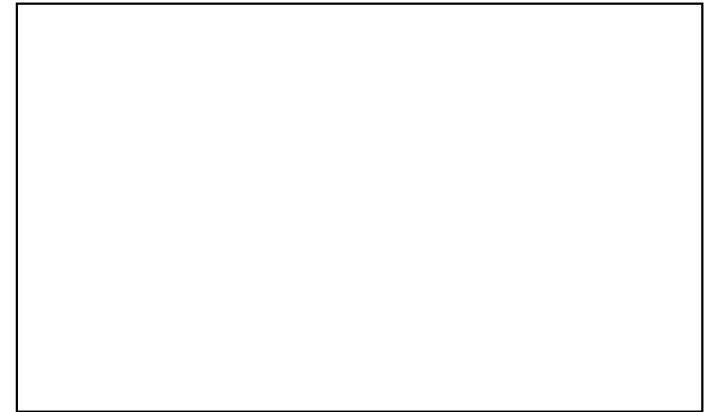
**Project Description:**

Fourth Street from South Main Street to End.  
 Dunn Street from South Main Street to Second Street.  
 Loring Street from South Main Street to Seventh Street.  
 Marian Drive from Sherwood Drive to Broad Street.

**Location:** Various

**Justification:**

These road segments have low Pavement Condition Ratings and are in need of repair. These sections will require restoration of the road base, closed drainage system, curbing and sidewalks.



**Useful Life:** 20 Years

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 2,100,000	\$ -	\$ -	\$ -	\$ -	\$ 2,100,000



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: Very High

**Project Title:** Major Drainage

Project Purpose: State Mandate

**Department:** Capital Investment and Purchasing

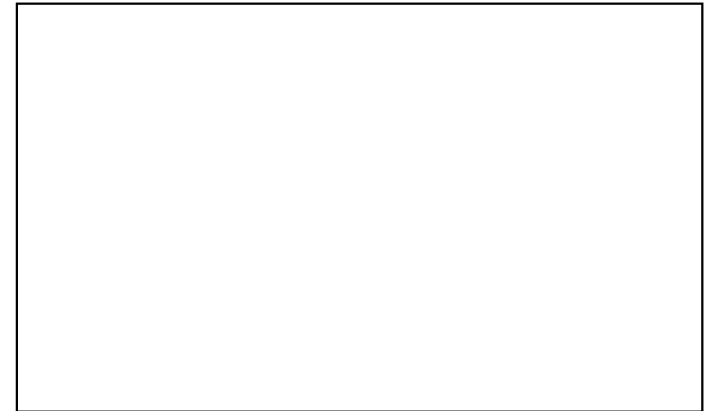
**Project Description:**

This item covers the MS4 Storm water permit regulations and drainage asset management. In addition, it would allow us to make repairs to existing systems that were identified as part of our storm water infrastructure assessment as failing.

**Location:** Various

**Justification:**

The City is required by MDEP to follow storm water regulations and annual reporting. The City is also mapping its storm water infrastructure inventory for future planning.



**Useful Life:**

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ 500,000



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: Very High

**Project Title:** MDOT Match

Project Purpose: Street Improvement

**Department:** Capital Investment and Purchasing

**Project Description:**

This would provide the match for the MPI program (\$825,000) which would reconstruct a State Aid Road. The additional \$\$\$\$ is to provide match money for STIP projects.



**Location:** Various

**Justification:**

The money will provide the matching funds for the MDOT's Municipal Partnership Initiative (50/50) and the matching funds for STIP Projects (80/20). Without these funds the State will not contribute the 50% or the 80% matches.

**Useful Life:** 20 Years

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 1,500,000	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: Very High

**Project Title:** Pavement Resurfacing

Project Purpose: Street Improvement

**Department:** Capital Investment and Purchasing

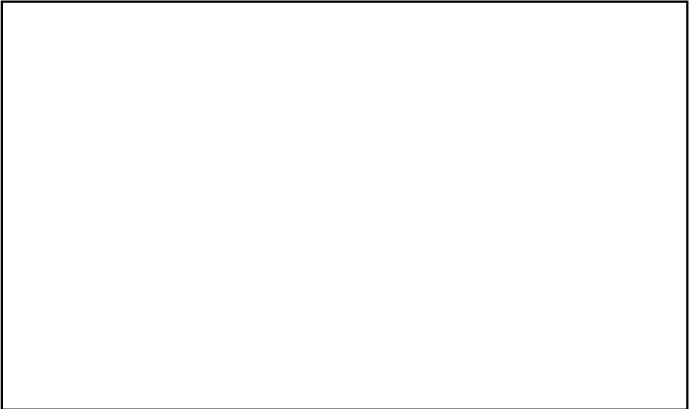
**Project Description:**

Holbrook Road from North Auburn Road to Town Line.  
 South Witham Road from Penley Corner Road to Sopers Mill Road.  
 Maple Hill Road from Dillingham Hill Road to Lakeshore Drive.

**Location:** Various

**Justification:**

This would add about 10 years of life to the roadway, allowing for another resurfacing in the future instead of needing to reconstruct the road at a much more significant cost.



**Useful Life:** 10 Years

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 800,000	\$ -	\$ -	\$ -	\$ -	\$ 800,000



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: Very High

**Project Title:** Retaining Walls

Project Purpose: Street Improvement

**Department:** Capital Investment and Purchasing

**Project Description:**

Repairing a failing dry stacked retaining wall on a corner within the Hillcrest Street corridor. This is a safety project to include a new retaining wall with guardrail.

**Location:** Hillcrest Street

**Justification:**

The current retaining wall is failing and poses a safety concern to motorists and abutting properties.

**Useful Life:** 40 Years

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ 250,000



**City of Auburn, Maine  
 FY 2024 Capital Improvement Program  
 Project Description Worksheet**

**Fiscal Year:** 2024

Priority: High

**Project Title:** Replace unit 320

Project Purpose: Replace worn out equipment

**Department:** Fire

**Project Description:**

To replace a 2014 Ford Explorer which is used as the Chief's vehicle. The project costs include vehicle costs as well as emergency lights, and the cost of a small command console so there will be a back up to our command unit if it is out of service.

**Location:** Fire

**Justification:**

The current vehicle has 125,000 miles on it, needs body repairs and is nearing the end of its reliable life. This project cost also funds a small command console with radios which will be installed and provide redundancy for our primary command SUV when the primary unit is out of service.



**Useful Life:** 10 years

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ 60,000





**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: High

**Project Title:** Extrication tool replacement/upgrade

Project Purpose: Replace tools

**Department:** Fire

**Project Description:**

Replace one full set of hydraulic extrication tools.

**Location:** Fire/Center St. Station

**Justification:**

The departments current extrication tools are over 20 years old and lack the power to cut the high strength components used in today's modern cars. The department has extrication tools on all three front line fire apparatus. This is phase two of a three step plan to upgrade all department extrication tools to work effectively on modern vehicles.

**Useful Life:** 15 years



<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -	\$ 100,000



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: Moderate

**Project Title:** Replace Rescue 1

Project Purpose: Replace Rescue 1 with a trailer

**Department:** Fire

**Project Description:**

This project will replace Rescue 1, Which is a 2001 PL Custom converted ambulance, with 125,000 miles on it. It will be replaced with a 16-foot enclosed trailer. The project costs include the cost of the trailer and all necessary shelving and mounting of the technical rescue equipment currently stored and deployed in Rescue 1.

**Location:** Fire

**Justification:**

Rescue 1 is long overdue for replacement. Moving to a trailer will eliminate an old apparatus from our fleet reducing maintenance costs. The trailer can be stored outside freeing up much needed bay space in the fire station.

**Useful Life:** 20 years



	<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$	<b>15,000</b>	\$ -	\$ -	\$ -	\$ -	\$ <b>15,000</b>



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: High

**Project Title:** Security Camera Project

Project Purpose: Replace outdated equipment

**Department:** IT

**Project Description:**

Auburn Hall parking garage is on schedule to have 12 cameras replaced due to age and advancements in camera technology, along with adding 3 cameras in the Pettengill Park fields.

**Location:** Auburn Hall & Pettengill Park

**Justification:**

The IT department has reviewed the age of cameras and found many needed to be replaced to keep up with security needs within the Parking Garage at Auburn Hall. It was also brought to our attention that we needed more camera footage on a regular basis at Pettengill Park Fields, so we would like to add cameras there.

**Useful Life:**

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ 50,000

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## FY24 Capital Improvement Program Project Description Form

**Project Title:** LA911 Server Infrastructure Replacement

**Operational Funding Division:** LA911                      **Project Name:** Server Replacement

<b>Est. Total Cost FY24:</b>	0	<b>Est. Total Cost FY25-FY28:</b>	300,000
<b>City Share FY24:</b>	0	<b>City Share FY25-FY28:</b>	150,000

**Project Description:**

Planned LA911 Server Infrastructure Replacement. Hardware will be due to be replaced because of end of life (EOL) situations or replaced due to age of equipment, and manufacture support limitations in FY23. The Storage Area Networks (SAN), network switches, and servers that house the datacenter of LA911 will be due to be replaced in FY23. This project includes both the replacement of production site hardware and Disaster Recovery (DR) site hardware with reuse of current equipment as available. We have pushed the project to FY25 to align with planned relocation of the 9-1-1 Center.

**Consistency with the Comprehensive or Strategic Plans or other related planning documents:**

Organizations should proactively develop strategies that leverage resources, anticipate future requirements, and focus on business goals and performance objectives. As technology and other computing platforms become central to supporting the mission of the organization, effective planning for the management of these platforms has become vital.

**Justification for project implementation/construction and segments, if applicable:**

By not staying current with supported hardware and emerging technologies, systems become outdated, obsolete, and lose residual value. There is a high factor of risk involved in falling behind in a datacenter hardware lifecycle management. Potential issues are extended system downtime, data loss, and data corruption.

**Future maintenance costs if known, including contracts and special service requirements:**

All hardware purchased will have a 3 - 5-year life span. Recurring capital expenditure will be required each 3- 5-year cycle.

**How were cost estimates obtained and expenditure commitment:**

Worked with vendor to assess current usage and needs with planned growth and data trends.

### FUNDING SOURCES

Source	Amount				
City Operating Budget					
City Bond Issue	150,000				
Federal/State Funding		<b>Agency:</b> _____	<b>Approval Received?</b>	<u>Yes</u>	<u>No</u>
Other Agency/Municipality	150,000	<b>Agency:</b> _____	<b>Approval Received?</b>	<u>Yes</u>	<u>No</u>
<b>Total Project Costs</b>	<b>300,000</b>				

### IMPLEMENTATION SCHEDULE (Fiscal Years)

	2024	2025	2026	2027	2028	Future
<b>Total Project Cost</b>		300,000				
<b>Non-City Share</b>		150,000				
<b>City Share</b>	0	150,000	0	0	0	0

**Attach on separate page(s)/sheet additional information (if needed)**



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: Very High

**Project Title:** Floor Rubber

Project Purpose:

**Department:** Norway Savings Bank Arena

**Project Description:**

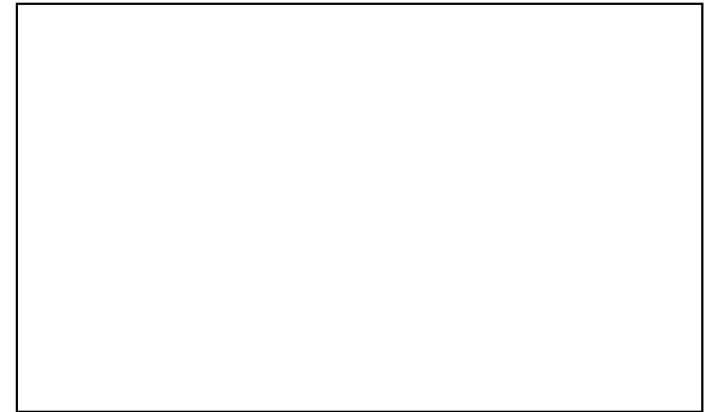
FY 24: To remove and dispose of existing rubber flooring and to supply and install new 3/8" black rubber flooring with light grey 10% color speckle in the locker rooms, coaches' room, locker hallway, referee's room, and main lobby to include installation of new "Norway Savings Bank Arena"

**Location:**

FY 25: Supply and install new 3/8" rubber flooring color black with light grey 10% speckle throughout the a Mezzanine with new black cove base as needed. Remove and dispose of existing rubber flooring and to supply and install new 3/8" black rubber flooring with light grey 10% color speckle in Rink 1 per walk-through. Remove and dispose of existing rubber flooring and to supply and install new 3/8" black rubber flooring with light grey 10% color speckle in Rink 2 per walk-through

**Justification:**

Replacement of wear and tear after ten (10) years



**Useful Life:** 10 years

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 98,875	\$ 113,345	\$ -	\$ -	\$ -	\$ 212,220



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: Very High

**Project Title:** Patrol Rifle Replacement

Project Purpose: Replace worn-out equipment

**Department:** Police

**Project Description:**

Replacement of Patrol Rifles

**Location:** Police Department

**Justification:**

Current Patrol rifles are over 15 years old and have reached the end of their service life. New rifles will also include a noise suppressor to reduce hearing loss exposure to officers. 22 rifles will be purchased. The original project was partially funded in FY23 at \$17,500 with the understanding the second half would be funded in FY24.



**Useful Life:** 15 Years

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 21,000	\$ -	\$ -	\$ -	\$ -	\$ 21,000



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: High

**Project Title:** TASER Replacement Project

Project Purpose: Replace worn-out equipment

**Department:** Police

**Project Description:**

Replace 55 TASER X26P units with TASER 7 units

**Location:** Police Department

**Justification:**

The TASER X26P has reached the end of its service life and will no longer be serviced by AXON. The TASER 7 is the model that Axon has transitioned to. TASER 7 is available as a \$55.32 per month, per unit subscription that includes the TASER weapon, docks, batteries and cartridges, integration with Axon Evidence, full user training and certification for five years.



**Useful Life:**

5 Years

	<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$	<b>186,000</b>	\$ -	\$ -	\$ -	\$ -	\$ 186,000



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: High

**Project Title:** Replace Single Axle Dump Truck

Project Purpose: Replace worn-out equipment

**Department:** Public Works

**Project Description:**

This unit is used for plowing and sanding/salting in winter months and is used to move material to and from APW job sites in the summer months.

**Location:** Woodbury Brackett Municipal Garage

**Justification:**

This would replace unit 7- single axle dump truck with plow and wing.



**Useful Life:** 10 yrs

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 300,800	\$ -	\$ -	\$ -	\$ -	\$ 300,800





**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: High

**Project Title:** Replace Single Axle Dump Truck

Project Purpose: Replace worn-out equipment

**Department:** Public Works

**Project Description:**

This unit is used for plowing and sanding/salting in winter months and is used to move material to and from APW job sites in the summer months.

**Location:** Woodbury Brackett Municipal Garage

**Justification:**

This would replace unit 16-single axle dump truck with plow and wing.



**Useful Life:** 10yrs

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 300,800	\$ -	\$ -	\$ -	\$ -	\$ 300,800



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: High

**Project Title:** Replace Bucket Loader

Project Purpose: Replace worn-out equipment

**Department:** Public Works

**Project Description:**

Replace 1999 John Deere Wheeled Bucket Loader

**Location:** Woodbury Brackett Municipal Garage

**Justification:**

The loader is used in winter operations for snow removal, loading trucks with sand and salt, and plowing as it's available. The 1999 loader is useful life and needs replacement.



**Useful Life:** 15 yrs

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: High

**Project Title:** One Ton Truck

Project Purpose: Replace worn-out equipment

**Department:** Public Works

**Project Description:**

Replace one ton truck with plow and sander.

**Location:** Woodbury Brackett Municipal Garage

**Justification:**

This unit would replace unit 33 a 2009 one ton.

**Useful Life:** 10

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000

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**City of Auburn, Maine  
FY 2024 Capital Improvement Program  
Project Description Worksheet**

**Fiscal Year:** 2024

**Priority:** Low

**Project Title:** Basketball Court Logo Update

**Project Purpose:** Refinish basketball court and add rebranded Auburn Recreation logo

**Department:** Recreation

**Project Description:**

Replace old logo with rebranded logo - would include shaving down entire court and cleaning off old lines.

**Location:** Hasty Community Center

**Justification:**

Current logo is 10 years old and does not resemble our current logo or brand. Cost would include the annual cleaning that the floor gets so that would be taken off FY 24 budget. This quote also includes the cost of relining the court for pickleball, volleyball and basketball.



**Useful Life:** 15 years

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 35,000	\$ -	\$ -	\$ -	\$ -	\$ 35,000



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: Very High

**Project Title:** NSBA Exhaust Fan and Control System Upgrade

Project Purpose: Facility Maintenance

**Department:** Capital Investment and Purchasing

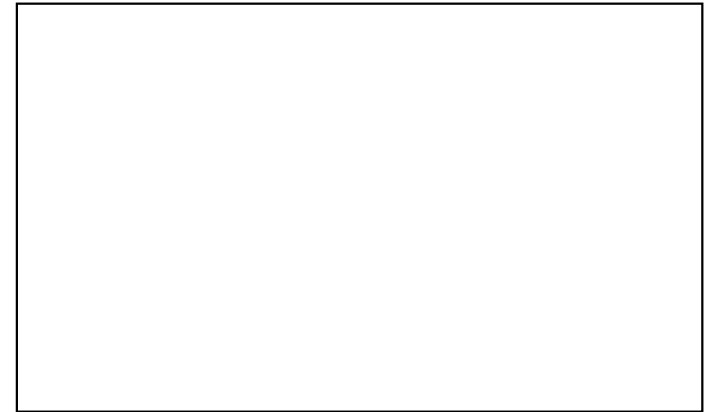
**Project Description:**

Replace locker room exhaust fan and perform control system upgrades

**Location:** Norway Savings Bank Arena

**Justification:**

System was never properly commissioned when building was opened.



**Useful Life:**

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 68,000	\$ -	\$ -	\$ -	\$ -	\$ 68,000

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**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: Very High

**Project Title:** Hasty HVAC Replacement and Ventilation Upgrades

Project Purpose: Facility Maintenance

**Department:** Capital Investment and Purchasing

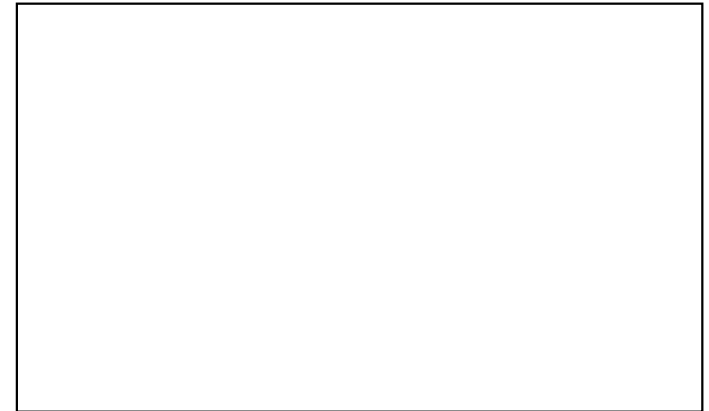
**Project Description:**

Install new HVAC system in Hasty.

**Location:** Hasty

**Justification:**

No air conditioning exists and existing heating system is failing. Air quality is also poor.



**Useful Life:**

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 550,000	\$ -	\$ -	\$ -	\$ -	\$ 550,000



**City of Auburn, Maine  
 FY 2024 Capital Improvement Program  
 Project Description Worksheet**

**Fiscal Year:** 2024

Priority: High

**Project Title:** Ambulance Purchase

Project Purpose: New equipment to meet service needs

**Department:** EMS

**Project Description:**

Purchase one ambulance.

**Location:** Fire

**Justification:**

As call volumes continue to increase, Auburn EMS has reached the point where we must begin to staff a third ambulance to meet the service demands of the City. To prepare for having three staffed units, we must increase our fleet of ambulances. The current lead time from the ambulance vendor for a new ambulance is 18-24 months. It is important that we make this purchase now to have the ambulance before the service demands exceed our ability to respond.



**Useful Life:** 10 years

Cost FY 2024	Cost FY 2025	Cost FY 2026	Cost FY 2027	Cost FY 2028	Total Cost
\$ 450,000	\$ -	\$ -	\$ -	\$ -	\$ 450,000



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: High

**Project Title:** Cardiac Monitor

Project Purpose: Add one additional system to department capabilities

**Department:** EMS

**Project Description:**

Purchase one Cardiac Monitor.

**Location:** Fire

**Justification:**

Cardiac monitors allow EMS providers to monitor and document patient heart function as well as to defibrillate (shock) a patient's heart during severe cardiac events. This is required equipment on all licensed ambulances. This purchase is in preparation for adding a third response ambulance to meet increasing call volumes and increased patient demands for service.



**Useful Life:** 10 years

Cost FY 2024	Cost FY 2025	Cost FY 2026	Cost FY 2027	Cost FY 2028	Total Cost
\$ 47,000	\$ -	\$ -	\$ -	\$ -	\$ 47,000





**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: High

**Project Title:** Chest Compression System

Project Purpose: Add one additional system to department capabilities

**Department:** EMS

**Project Description:**

Purchase one chest compression system.

**Location:** Fire

**Justification:**

Chest compression systems produce much more effective, and consistent compressions during CPR than manual compressions. This can result in better patient outcomes. This purchase is in preparation for adding a third response ambulance to meet increasing call volumes and increased patient demands for service.



**Useful Life:** 10 years

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 21,000	\$ -	\$ -	\$ -	\$ -	\$ 21,000



**City of Auburn, Maine**  
**FY 2024 Capital Improvement Program**  
**Project Description Worksheet**

**Fiscal Year:** 2024

Priority: Low

**Project Title:** Senior Center Upgrades & Repairs

Project Purpose: Replacement of equipment or additional equipment needed

**Department:** Recreation

**Project Description:**

New projector to replace current one, repair the divider wall, funds to help cover any repair costs to AV system. New signage to match rebranding.

**Location:** Auburn Senior Community Center

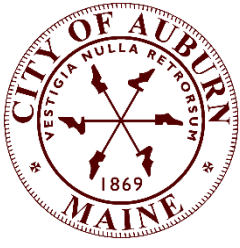
**Justification:**

Building is used almost every day. Making sure funds are available to make quick repairs is crucial to ensure the building stays up and running for not only our own senior programming but also the Senior groups and rentals that we service daily.



**Useful Life:** 2 years

<b>Cost FY 2024</b>	<b>Cost FY 2025</b>	<b>Cost FY 2026</b>	<b>Cost FY 2027</b>	<b>Cost FY 2028</b>	<b>Total Cost</b>
\$ 10,000	\$ -	\$ 10,000	\$ -	\$ 10,000	\$ 30,000



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 3, 2023

**Author:** Eric J. Cousens, Planning and Permitting Director

**Subject:** Update on the licensing process for the Lewiston Falls/Monty Hydro Facility

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**Information:** This is an informational update on the licensing process for the Lewiston Falls/Monty Hydro Facility on the main stem of the Androscoggin in anticipation of the expiration of the existing license in 2026. Our Comprehensive Plan, Strategic Plan, New Auburn Master Plan, the Androscoggin Greenway Plan and ATRC Bridging the Gaps Bicycle and Pedestrian Plans give staff substantive direction and support to advocate for needs, improvements and studies to identify the best way to meet identified needs to mitigate impacts of the facility on the community. The latest submittal is the Study report summarizing the studies completed to date during 2022:

[https://elibrary.ferc.gov/eLibrary/docinfo?accession\\_num=20230302-5205](https://elibrary.ferc.gov/eLibrary/docinfo?accession_num=20230302-5205) . The city and other stakeholders requested recreational, aesthetic, cultural, hydro-facility operational and river flow related studies to ensure that we have the information needed to advocate for mitigation of facility impacts and needs of the community at future stages of the process. The City drafted study requests with stakeholders, including the City of Lewiston and at least 6 other stakeholder groups, to best advocate for Auburn's needs in this process. Most of the requests were included in the Study Plan. Past licensing processes have been more successful when there is coordination and agreement on study needs, rather than conflicting requests from multiple stakeholders. More studies will be completed in 2023 to inform the licensing process. Staff will file a response to reiterate that additional studies as outlined in the Study Plan remain to be completed in 2023, most notably stakeholder involvement in recreational and aesthetic flow studies.

The Pre-Application Document (PAD) was filed in 2021 and is available here:

[https://elibrary.ferc.gov/eLibrary/filelist?accession\\_num=20210804-5115](https://elibrary.ferc.gov/eLibrary/filelist?accession_num=20210804-5115) .

Staff will participate in virtual meetings to review the findings of the 2022 studies on **Wednesday April 5th**. The meetings will be held online (via Microsoft Teams) with a phone-in option. Brookfield (BWPH) will provide login/phone-in information and a more detailed agenda for each meeting to interested parties who plan on attending one or both meetings in advance of the meeting date. In order to plan accordingly, BWPH respectfully requests that agencies or stakeholders who plan on attending one or both meetings RSVP by contacting Jessica Antonez at [Jessica.Antonez@kleinschmidtgroup.com](mailto:Jessica.Antonez@kleinschmidtgroup.com) on or before March 29, 2023.

10 AM - 12 PM Water Quality, Bass Spawning, Fish Assemblage, and Upstream Eel

2 PM - 3:30 PM Recreation and Aesthetics

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**City Budgetary Impacts:** None.

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**Staff Recommended Action:** Update and discussion

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**Previous Meetings and History:** 6.6.2022 Communications(attached), 12.20.2021 Communications

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**City Manager Comments:**

*Phillip Crowell Jr.*

I concur with the recommendation. Signature:

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**Attachments:** 6.6.2022 Communications, Study Meeting Notice



City of Auburn, Maine  
Planning and Permitting Department  
60 Court Street | Auburn, Maine 04210  
[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6601

To: Auburn Mayor and City Council  
From: Eric J. Cousens, Planning and Permitting Director  
Re: Hydropower, Rivers and Dams Update June 6, 2022, Council Meeting  
Date: June 6, 2022, Council Meeting

### **Lewiston Auburn Riverfest**

The Riverfest, sponsored by the Lewiston Auburn Metropolitan Chamber of Commerce, is scheduled for Friday June 17<sup>th</sup> and Saturday June 18<sup>th</sup> and has something to offer for everyone. Last year's event was well attended and a great success. This year offers a kickball tournament, Trek Across Maine welcome, Rowing Regatta, canoe rentals, Beer Garden and Food Trucks.

For a full schedule see the website: <https://discoverlamaine.com/the-riverfest/>

### **Lewiston Falls Monty Hydro Licensing Update**

The Federal Energy Regulatory Commission licenses hydropower facilities. The city may participate and comment on a proposed license as a stakeholder, much like a resident participates in a Planning Board process at a public hearing. We only get a chance to comment on a license renewal every 30 to 50 years so it is important that we advocate for compatibility and even contribution to accomplishing community goals in exchange for using the public's river for private power generating revenues. The FERC process requires the applicant to address fisheries, recreation, water quality and other potential impacts of their operation with equal consideration compared to power generation. Documents related to current and past licensing processes are available here: <https://www.auburnmaine.gov/pages/government/rivers-hydropower> .

We updated the Council in December of 2021 to start to familiarize you with the current relicensing of the Lewiston Falls Monty Hydro Project (FERC P-2302) in preparation for future discussions. The relicensing process has begun for the Lewiston Falls/Monty Hydro Facility on the main stem of the Androscoggin in anticipation of the expiration of the existing license in 2026. Our Comprehensive Plan, Strategic Plan, New Auburn Master Plan, the Androscoggin Greenway Plan and ATRC Bridging the Gaps Bicycle and Pedestrian Plans give staff substantive direction and support to advocate for needs, improvements and studies to identify the best way to meet identified needs to mitigate impacts of project operations on the community. The Pre-Application Document (PAD) has been filed and is available here: [https://elibrary.ferc.gov/eLibrary/filelist?accession\\_num=20210804-5115](https://elibrary.ferc.gov/eLibrary/filelist?accession_num=20210804-5115) . Despite advocacy for a more inclusive *Integrated Licensing Process*, ( [TLP Objection and ILP Request.pdf](#) ) the request for Traditional Licensing Process was approved by FERC for this relicensing and an initial stakeholder meeting was held ahead of schedule (Table 2-1, Page 41 of the linked PAD) in November. The city along with other stakeholders asked for recreational, aesthetic, cultural, hydro-facility operational and river flow related studies to ensure that we have the information needed to advocate for mitigation of facility impacts and needs of the community at future stages

of the process. We submitted study requests with stakeholders, including the City of Lewiston and at least 6 other stakeholder groups, to best advocate for Auburn's needs in December of 2021 ([Study Requests12.31.21](#)). Past licensing processes have been more successful when there is coordination and agreement on study needs, rather than conflicting requests from multiple stakeholders. There will be public meetings and feedback needed from City Council, Committees and potentially legal counsel in the coming few years as we work with Brookfield and FERC on this important 40-year relicensing.

At this stage we have submitted comments on a Preapplication Document, preferred licensing process and a Draft Study Plan ([StudyPlanComments31822.pdf](#)). A Final study Plan was proposed by Brookfield and they have begun the 2022 study season [P2302FinalStudyPlan.pdf](#). Many agencies focused on different aspects of project operations and their impacts on the environment participate in the process. While the City has been supportive of studies requested by Maine DEP, NOAA Fisheries ([NOAA Comments.pdf](#)) and Maine IFW related to water quality and fisheries improvement our focus has been on recreation, aesthetics of the falls and access for the public. Water quality, historic resources and fisheries are important to the City's overall recreational goals, but State and Federal Agencies are well equipped to for strong participation on those elements and we have collaborated with them.

The Final Study Plan ([P2302FinalStudyPlan.pdf](#)) covers almost all recreational elements requested for the main stem of the river-See pages 58-67 of the plan. The primary shortcomings relate to water quality monitoring in the Lewiston owned Canals and specific analysis of how water over the falls affects water quality and dissolved oxygen below the falls. The second part of that will have data available from the proposed water quality monitoring and we will continue to advocate for the analysis of how flows over the falls affect dissolved oxygen as part of the process, but it is currently not proposed. A primary shortcoming of the study plans is not including the canals in the study based on the argument that they are owned by Lewiston and not part of the project area mapped by FERC. In 2020 the project area was adjusted to remove nearly 4 miles of river and the canals from the FERC Project Boundary which the City opposed ([Objection to P2302 Project Boundary Amendment 2020.pdf](#)) but was ultimately approved by FERC. The ownership and FERC project Boundary test for inclusion in studies is not usually what determines if they are included. The test is whether the project operations impact the area, which they clearly do. Brookfield controls flows at this facility and at the upstream Gulf Island and Deer Rips hydro facilities and those three operations control water levels and flows in the canals that we believe are clearly affected by project operations. This raises a question of whether Auburn wants to advocate among stakeholders to exercise the FERC Study Dispute Process or take that on ourselves - either way we would need legal assistance and funding to do that. We are looking for preliminary feedback from Council on whether you wish to explore this further in an executive session. Staff's opinion is that we got most of what we asked for and would be happy to join Lewiston if they chose to challenge this important element, but that fight may not be our best use of limited resources.

The 2022 Study season is upon us, and Memorial Day Weekend will be the start of recreational monitoring and a survey for recreational users along the river in Auburn and Lewiston. We will be encouraging people who visit the area to take the time to fill out the survey. The results will be used to gauge recreational interest, benefits and

needs for the project area and nearby amenities affected by project operations. Signage has been placed along the Riverwalk and other project recreation facilities to alert the public of the existence of the survey and in person counts will be conducted by Brookfield staff throughout the summer. The website hosting the survey is here:

<https://lewistonfalls.brookfieldusprojects.com/> Results are intended to be collected based on specific locations visited and not from people that were there in the past so please encourage anyone visiting the riverfront area to check out the signs at Bonney Park, West Pitch Park, the North River Road Boat Launch, Durham Boat Launch or riverside parks and trails in Lewiston and provide feedback for each location that they enjoy or desire improvements. We will promote awareness of the effort on social media and any other opportunities.

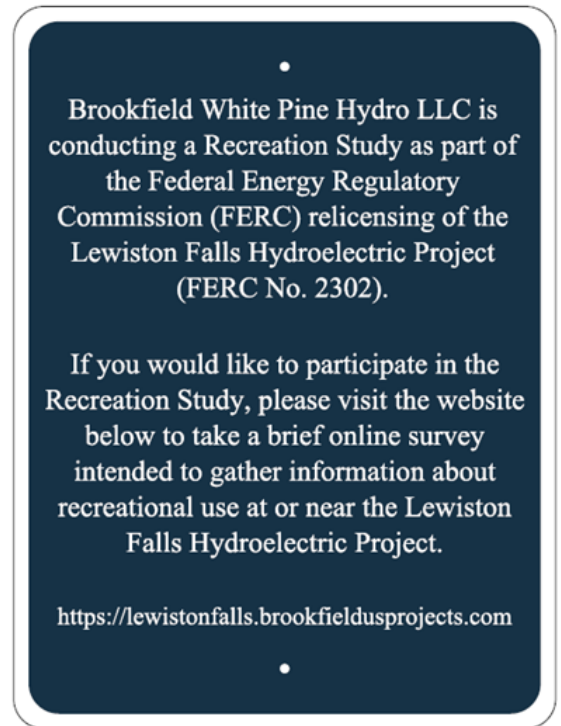
### **Little Androscoggin River Dams - Recreation and Restoration Opportunities**

**Barker Mill Dams Update:** The City participated, with other stakeholders, in the relicensing process at Lower and Upper Barker Mill Dams which are relatively small generators with limited profits. We achieved recreational benefits including increased minimum flows and controlled releases for whitewater paddling. The licensee looks very close to a settlement agreement to resolve a dispute over fish passage where the applicant used upstream obstructions as one reason not to restore fish access in the watershed. It looks like fish passage will be required during the terms of the new licenses and in exchange KEI will likely get a longer than normal license term of up to 45 years. Not many people that were here for this licensing process will be active participants in the next one. The proposed Settlement agreement would require KEI to install upstream passage for American eel for the 2026 migration season (June 1, 2026) and required to install upstream passage for anadromous fish species by the 2031 migration season (May 1, 2031), subject to a consideration of “New Information” as defined in the Settlement.

**Littlefield Dam Update:** The Littlefield Dam is the next obstruction upstream that impacts recreation, the environment and fish movement in the river. Past efforts to apply for grants to remove the unused partially breached dam have not been funded and required significant local match. There is a potential new opportunity in the coming years that has been explored by the Conservation Commission and Federal Grant Funding Sources that could go beyond restoration and include development of improved recreational access that furthers goals of the Comprehensive and Strategic Plans of the City. The anticipated funding sources may also be match free with the Little Androscoggin being identified as critical Atlantic Salmon Habitat. Sam Boss, Conservation Commission Chair explains this exciting opportunity below. Staff is hopeful that the City might be able to fund a planning and design exercise to position us for successful application when the funding becomes available. One option is to appropriate Comprehensive Plan Implementation funds if the Council is interested in this.

City Council, Mayor, and City Staff,

The Conservation Working Group has a longstanding interest in the removal of the defunct Littlefield Dam, which is a major barrier to fish passage on the Little Androscoggin River. Earlier this year we learned of an upcoming opportunity to apply for federal funds to support dam removals and other fish passage restoration efforts. The 2021 Infrastructure and Jobs Act allocated \$400 million to the National Oceanic and Atmospheric Association (NOAA) to restore fish passage through the removal of dams and other barriers (further





information [here](#)). NOAA will award \$80 million in grants for each of the next five years to support communities in undertaking river restoration efforts. Although a request for proposals has not yet been released, our contacts at NOAA have confirmed that the grants *will not* require a matching contribution from municipalities to support the costs of projects. Partner organizations such as Maine Rivers, the Androscoggin Watershed Council, and Trout Unlimited have described this funding and the lack of a matching requirement as a once-in-a-lifetime opportunity to make significant progress with river restoration efforts.

Because of the expected terms of the NOAA grants, we anticipate that the process will be highly competitive, and we have been working to lay the groundwork for a strong proposal when funds are released. Although some funding will be available to support the planning stages of dam removal and subsequent restoration efforts, we expect that shovel ready projects will have the best chance of receiving full funding. To this end, it would aid the development of a proposal significantly if the Council can provide funding to support further site assessments and planning. We have led multiple site visits, and have been in consistent conversation with local stakeholders including property owners on Littlefield Road and Panolam Surface Systems. Our goal is to identify scenarios for removing the dam that maximize ecological and recreational benefits to the broader community while minimizing any negative impacts for abutting property owners.

Outlined below are several key reasons to support the removal of the Littlefield Dam and further restoration efforts in the Little Androscoggin watershed.

### **1. Improved fish passage and other ecological benefits**

The Littlefield Dam is a full or partial barrier to fish passage, depending on the time of year and water levels. Removing the Littlefield Dam would help to pave the way for further efforts to restore fish species including alewives, shad, and American Eels to the Androscoggin watershed. These species need to travel freely from the ocean into freshwater rivers to spawn. Alewives in particular are a keystone species that provide a particularly important food source for the endangered Atlantic Salmon, as well as several other fish species (further information [here](#)). Removal of the Littlefield Dam will demonstrate our commitment to improving fish passage and strengthen our position in future negotiations for fish passage on the Lower and Upper Barker Dams. In addition to improving fish passage, dam removal improves dissolved oxygen content and sediment transfer, leading to healthier riverine ecosystems.

### **2. Avoid potential safety issues**

The Littlefield Dam has not been operational for at least fifty years, and there is no indication it has received regular maintenance in that time; FERC records indicate the most recent effort to restore the dam to production was in the 1980s, but that effort ultimately failed. During site visits when the water levels have been lower, we have observed significant corrosion of the bottom of the dam; high precipitation events or ice jams could eventually cause the dam to break in an uncontrolled way that would send concrete debris and sediment downriver and pose potential hazards to property owners and industries downriver. The dam can also present risks to swimmers, hikers, etc. who may go too close to the dam and not realize the dangers of its undertow. Taking full advantage of NOAA funds now to remove the dam in a controlled way will avoid the potential safety issues these scenarios could cause in the future.

### **3. Improved recreational opportunities**



The Little Androscoggin is an underutilized resource for recreation that runs through the heart of Auburn. Removal of the Littlefield Dam could open up approximately four miles of the river for passage of kayaks and canoes and other small craft, with the potential that more of the river upstream would be navigable, depending on the water levels and time of year. NOAA staff have indicated that applicants should “think big”, and submit a proposal that would support not only the removal of the dam, but the creation of possible recreational improvements such as a boat launch at the site, and restoration/modification of the riverbed to facilitate passage of boats and fish.

More information about the points outlined above is available on request ([auburn.me.conservation@gmail.com](mailto:auburn.me.conservation@gmail.com)).

Respectfully submitted,

Sam Boss, Chair  
Conservation Working Group

## Lewiston Falls Hydroelectric Project (FERC No. 2302) Relicensing Study Report Meeting

Jessica Antonez <Jessica.Antonez@Kleinschmidtgroup.com>

Fri 3/10/2023 1:35 PM

To: Anderson, Luke <Luke.Anderson@brookfieldrenewable.com>

Some people who received this message don't often get email from jessica.antonez@kleinschmidtgroup.com. [Learn why this is important](#)

Dear Stakeholders:

On March 2, 2023, Brookfield White Pine Hydro (BWPH) distributed to Stakeholders via email and electronic link (FERC's eLibrary at [https://elibrary.ferc.gov/eLibrary/docinfo?accession\\_num=20230302-5205](https://elibrary.ferc.gov/eLibrary/docinfo?accession_num=20230302-5205)), six of the study reports for resource studies conducted in 2022 for the Lewiston Falls Project relicensing effort.

On behalf of BWPH, we are providing the following schedule for interested stakeholders to participate in a virtual meeting to review the findings of the 2022 studies. Given the number of studies and the varying topics, we are dividing the meeting into two sessions on Wednesday April 5th.

- 10 AM - 12 PM Water Quality, Bass Spawning, Fish Assemblage, and Upstream Eel
- 2 PM - 3:30 PM Recreation and Aesthetics

The meetings will be held online (via Microsoft Teams) with a phone-in option. We will provide login/phone-in information and a more detailed agenda for each meeting to interested parties who plan on attending one or both meetings in advance of the meeting date. In order to plan accordingly, BWPH respectfully requests that agencies or stakeholders who plan on attending one or both meetings RSVP by contacting Jessica Antonez at Jessica.Antonez@kleinschmidtgroup.com on or before March 29, 2023.

Finally, BWPH is extending the comment due date (from April 3rd, as noted in the study report cover letter) to April 14, 2023, to allow for additional time to have a meeting to review the study findings before comments are due.

Please contact Luke Anderson, Licensing Manager, with any questions at Luke.Anderson@brookfieldrenewable.com.

If you would like to be removed from this distribution list or have updated contact information, please contact Jessica Antonez and Jessica.Antonez@kleinschmidtgroup.com.

Thank you,

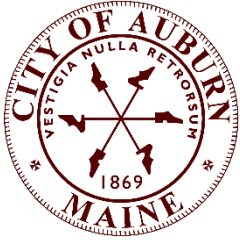
Jessica Antonez

Associate Licensing Coordinator

***Kleinschmidt***

Office: 207-416-1214

[www.kleinschmidtgroup.com](http://www.kleinschmidtgroup.com)



## City of Auburn City Council Information Sheet

**Council Workshop or Meeting Date:** April 3, 2023

**Subject:** Executive Session

**Information:** Economic development, pursuant to 1 M.R.S.A. Section 405(6) (C) which premature disclosure would prejudice the competitive or bargaining position of the City.

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

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

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;

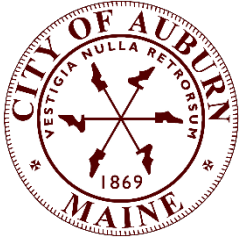
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

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 C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



## City of Auburn City Council Information Sheet

**Council Workshop or Meeting Date:** April 3, 2023

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A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

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;

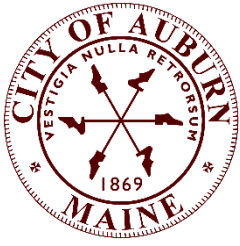
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

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 C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 3, 2023

**Order:** 36-04032023

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

**Subject:** Scheduling the School Budget Validation Referendum Election to be held on June 13, 2023

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**Information:**

Title M.R.S.A. 20-A, Section 2307 requires Municipalities to conduct a School Budget Validation Referendum Election each year.

The date is consistent with previous years, and there is a cost savings when holding this election at the same time as a State election which is normally the second Tuesday in June. It also results in better voter turnout.

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**City Budgetary Impacts:** N/A

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**Staff Recommended Action:** Recommend passage of this order.

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

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**City Manager Comments:**

I concur with the recommendation. Signature:



**Attachments:** Order



**ORDER 36-04032022**

# City Council Order

## IN CITY COUNCIL

**ORDERED**, that the City Council hereby sets the date to hold the School Budget Validation Referendum Election for Tuesday, June 13, 2023.

---

**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Meeting Date:** April 3, 2023

**Order:** 45-04032023\*

**Author:** Jason D. Moen, Chief of Police

**Subject:** Transfer of Forfeiture Assets – Tyler Poland #1

---

**Information:**

In 2016, Auburn Police Department DEA Task Force officers received confidential intelligence information from multiple sources and began a three-month investigation. Other agencies including federal, state and local law enforcement participated in extensive surveillance. In February 2018, DEA Task Force members as well as 11 Auburn Police Department officers supported DEA during a large enforcement operation involving the execution of nineteen (19) simultaneous federal search warrants involving the seizure of large amounts of drug and non-drug evidence. Subsequent to this operation, Auburn PD's Task Force Officer drafted a report detailing the execution of a search warrant on Merrow Road in Auburn, Maine, and the acquisition of non-drug exhibits. \$32,000.00 in a financial account was seized.

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**City Budgetary Impacts:** The Department of the Treasury seeks to transfer \$1,600.00 (5% of the \$32,000. Seizure) in U.S. Currency to the Auburn Police Department. Funds will be used for the purchase of equipment.

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**Staff Recommended Action:** Vote to accept the transfer of \$1,600.00.

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**Previous Meetings and History:** None

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**City Manager Comments:**

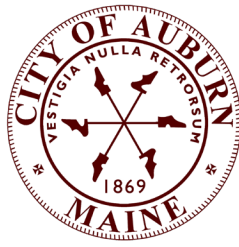
A handwritten signature in cursive script that reads "Phillip Crowell Jr.".

I concur with the recommendation. Signature:

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**Attachments:**

\*None



**ORDER 45-04032023**

# City Council Order

## IN CITY COUNCIL

**ORDERED**, Accept the transfer of \$1,600.00 forfeiture assets in U.S. Currency to the Auburn Police Department (Department of the Treasury – 04180003-01).

---

**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager





**City of Auburn  
City Council Information Sheet**

**Council Meeting Date:** April 3, 2023

**Order:** 46-04032023\*

**Author:** Jason D. Moen, Chief of Police

**Subject:** Transfer of Forfeiture Assets – Tyler Poland #2

---

**Information:**

In 2016, Auburn Police Department DEA Task Force officers received confidential intelligence information from multiple sources and began a three-month investigation. Other agencies including federal, state and local law enforcement participated in extensive surveillance. In February 2018, DEA Task Force members as well as 11 Auburn Police Department officers supported DEA during a large enforcement operation involving the execution of nineteen (19) simultaneous federal search warrants involving the seizure of large amounts of drug and non-drug evidence. Subsequent to this operation, Auburn PD's Task Force Officer drafted a report detailing the execution of a search warrant on Merrow Road in Auburn, Maine, and the acquisition of non-drug exhibits. \$40,000 in a financial account was seized.

---

**City Budgetary Impacts:** The Department of the Treasury seeks to transfer \$2,000.00 (5% of the \$40,000. Seizure) in U.S. Currency to the Auburn Police Department. Funds will be used for the purchase of equipment.

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**Staff Recommended Action:** Vote to accept the transfer of \$2,000.00.

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**Previous Meetings and History:** None

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**City Manager Comments:**

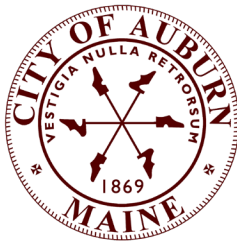
A handwritten signature in cursive script that reads "Phillip Crowell Jr.".

I concur with the recommendation. Signature:

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**Attachments:**

\*None



**ORDER 46-04032023**

# City Council Order

## IN CITY COUNCIL

**ORDERED,** Accept the transfer of \$2,000.00 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Department of the Treasury – 04180003-02).

---

**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager

## IN COUNCIL REGULAR MEETING MARCH 20, 2023, VOL. 37 PAGE 20

Mayor Levesque called the meeting to order at 7:01 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

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

#### Pledge of Allegiance

#### I. Consent Items

##### 1. Order 30-03202023\*

Confirming Chief Moen's appointments of Andrew Shute and Andrew St. Pierre as Constable with firearm/arrest powers for the Auburn Police Department.

##### 2. Order 31-03202023\*

Authorizing the City Clerk to waive the \$200 business license fee for Auburn Suburban Baseball and Softball.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage of the two consent items.

Passage 7-0.

#### II. Minutes – March 6, 2023, Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Milks to approve the minutes of the March 6, 2023 Regular City Council meeting.

Passage 6-0-1 (Councilor Staples abstained as he was not present for the meeting).

#### III. Communications, Presentations and Recognitions

##### Council Communications

David Chittim, President of the Androscoggin Historical Society announced that AHS turn one hundred years old this year. He also announced that they have purchased a building in Lewiston (93 Lisbon Street) after 86 years being located in the Androscoggin Court House building. He stated that they are hoping to raise a total of \$750,000 over the next few years. He said they are requesting a grant from the City of Auburn in the amount of \$60,000 adding that Lewiston granted them \$75,000 last year. He noted that they will also be reaching out to other towns. The Mayor followed by stating that he submitted an endorsement for funding for this project with Senator Collins. A copy which will be included in the minutes.

Councilor Morin stated that he recalls visiting the Androscoggin Historical Society when he was in school, adding that he has a personal passion for history and he thanked Mr. Chittim for coming in and speaking.

Manager Crowell reported that on May 3<sup>rd</sup> the City of Auburn will collaborate with the Police Activities League (PAL) to bring LEADERCAST to the community. This is an important fundraiser for PAL. More information can be found on [www.auburnpal.com](http://www.auburnpal.com) or they can contact Liz Allen. He also shared the annual report with the Council and members of the public.

Mayor Levesque announced that the Lobster Festival is moving forward in May at Festival Plaza. He added that this event is also to raise money for the Maine Lobstermen Association. One fundraiser is a buoy painting contest where members of the public can buy a buoy for \$20, decorate it, bring it to the festival and the winner of the event will receive 50% of the proceeds and the other half will be donated to the Maine Lobstermen Association. He also talked about the corner store initiative and talked about proposing a program on sustainable food options. He said he will ask for input from the Sustainability and Natural Resource Board (SNRB).

IV. **Open Session** – No one from the public spoke.

V. **Unfinished Business** - None

VI. **New Business**

**Order 33-03202023**

Approving \$4,598,331 of additional costs for environmental remediation of the new high school project and authorizing general obligation bonds and a tax levy therefor. First reading.

Motion was made by Councilor Walker and seconded by Councilor Whiting for passage.

Public comment – No one from the public spoke.

Passage 7-0. A roll call vote was taken.

1. **Public hearing** – Stable Ridge TIF (Tax Increment Financing) District #27.

Mayor Levesque opened the public hearing at 7:36 pm.

**John Cleveland**, 183 Davis Avenue first commented on the TIF piece of this, noting that there are reasons to do that, and the percentage of the TIF is up to the Council. He then commented on the credit enhancement agreement portion adding that he doesn't think there is a need to offer this on a finished project and asked that it be removed.

**Jeffrey Harmon**, 34 Vista Drive commented on the credit enhancement agreement noting that at no time during this project did the developer come forward for assistance or ask for an incentive. He added that there is no community benefit in extending this rebate to the developer.

**Celia McGuckian**, 10 Fairmount Avenue commented on a news article which stated that 5 police officers left Auburn for another municipality because of the budget. She stated that the \$500,000 could help to keep our police officers here.

**Ryan Smith**, 14 Weaver Street reiterated the comments made by other speakers about the credit enhancement agreement. He commented on the numbers that were provided adding that he believes those are based on phase 2 of the development and when you assume the numbers, you should assume about half if the second phase of the development is denied again by the Planning Board. He added that he would rather see a 60% TIF so we can still control 40% and no credit enhancement.

Mayor Levesque closed the public hearing at 7:43 pm.

**2. Order 32-03202023**

Approving TIF (Tax Increment Financing) District #27 Stable Ridge Development.

Motion was made by Councilor Morin and seconded by Councilor Milks for passage.

Public comment – No one from the public spoke.

Motion was made by Councilor Hawes and seconded by Councilor Milks to amend the language in section 7 as follows:

*Section 7. The City Council will reconvene at a later date to review, hold a public hearing and vote to authorize the City Manager ~~be and hereby is authorized, empowered and directed to enter into the Credit Enhancement Agreement contemplated by the Development Program, in the name of and on behalf of the City, such agreement to be in such form and to contain such terms and provisions, not inconsistent with the Development Program, as the City Manager may approve, the City Manager's approval to be conclusively evidenced by his or her execution thereof.~~*

Passage 4-3 (Councilors Gerry, Whiting, and Walker opposed).

Motion was made by Councilor Staples and seconded by Councilor Gerry to amend by striking any reference to “credit enhancement agreement”.

Failed 3-4 (Councilors Hawes, Milks, Morin, and Walker opposed).

Passage of Order 32-03202023 as amended 4-3 (Councilors Staples, Gerry, and Whiting opposed). A roll call vote was taken.

**3. Order 33-03202023**

Approving \$4,598,331 of additional costs for environmental remediation of the new high school project and authorizing general obligation bonds and a tax levy therefor. First reading.

This item was taken out of order and voted on earlier on in the meeting.

**4. Order 34-03202023**

Authorizing the City Manager to execute the Collective Bargaining Agreement with the Fraternal Order of Police Union, Command Division, effective 07/01/2023.

Motion was made by Councilor Walker and seconded by Councilor Morin for passage.

Public comment – No one from the public spoke.

Passage 7-0.

**5. Order 35-03202023**

Authorizing the City Manager to execute the Collective Bargaining Agreement with the Fraternal Order of Police Union, Patrol Division, effective 07/01/2023.

Motion Walker/Morin

Public comment – No one from the public spoke.

Passage 7-0.

**VII. Open Session**

Fred Stone, 169 Royal River Road, stated that he is trying to build a small campground on his property to pay the taxes. He has a preliminary plan. He said the property is in the accepted use of Ag Zone and he is concerned that this may become all residential because the campground will not work if this happens.

**VIII. Reports**

Mayor Levesque reported that the School Committee is meeting every week to discuss the budget, the Legislative Policy Committee (LPC) has been meeting and he will be going to Washington DC along with the City Manager on Tuesday.

Councilor Staples said he represented the city along with City staff at the opening of LA Arts back in February, adding that it was a great event.

Councilor Walker announced that on Friday, March 17<sup>th</sup> the Age Friendly Committee put on a St Patrick's Day dinner, approximately 140 people showed up. He said they are also working with the General Assistance department to help out people that are unhoused or in need. They are planning to offer lightly worn clothing, if not brand new to those in need. This will be held on March 25<sup>th</sup> from noon - 2:00 pm at the Senior Center. Donations are welcome. They are also putting on a Movie tomorrow at the Senior Center. It is a free event, however \$1.00 donations welcome but not necessary.

Councilor Morin reported that on Saturday he watched his son got his orange belt at Phoenix Karate, then went to the Home Show at the Norway Savings Bank Arena. It was a well-attended, well managed, and well represented event.

Councilor Milks announced that the Sewer District will be meeting tomorrow at 4:00 pm and the Water District will be meeting on Wednesday, also at 4:00 pm at the Auburn Water District.

Councilor Whiting said he took a field trip to University of Maine, Orono, to see their 3D printer where they constructed a house with it. It is the biggest in the world other than one that does cement based products.

Councilor Gerry said that she has been contacted by constituents who have asked that when we start posting roads due to the spring thaw, that we give them a heads up so they can get their equipment out of the woods.

Jill Eastman, Finance Director – February 2023 Finance Report

Motion was made by Councilor Milks and seconded by Councilor Whiting to accept and place on file the February 2023 final finance report.

Passage 7-0.

**IX. Executive Sessions**

1. Economic Development, pursuant to 1 M.R.S.A. §405(6)(C) which premature disclosure would prejudice the competitive or bargaining position of the City.

Motion was made by Councilor Staples and seconded by Councilor Morin for passage.

Passage 6-0 (Councilor Walker was not in the room for the vote).

Time in 8:23 pm.

Council was declared out of executive session at 8:42 pm.

2. Labor contract negotiations – Public Works Teamsters (Drivers), pursuant to 1 M.R.S.A. §405(6)(D).

Motion was made by Councilor Gerry and seconded by Councilor Whiting for passage.

Passage 7-0.

Time in 8:43 pm.

Council was declared out of executive session at 8:48 pm.

3. Labor contract negotiations – Public Works Teamsters (Mechanics), pursuant to 1M.R.S.A. §405(6)(D).

Motion was made by Councilor Hawes and seconded by Councilor Whiting for passage.

Passage 7-0.

Time in 8:48 pm.

Council was declared out of executive session at 8:50 pm.

**X. Adjournment**

**IN COUNCIL REGULAR MEETING MARCH 20, 2023, VOL. 37 PAGE 25**

Motion was made by Councilor Morin seconded by Councilor Hawes to adjourn.  
Unanimously approved and the meeting adjourned at 8:50 pm.

A TRUE COPY

ATTEST 

Susan Clements-Dallaire, City Clerk





City of Auburn, Maine

Office of the Mayor

60 Court Street | Auburn, Maine 04210

[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6601

March 15, 2023

Senator Susan Collins  
55 Lisbon Street  
Lewiston, Maine 04240

Re: Androscoggin Historical Society

Dear Senator Collins:

I have recently learned that the Androscoggin Historical Society is planning to apply for a HUD grant through the Economic Development Initiative Program. I encourage you to support this application, not only for the historical society itself, but for the spin-off effects on the local economy.

The Society is a long-time stable force in our community and is now undergoing a metamorphosis to broaden its influence. Its new home will provide it with greater exposure and allow it to attract more consumers to our county.

Auburn benefits from the activities of the Androscoggin Historical Society both culturally and economically. Its programs at the one-room 1850 West Auburn Schoolhouse and at the 1796 Knight House in downtown Auburn attract visitors from far and wide, visitors who also patronize local hotels, restaurants, and retail businesses.

I believe that inclusion of \$150,000 in directed spending for the AHS will result in benefits for the entire community and I encourage you to include it in your spending package. Thank you for your consideration.

Sincerely,

Jason Levesque  
Mayor



# The Androscoggin Historical Society

## Incorporated 1923

March 22, 2023

Mr. Philip Crowell  
City Manager  
Auburn Hall  
60 Court Street  
Auburn, Maine 04210

Re: Request for funds

Dear Mr. Crowell:

Thank you for the opportunity to reintroduce the Androscoggin Historical Society to members of the Council and the public at Monday's Council Meeting. It was a pleasure to meet you and was gratifying to hear the Mayor's endorsement and the pleasant recollections of Councillor Morin.

Two years ago, the AHS was operating with an annual budget of \$28,000, in obscurity on the third floor of the County Building. Recognizing that this was not the highest and best use of our assets, the Directors embarked on an ambitious plan to find a more central location, increase our weekly hours from 10 to at least 40, hire a full-time Executive Director, and expand our outreach programs. This tall order was viewed as a daunting challenge, but the Board pressed on, acquiring the law offices of Murphy and Coyne at 93 Lisbon Street in Lewiston. We have established the framework for a new, professional organization and have raised \$263,000 toward our target of \$750,000.

Following up on my presentation to the Council, this letter is a formal request for \$60,000 from the City of Auburn to help us reach these goals.

I have included a brochure describing the campaign and its goals and would be happy to answer any questions or supply any other information you may require.

Sincerely,

David Chittim  
President

93 Lisbon Street, Lewiston, Maine 04240-9117  
[info@androhstory.org](mailto:info@androhstory.org) (207) 784-0586

#### BOARD OF DIRECTORS

David Chittim, President  
Rebecca Drew  
Joline Frotton  
Douglas Hodgkin  
Curtis Jack, Treasurer  
Sonia Jack, Secretary  
Penelope Jessop, Vice President  
Laura Juraska  
Beverly Robbins  
Elizabeth Keene Young

## Alison Pepin

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**From:** Phil Crowell  
**Sent:** Thursday, March 30, 2023 11:22 AM  
**To:** Alison Pepin  
**Subject:** FW: LA Arts budget proposal FY'24  
**Attachments:** FY 24 for Cities of Lewiston and Auburn.pdf

### Phil Crowell, Jr., ICMA-CM

City Manager

City of Auburn  
60 Court Street, Auburn, ME 04210  
Ph: 207-333-6601 Ext. 1222  
[www.auburnmaine.gov](http://www.auburnmaine.gov)

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**From:** James Parakilas <jparakil@bates.edu>  
**Sent:** Monday, January 23, 2023 3:33 PM  
**To:** Phil Crowell <pcrowell@auburnmaine.gov>  
**Subject:** LA Arts budget proposal FY'24

January 23, 2023

Phillip L. Crowell, Jr., City Manager  
City of Auburn  
60 Court Street  
Auburn, Maine 04210

Dear Phil,

Attached please find LA Arts' proposed budget for FY 2024.

We are requesting from the City Auburn in FY 2024 a renewal of our FY 2023 grant of \$30,000.

This year we have been delighted to relaunch our long-standing collaboration with the City of Auburn and with the artists, arts organizations, and citizens of Auburn by means of this support for our work. In particular, it has been gratifying for us to establish a working relationship with Jennifer Boenig and other members of your administration, beginning with the planning of the Christmas Fair on Festival Plaza last month. We have been discussing other ambitious ideas with her for the future.

Our ability to serve our community has just been revived by our move into new quarters, splendidly outfitted to our specifications, at 168 Lisbon Street in Lewiston. We invite you and your colleagues to join us for the dedication of that space on Saturday, February 18 from 1:00 to 4:00 pm.

This re-opening is allowing us to restart our exhibition program with a series of wonderful shows that has already begun with Lesia Sochor's "Reuse, Repair, Reconsider." It allows us to restart the indoor concert series that we formerly offered in our Downstage space. It is allowing us to welcome a variety of community arts and culture organizations into our home for gatherings, lectures, and workshops; these already include Sketchy Friends, The Corner, and the Androscoggin Historical Society. And it is allowing us to plan events of our own, including a film series, that we have not had an adequate space for in the past.

Our other plans include new possibilities for public art works, which the adoption of public art protocols by the City of Auburn will facilitate tremendously, and for providing new arts opportunities to young people in Auburn.

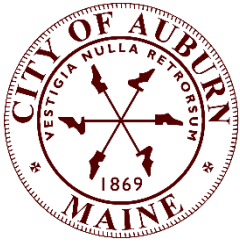
I look forward to introducing our new Arts Agency Manager, Gerald Walsh, to you and your colleagues and to presenting our budget proposal and plans to you on February 14.

With best wishes,

Jim Parakilas, Board Chair  
LA Arts

**LA Arts Funds Request for the City of Lewiston**

Revenue	FY22 Actual	FY23 Budget	as of 1/5/23	FY 23 Estimated Actual	FY24 Budget
50001 Government & Public Inst Grants	\$ 108,296.91	\$ 75,000.00	\$ 68,602.13	\$ 84,852.00	\$ 75,000.00
50002 Private Grants - Foundations	\$ 15,141.50	\$ 15,000.00	\$ 8,504.06	\$ 8,504.06	\$ 20,000.00
50003 Corporate Donations & Sponsorships	\$ 11,944.00	\$ 14,000.00	\$ 15,950.00	\$ 15,000.00	\$ 15,000.00
50004 Individual Donations	\$ 11,826.13	\$ 10,000.00	\$ 6,749.63	\$ 16,775.50	\$ 15,000.00
50007 Donated Goods	\$ -	\$ 300.00	\$ 0	\$ 400.00	\$ 500.00
50008 Donated Services	\$ 2,396.80	\$ 14,000.00	\$ 3,353.08	\$ 14,300.00	\$ 14,900.00
50009 Endowment Donation	\$ 250.00	\$ 250.00	\$ 300.00	\$ 5,300.00	\$ 5,300.00
<b>Total Contributions, Grants &amp; Gifts</b>	<b>\$ 154,855.34</b>	<b>\$ 128,550.00</b>	<b>\$ 102,557.90</b>	<b>\$ 145,181.56</b>	<b>\$ 145,700.00</b>
50201 Advertising	\$ -	\$ -	\$ -	\$ -	\$ -
50202 Ticket Sales	\$ -	\$ -	\$ 0	\$ -	\$ -
50203 Art Work Sales	\$ -	\$ -	\$ 0	\$ -	\$ -
50204 Program Service Fees	\$ -	\$ 1,500.00	\$ 390.00	\$ 390.00	\$ 400.00
50205 Administrative Service Fees	\$ -	\$ -	\$ -	\$ -	\$ -
50206 Sales Commissions	\$ -	\$ -	\$ 0	\$ -	\$ -
50208 Bar Sales	\$ -	\$ -	\$ 0	\$ -	\$ -
50400 Other Revenues and Gains	\$ 11,035.58	\$ 8,000.00	\$ 1,140.00	\$ 1,500.00	\$ 1,500.00
<b>Total Program Service Revenue</b>	<b>\$ 11,035.58</b>	<b>\$ 9,500.00</b>	<b>\$ 1,530.00</b>	<b>\$ 1,890.00</b>	<b>\$ 1,900.00</b>
<b>Total Revenue</b>	<b>\$ 165,890.92</b>	<b>\$ 138,050.00</b>	<b>\$ 104,087.90</b>	<b>\$ 147,071.56</b>	<b>\$ 147,600.00</b>
<b>Expenses</b>					
70200 Employee Expenses	\$ 14,729.21	\$ 26,000.00	\$ 14,721.31	\$ 34,220.00	\$ 42,500.00
70200 Non-Employee Expense	\$ 61,807.75	\$ 60,000.00	\$ 23,822.50	\$ 28,500.00	\$ 50,400.00
70400 Advertising & Promotion	\$ 6,980.11	\$ 13,000.00	\$ 4,622.12	\$ 14,590.00	\$ 16,160.00
70600 Office Expenses	\$ 3,150.33	\$ 10,500.00	\$ 2,238.24	\$ 4,500.00	\$ 7,000.00
70800 Information Technology	\$ 1,675.78	\$ 2,000.00	\$ 811.75	\$ 2,000.00	\$ 2,000.00
71200 Occupancy Costs	\$ 11,726.83	\$ 30,000.00	\$ 29,669.70	\$ 35,000.00	\$ 25,300.00
72400 Insurance Expense	\$ 2,596.60	\$ 3,500.00	\$ 2,899.00	\$ 3,200.00	\$ 3,200.00
72500 Program Production Expenses	\$ 2,193.45	\$ 4,000.00	\$ 5,616.79	\$ 11,820.00	\$ 14,390.00
All other expenses	\$ 29,171.93	\$ 3,800.00	\$ 1,819.04		
<b>Total Expenses</b>	<b>\$ 134,032.00</b>	<b>\$ 152,800.00</b>	<b>\$ 86,214.45</b>	<b>\$ 133,030.00</b>	<b>\$ 160,950.00</b>
<b>Net Income</b>	<b>\$ 31,858.92</b>	<b>\$ (14,750.00)</b>	<b>\$ 17,873.45</b>	<b>\$ 14,041.56</b>	<b>\$ (13,350.00)</b>



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 3, 2023

**Orders:** 33-03202023 & 37-04032023

**Author:** Mark Conrad

**Subject:** Approving additional costs for environmental remediation of the new high school project and authorizing general obligation bonds and a tax levy therefor. First reading.

---

**Information:** The existing Edward Little High School is scheduled for demolition following the opening of the new High School. Over the course of the project, with further testing for PCB remediation, the extent of the required abatement has significantly increased beyond the project allowance of \$675,000, to a current estimate of over \$5 million. This requires additional funding to the construction budget of just under \$4.6 million.

The full cost of additional bonding required to raise these funds will fully qualify for State school subsidy funds.

**The State of Maine will therefore fully fund this increase, with no impact on the local tax rate.**

If the City of Auburn fails to approve these additional funds at referendum we will **not** have the funding available to demolish the existing High School. The building will remain empty on the site, resulting in the loss of athletic fields, parking, and the bus loop, and in additional costs to modify the existing site plan, particularly with regard to drainage.

At a straw poll held on February 27, 2023 the 49 residents voting in the straw poll unanimously supported the referendum question. On March 8, 2023 the State Board of Education unanimously approved a revised concept approval for the Edward Little High School Construction Project, a necessary step to amend (increase) the approved construction budget and qualify for State subsidy.

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**City Budgetary Impacts:** Additional Debt Service costs offset by additional state subsidy funds

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**Staff Recommended Action:** Hold a public hearing and recommend passage of second reading on the bond order 33-03202023 and recommend passage of referendum ballot question, order 37-04032023.

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**Previous Meetings and History:** Passage of first reading on the bonds at the 3/20/2023 Council meeting.

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**City Manager Comments:**

I concur with the recommendation. Signature:

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**Attachments:** Memorandum from Dr. Brown with a "Statement of Fact" to the State Board of Education



TO: Auburn City Council  
FR: Dr. Cornelia Brown, Superintendent of Schools  
DATE: March 10, 2023  
RE: Approval of Referendum Question

---

At your March 20<sup>th</sup> meeting the Auburn City Council will be asked to the following referendum question:

“Shall the City of Auburn approve City Council Order\_\_ - \_\_\_\_2023 and (a) authorize up to \$4,598,331 in additional costs for environmental remediation (Polychlorinated Biphenyls (PCB) Abatement) of the soil and existing building material at the new high school project location, and (b) authorize up to \$4,598,331 of the City’s general obligation bonds (which may be callable) for that purpose (all of which additional bonds have been approved for State debt service subsidy support), the sale proceeds of which, together with investment earnings, if any, are appropriated to finance such costs (including costs of issuance and capitalized interest)?”

As you know, the existing Edward Little High School is scheduled for demolition following the opening of the new High School. Over the course of the project, with further testing for PCB remediation, the extent of the required abatement has significantly increased beyond the project allowance of \$675,000, to a current estimate of over \$5 million. This requires additional funding to the construction budget of just under \$4.6 million.

For your information I would highlight the following points:

- The full cost of additional bonding required to raise these funds will fully qualify for State school subsidy funds. **The State of Maine will therefore fully fund this increase, with no impact on the local tax rate.**
- If the City of Auburn fails to approve these additional funds at referendum we will **not** have the funding available to demolish the existing High School. The building will remain empty on the site, resulting in the loss of athletic fields, parking, and the bus loop, and in additional costs to modify the existing site plan, particularly with regard to drainage.
- At a straw poll held on February 27, 2023 the 49 residents voting in the straw poll unanimously supported the referendum question.
- On March 8, 2023 the State Board of Education unanimously approved a revised concept approval for the Edward Little High School Construction Project, a necessary step to amend (increase) the approved construction budget and qualify for State subsidy.

For your additional information I have attached the Statement of Fact provided to the State Board of Information. Thank you for your support of this referendum question.



STATE OF MAINE  
DEPARTMENT OF EDUCATION  
23 STATE HOUSE STATION  
AUGUSTA, ME 04333-0023

JANET T. MILLS  
GOVERNOR

PENDER MAKIN  
COMMISSIONER

**EXHIBIT IX.B.**

To: Members of the State Board of Education  
From: Pender Makin, Commissioner\*  
Date: March 8, 2023  
Subject: Major Capital School Construction Program; REVISED Concept Approval Consideration; Auburn School Department-New Edward Little High School Construction Project

**STATEMENT OF FACT**

Superintendent Dr. Cornelia Brown requests that the State Board of Education grants REVISED Concept Approval for the new Edward Little High School (ELHS) in Auburn. The project, planned for 1,100 Auburn high school students and 210 Lewiston Regional Career and Technical Center (LRTC) students, is being constructed on the existing high school site adjacent to the current ELHS.

State Board of Education Site Approval occurred on September 12, 2018 and Concept Approval on April 10, 2019. The project was approved by local referendum vote on June 11, 2019. After receiving State Board of Education Design and Funding Approval on December 21, 2020, construction documents were issued for bidding.

The COVID pandemic began in March of 2020. Bids were opened on March 2, 2021. Two qualified bids were received, both well over budget. The lowest bid was 6% above cost estimates. Construction contingency was not funded to the 5% standard due to a lack of funds. Investigating cost saving options after bid opening, the owner, architect, and Department staff worked closely with the low bidder, Arthur C. Dudley Contractor/Builder of Standish, to eliminate the budget gap and keep the project on the approved schedule and budget. The most significant reductions came from value engineering, moveable equipment, and project contingency totaling \$6,163,174. A construction contract was signed, and construction began immediately in March of 2021.

Due to the ongoing COVID pandemic and the global events that followed, the project experienced numerous challenges from its inception: increasing costs of materials, labor shortages, supply chain disruptions, and an extremely overloaded construction market. These conditions continued to worsen and placed unprecedented financial stress on the project. A process has been developed to allow specific material cost increases as a project contingency expense.

Due to required EPA comprehensive testing, a significant amount of polychlorinated biphenyl (PCB's) was identified in the existing ELHS which must be abated prior to demolition. If discovered earlier, the financial implications would have been reflected in the project budget presented at the time of Concept Approval. A final plan, which includes abatement, transportation,



**Exhibit IX.B.**

REVISED Concept Approval Consideration  
New Edward Little High School Construction Project  
March 8, 2023

disposal, and fees, requires an additional \$4,598,331 bond to maintain other budget line items and keep the project on its schedule for student occupancy in Fall of 2023. This will allow the demolition and remaining site work to be completed by Summer of 2024.

This REVISED Concept Approval is being requested pursuant to Title 20-A M.R.S. §15905(1) and State Board of Education Rule, Chapter 61, Rules for Major Capital School Construction Projects.

***Project Information:***

Project: Auburn School Department - New Edward Little High School Construction Project  
Superintendent: Dr. Cornelia Brown  
Architect: Harriman – Mark Lee, Lisa Sawin  
Schools to be closed: Existing Edward Little High School to be demolished

***REVISED Project Budget Information:***

Total Project Cost: \$126,614,673 (increased by \$4,598,331 from \$122,016,342)  
Local Only (no State participation): \$16,117,492 (no increase)  
Approved for State/Local Debt Service Subsidy: \$110,497,181 (increased by \$4,598,331 from \$105,898,850)

**COMMISSIONER'S RECOMMENDATION**

The Commissioner of the Department of Education recommends that the State Board of Education grant REVISED Concept Approval to the Auburn School Department that includes an additional \$4,598,331 in the project budget for the abatement of PCB's at the existing Edward Little High School to complete the construction project.

**SCHOOL CONSTRUCTION COMMITTEE RECOMMENDATION**

On February 24, 2023 the School Construction Committee recommended that this exhibit be placed on the March 8, 2023 State Board meeting agenda and that the State Board grant REVISED Concept Approval to the Auburn School Department that includes an additional \$4,598,331 in the project budget for the abatement of PCB's at the existing Edward Little High School to complete the construction project.

**Exhibit IX.B.**

REVISED Concept Approval Consideration

New Edward Little High School Construction Project

March 8, 2023

**Summary of PCB Cost Increases to Project Budget**

<i>Budget Line Impacted</i>	<i>Description</i>	<i>Total</i>
Line 1	PCB Remediation	\$ 2,755,181
Line 6	PCB Waste Removal and Transport	\$ 1,133,150
Line 14	PCB Remediation Oversight/Verification	<u>\$ 710,000</u>
	<b>TOTAL PCB Costs</b>	<b>\$ 4,598,331</b>



**Auburn School Department**  
**Edward Little High School**  
Grades 9-12 (1,100 Students) CTE (210 Students)

**Harriman**  
**REVISED Concept Approval**  
March 8, 2023

	State/Local	Local Only & Other Funding	Total
<b>A CONSTRUCTION</b>			
1 School and Site Construction Estimate	<u>\$93,910,798</u>	<u>\$13,548,745</u>	<u>\$107,459,543</u>
<b>Subtotal</b>	<b>\$93,910,798</b>	<b>\$13,548,745</b>	<b>\$107,459,543</b>
<b>B ADMINISTRATIVE COSTS &amp; RESERVES</b>			
2 Land Purchase and Related Costs	\$0	\$0	\$0
3 Moveable Equipment	\$3,322,500	\$335,343	\$3,657,843
4 Advertising and Legal	\$375,857	\$0	\$375,857
5 Percent for Art	\$50,000	\$0	\$50,000
6 Project Reserves	\$1,133,150	\$585,418	\$1,718,568
7 Project Contingency	<u>\$4,309,987</u>	<u>\$643,273</u>	<u>\$4,953,260</u>
<b>Subtotal</b>	<b>\$9,191,494</b>	<b>\$1,564,034</b>	<b>\$10,755,528</b>
<b>C FEES AND SERVICES</b>			
8 Architect / Engineer Basic Services	\$5,172,137	\$800,495	\$5,972,632
9 Architect / Engineer Additional Services	\$43,000	\$0	\$43,000
10 Architect / Engineer Reimbursables	\$34,650	\$0	\$34,650
11 Site Selection	\$161,328	\$0	\$161,328
12 Permitting & Approvals	\$170,001	\$61,731	\$231,732
13 Survey and Soils	\$175,935	\$0	\$175,935
14 Construction Testing	\$900,657	\$29,343	\$930,000
15 Project Coordination	\$118,294	\$18,206	\$136,500
16 Clerk of the Works	\$378,541	\$58,259	\$436,800
17 Commissioning	\$238,321	\$36,679	\$275,000
18 Other Professional Services	<u>\$2,025</u>	<u>\$0</u>	<u>\$2,025</u>
<b>Subtotal</b>	<b>\$7,394,889</b>	<b>\$1,004,713</b>	<b>\$8,399,602</b>
<b>D TOTAL PROJECT COST</b>	<b>\$110,497,181</b>	<b>\$16,117,492</b>	<b>\$126,614,673</b>
<b>E OTHER FUNDING SOURCES</b>	<b>\$0</b>	<b>\$1,585,418</b>	<b>\$1,585,418</b>
<b>F MAXIMUM BOND AMOUNTS</b>	<b>\$110,497,181</b>	<b>\$14,532,074</b>	<b>\$125,029,255</b>
<b>G1 FINAL FUNDING APPROVAL 3/24/21</b>	<b>\$105,898,850</b>	<b>\$16,117,492</b>	<b>\$122,016,342</b>
<b>G2 REQUIRED ADDITIONAL FUNDING</b>	<b>\$4,598,331</b>	<b>\$0</b>	<b>\$4,598,331</b>

**Auburn School Department**  
**Edward Little High School**  
*REVISED Concept Approval*  
*March 8, 2023*

**REVISED**

**PROPOSED PROJECT SCHEDULE**

<u>Activity</u>	<u>Date</u>
Site Approval by State Board of Education	September 12, 2018
Concept Approval by State Board of Education	April 10, 2019
Referendum Date	June 11, 2019
Design Development Complete	January 17, 2020
100% Construction Documents Complete	October 14, 2020
Design & Funding Approval by State Board of Education	December 21, 2020
Project out to Bid	December 16, 2020
Bid Opening	March 2, 2021
Final Funding Approval by the Commissioner of Education	March 24, 2021
*Dept. of Education Established Bond Dates	Spring 2021/Spring 2022
REVISED Concept Approval	March 8, 2023
Second Local Referendum	June 13, 2023
REVISED Design & Funding Approval	June 14, 2023
REVISED Final Funding Approval	June 15, 2023
Substantial Completion ( <i>approx. 30 months</i> )	July 1, 2023
PCB Abatement and Building Demolition	July 1, 2023
*Final Dept. of Education Established Bond Date	Fall 2023
Building Occupancy	August 1, 2023
Site Occupancy	August 1, 2024
<i>*Bond date contingent upon Legislative appropriation.</i>	

**SQUARE FOOT SUMMARY**

<u>Space Definition</u>	<u>State/Local</u>	<u>Local Only</u>	<u>Total</u>
New Construction (sf)	251,503	26,561	<b>278,064 sf</b>
Renovation (sf)	<u>0</u>	<u>0</u>	<u>0 sf</u>
<b>Total</b>	<b>251,503</b>	<b>26,561</b>	<b>278,064 sf</b>

**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 and second reading on Monday, April 3, 2023, at 7:00 p.m. in the Council Chambers, Auburn Hall, 60 Court Street on a proposed order authorizing \$4,598,331 of the City's general obligation bonds to finance additional costs for environmental remediation (Polychlorinated Biphenyls (PCB) Abatement) of the soil and existing building material at the new high school project location. The order is available for inspection at the City Clerk's office during regular business hours and on the City's website: [www.auburnmaine.gov](http://www.auburnmaine.gov).

Public comment may be given at the meeting or can be sent via email to: [comments@auburnmaine.gov](mailto:comments@auburnmaine.gov). Your comments will be included in the meeting minutes.

The City Council meeting can be viewed LIVE on on Great Falls TV channel 11 and on the City of Auburn YouTube channel.

Following the public hearing and first reading, the City Council expects to take final action on the order.



# City Council Order

## IN CITY COUNCIL

### **ORDER – APPROVING \$4,598,331 OF ADDITIONAL COSTS FOR ENVIRONMENTAL REMEDIATION OF NEW HIGH SCHOOL PROJECT AND AUTHORIZING GENERAL OBLIGATION BONDS AND A TAX LEVY THEREFOR**

**Be It 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 (a) \$4,598,331 in additional costs for environmental remediation (Polychlorinated Biphenyls (PCB) Abatement) of the soil and existing building material at the new high school project location, and (b) issuance of up to \$4,598,331 City of Auburn general obligation bonds, which may be sold at or above par, the sale proceeds of which, together with investment earnings, if any, are appropriated to finance such costs (including costs of issuance and capitalized interest).

#### **Be It Further Ordered by the Auburn City Council:**

THAT the Finance Director be and hereby is authorized and empowered, in the name of and on behalf of the City, to prepare, issue, and sell such bonds and notes in anticipation thereof, in the aggregate amount of \$4,598,331 at one time, or from time to time, as one or more separate bond issues or consolidated with any other issue of bonds and notes authorized to be issued by the City Council, as term bonds or serial bonds, through a public offering or a private placement, on a competitive or negotiated basis, or some combination of any of the foregoing, all as the Finance Director shall determine to be appropriate in her sole discretion.

THAT the bonds and notes authorized hereunder shall be executed in the name of and on behalf of the City by the City's Finance Director and its Treasurer, either or both of whose signatures may be by facsimile to the extent permitted by law, and shall bear the City seal thereon, attested by its Clerk.

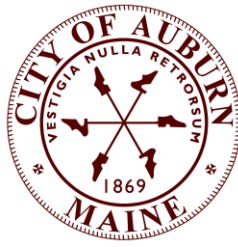
THAT the Finance Director be and hereby is authorized and empowered, in the name of and on behalf of the City, to establish, determine and approve the form, dates, maturities (with the last maturity not to exceed the maximum term permitted by law), denominations, interest rates, places of payment, provisions for early redemption, with or without a premium, prior to the stated maturity date(s), and all other details, including the timing and manner of their sale and award, such approval to be conclusively evidenced by her execution thereof.

---

**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



## City Council Order

THAT a tax levy is hereby provided for each fiscal year that the bonds authorized hereunder remain outstanding to meet the annual installments of principal and interest as may accrue in each respective year.

THAT the Finance Director be and hereby is authorized and empowered, in the name of and on behalf of the City, to designate the bond or notes authorized hereunder, or a portion thereof, as qualified tax-exempt obligations under Section 265 of the Internal Revenue Code of 1986, as amended.

THAT the Finance Director be and hereby is authorized and empowered, in the name of and on behalf of the City, to do or cause to be done all such acts and things, including to approve and select a financial advisor and underwriter with respect to the issue, sale and delivery of the bonds and notes, and to approve, execute and deliver such contracts, agreements, loan agreements, investment agreements, bond purchase agreements, official statements, certificates, tax certificates, instruments, assignments and other documents (the "Bond Documents"), as may be necessary or advisable in order to accomplish the issuance of the bonds and notes, which Bond Documents may be in such form and contain such terms, conditions and provisions including, without limitation, the waiving of the City's sovereign or governmental immunity with respect to the enforceability of any of the forgoing, as may be approved by the Finance Director, such approval to be conclusively evidenced by her execution thereof.

THAT if the Finance Director, Treasurer, or Clerk are for any reason unavailable to approve and execute the bonds or any other Bond Document necessary or convenient to the issuance, execution and delivery of the bonds or notes, the person or persons then acting in any such capacity, whether on an interim or acting basis, 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 if any of the officers or officials of the City who have signed or sealed the bonds or notes shall cease to be such officers or officials before the bonds or notes so signed and sealed shall have been actually authenticated or delivered by the City, such bonds or notes nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such bonds or notes had not ceased to be such officer or official; and also any such bonds or notes may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such bonds or notes, shall be the proper officers and officials of the City, although at the nominal date of such bonds or notes any such person shall not have been such officer or official.

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**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



## City Council Order

THAT the City may pay certain costs of the projects prior to the issuance of the bonds and notes (referred to as “original expenditures”); to that end, the City hereby declares its official intent to reimburse itself for such original expenditures from the proceeds of such bonds and notes, and this Order shall constitute the City’s declaration of official intent pursuant to Treasury Regulation §1.150-2.

THAT the bonds and notes authorized hereby are conditioned upon and made subject to an approving vote of the voters of the City.

A Public Notice describing the general purpose of the borrowing and the terms thereof and the times and places where copies of the bond proposal were available for inspection by the public was published on or before March 20, 2023, in the Lewiston Sun-Journal, a daily newspaper published in the City of Auburn and in Androscoggin County.

A public hearing was held on April 3, 2023.

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**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager





# City Council Order

## IN CITY COUNCIL

### ORDER – APPROVING QUESTION FOR MUNICIPAL REFERENDUM ELECTION WITH RESPECT TO ENVIRONMENTAL REMEDIATION COSTS FOR NEW HIGH SCHOOL CONSTRUCTION PROJECT AND GENERAL OBLIGATION BONDS THEREFOR

**Be It Ordered by the Auburn City Council** that the question in substantially the following form and with substantially the following summary descriptions be approved and submitted to the voters of the City of Auburn to consider at a municipal referendum election:

Shall the City of Auburn approve City Council Order 33-03202023 and (a) authorize up to \$4,598,331 in additional costs for environmental remediation (Polychlorinated Biphenyls (PCB) Abatement) of the soil and existing building material at the new high school project location, and (b) authorize up to \$4,598,331 of the City's general obligation bonds (which may be callable) for that purpose (all of which additional bonds have been approved for State debt service subsidy support), the sale proceeds of which, together with investment earnings, if any, are appropriated to finance such costs (including costs of issuance and capitalized interest)?

Project Description: During construction of the new Edward Little High School Project, the City discovered unexpected Polychlorinated Biphenyls (PCB) contamination in the soil and existing building material at the new high school project location. The additional funding will pay for the costs to remediate and abate this environmental concern.

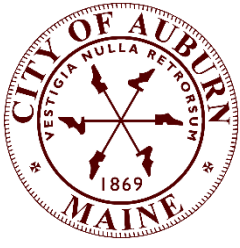
**Be It Further Ordered by the Auburn City Council** that the ballot shall contain the additional information required by Title 20-A and Title 30-A.

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**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 3, 2023

**Order:** 38-04032023

**Author:** Jay Brenchick, Director of Economic Development

**Subject:** Sale of 32 Dunn Street (Former St. Louis Church)

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**Information:** The sale of this property for \$50,000 will allow Thomas Robinson (the developer) to renovate the former St. Louis Church into one and two bedroom into twenty (20) market rate apartments.

---

**City Budgetary Impacts:** Possible use of up to \$250,000 from the downtown incentive fund. If downtown incentive funds are requested, City Council will need to approve the use of the funds during an open City Council Meeting.

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**Staff Recommended Action:** Approve

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**Previous Meetings and History:**

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**City Manager Comments:**

I concur with the recommendation. Signature:

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**Attachments:**



**ORDER 38-04032023**

# City Council Order

## IN CITY COUNCIL

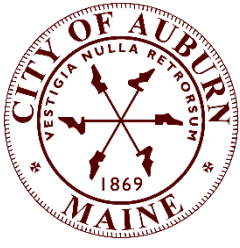
**ORDERED**, that the City Council hereby authorizes the City Manager to execute a Purchase and Sale Agreement with Thomas Robinson for the purchase of 32 Dunn Street Auburn, Maine (Tax Parcel 221-196-001) for \$50,000 Fifty Thousand Dollars.

---

**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 03, 2023

**Order:** 39-04032023

**Author:** Alison F. Pepin, Deputy Clerk

**Subject:** Olive Garden Holdings, LLC., DBA The Olive Garden Italian Restaurant, #6480

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**Information:** Olive Garden Holdings, LLC., DBA The Olive Garden Italian Restaurant, #6480, a new business located at 10 Subaru Drive applied for a Liquor License. Police, Fire, and Code have completed the necessary inspections and have granted approval. There are no outstanding taxes owed.

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**City Budgetary Impacts:** None

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**Staff Recommended Action:** Public Hearing and recommend passage.

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

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**City Manager Comments:** I concur with the recommendation. Signature:



**Attachments:**

- Applications
- Public Notice
- Order



**CITY OF AUBURN  
BUSINESS LICENSE APPLICATION**

NEW     RENEWAL

If new business, please provide proposed opening date. 4/21/23

Please check the boxes for all licenses you are applying for:

There is a late fee of \$50.00 for renewals that are 30-45 days late, \$100.00 for more than 46 days late, and \$200.00 for reoccurring

**Food Service Establishments:**

\*FSE Mobile Food distribution Unit (12 mths) ...\$100  
*Not to be located less than 200 ft from nearest food service establishment. Please include a letter from property owner authorizing use of location.*

FSE Serving Malt, Vinous & Spirituous Liquor (FSE Class I) ..... \$500  
Plus actual cost of advertising hearing required for new license. Background check must also be included.

\*FSE Serving Malt and/or Vinous (FSE Class III & IV)..... \$400  
Plus actual cost of advertising hearing required for new license. Background check must also be included.

\*Class A Lounge Serving Malt, Vinous & Spirituous Liquor (Class X) ..... \$1000  
Plus actual cost of advertising hearing required for new license. Background check must also be included.

\*FSE(On/Off), no Alcohol.....\$200  
Includes Prepackaged Foods

\*Bottle Club/BYOB..... \$200  
Plus actual cost of advertising hearing required for new license. Background check must also be included.

\*Temp FSE (Per event max 30 days).....\$60  
Event Name \_\_\_\_\_  
Event Date \_\_\_\_\_

\*All above licenses: include copy of floor plan, menu/ draft menu, certified food handler certificate and a copy of all State licenses applicable.

FSE Off Premise/Retailer-Malt Liquor/Table Wine..... \$200

**Business Name:** Olive Garden #6480

**Office of the City Clerk  
60 Court St, Auburn,  
ME 04210  
207.333.6600  
www.auburnmaine.gov**

**Please Note:** All real estate and personal property taxes related to the business must be current before a license can be issued.

**Other Business Licenses Applying for:**

\*Special Amusement .....\$125  
Plus actual cost of advertising hearing required for new license. Please fill out supplemental questionnaire (pg. 4.

\*Pawnshop/Pawn Broker .....\$100

\*Secondhand Dealer ..... \$100

\*Massage Establishment/Therapist..... \$150

State license #: \_\_\_\_\_

Please also include 2 copies of a passport size photograph taken within 30 days of application date (annually), copy of current State license and copy of government issued identification.

\*Tattoo Artist..... \$100

\*Above licenses: Each applicant for a license shall provide a copy of a criminal background check (to include all present and former names) dated not more than 3 days prior to submission of application. You can do it yourself on-line here: <http://www5.informe.org/online/pcr/>

Bowling Alley (fee per lane) .....\$85  
# of lanes: \_\_\_\_\_

Roller Skating Rinks with Part/Full Kitchen.....\$90

Lodging House, Boarding House, Rooming Houses, Hotels, Motels, etc..... \$100

Seating: 194    Occupancy load:            Pending Final Inspection. Will Update Promptly.

LICENSING FEE(S) TOTAL DUE: \$ 500  
Will provide additional \$100 Hearing/Notice Fee

NAME OF BUSINESS: The Olive Garden Italian Restaurant #6480 BUSINESS ADDRESS: 10 Subaru Drive, Auburn, ME 04210

BUSINESS MAILING ADDRESS: PO Box 695016, Orlando, FL 32837-5016

OWNER'S NAME (LOCAL/ONSITE): Publicly Traded DOB: \_\_\_\_\_ PHONE: \_\_\_\_\_

OWNER'S ADDRESS: \_\_\_\_\_ MAILING ADDRESS: \_\_\_\_\_

PREFERRED EMAIL: licensinglaw@arden.com

MANAGER'S NAME: Ryan Quinn PHONE #: 917-531-1703 DOB: 05/08/1976

PREFERRED CONTACT NAME: Sarah Wood PHONE #: 407-245-4841

EMAIL ADDRESS: licensinglaw@arden.com

DESCRIPTION OF BUSINESS: Full service restaurant serving alcoholic beverages.

TYPE OF PREVIOUS BUSINESS AT ADDRESS (IF KNOWN): \_\_\_\_\_

FORM OF BUSINESS ORGANIZATION:  Corporation  Partnership  Sole Proprietorship  LLC  Other

(If a corporation, must include a copy of corporate papers for new licenses)

If a Corporation, Partnership or LLC, complete the following information of each owner (additional names may be listed on an attached sheet):

Name	<i>Print Clearly</i> Address Previous 5 years	Birth Date	% of Stock	Title
Lindsay L. Koren	8803 Abbey Leaf Lane, Orlando, FL 32827	01/16/78	0	President/Mgr
Colleen H. Lyons	11762 Aurelio Lane, Orlando, FL 32827	06/22/72	0	Secretary/Mgr
GMRI, Inc.			100	Sole Member

OWNER OF BUILDING/UNIT: FCPT Holdings, LLC, PHONE # (415) 965-8033

OWNER'S ADDRESS: 591 Redwood Hwy, Ste 3215, Mill Valley, CA 94941 Attn: Jim Brat

HOURS OF OPERATION: Mon: 11 am - 10 pm Tues: 11 am - 10 pm Wed: 11 am - 10 pm Thurs: 11 am - 10 pm  
Fri: 11 am - 11 pm Sat: 11 am - 11 pm Sun: 11 am - 10 pm

Has applicant(s) and/or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 years?  Yes  No (If yes, complete the following)

Name: \_\_\_\_\_ Date of conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

Include additional pages if needed.

THE OMISSION OF FACTS OR ANY MISREPRESENTATION OF ANY OF THE INFORMATION ON THIS APPLICATION SHALL BE SUFFICIENT GROUNDS FOR THE REFUSAL OF SUCH LICENSE.

**Chapter 14-Business Licenses & Permits-Article II Sec.14-34 Certification from City Officials** Before a license is issued the City Clerk shall submit the application for certification to the Code Enforcement Officer, Fire Chief, Chief of Police and City Treasurer.

There is a 14 day review period after receipt of a **completed** application. Incomplete applications will not be reviewed for approval and will be returned for completion. A business must not operate until approved by the required departments. Final approval and issuance of license will be from the City Clerk's Office.

CERTIFICATE OF APPLICANT AND WAIVER OF CONFIDENTIALITY

\*\*\*READ CAREFULLY BEFORE SIGNING\*\*\*

I, Lindsay L. Koren, Owner/Operator of the business, hereby authorize the release of any criminal history record information to the City Clerk's Office or Licensing Authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto. I further stipulate that I am aware that deliberate falsification of the information herein shall be sufficient cause for denial of a license to operate the business. This application is accurate and true to the best of my knowledge.

Applicant Signature:  Date: 3/16/23

**FOR OFFICE USE ONLY**

**REPORT OF INSPECTING OFFICERS:**

<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	FIRE INSPECTOR	<u>DD 3/21</u>
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	CODE ENFORCEMENT OFFICER	<u>KB 3/21</u>
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	POLICE	<u>BS 3/21</u>
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	FINANCE	<u>ML 3/21</u>

**Comments:**

\_\_\_\_\_  
 \_\_\_\_\_

Application date: <u>3/21/23</u>	License issued on: _____
Fees paid: License fee(s) <u>500<sup>00</sup></u>	Public hearing fee <u>100<sup>00</sup></u> Background fee _____ Late fee _____
Total amount paid = \$ <u>600<sup>00</sup></u>	



MAINE STATE BUREAU OF IDENTIFICATION  
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42  
AUGUSTA, ME 04333  
(207) 624-7240 (VOICE)

LAURIE PROCTOR  
THE BENNETT LAW FIRM, P.A.  
75 MARKET STREET, SUITE 201  
PORTLAND, ME 04101

Transaction Response #: MIQ99F600238

## Criminal History Record

### Introduction

This criminal history record was produced in response to the following request ( Produced on 2023-03-20 ) :

Inquiries Name(s) LINDSAY L KOREN (1978-01-16)

NO MATCH WAS FOUND FOR YOUR REQUEST.





MAINE STATE BUREAU OF IDENTIFICATION  
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42  
AUGUSTA, ME 04333  
(207) 624-7240 (VOICE)

LAURIE PROCTOR  
THE BENNETT LAW FIRM, P.A.  
75 MARKET STREET, SUITE 201  
PORTLAND, ME 04101

Transaction Response #: MIQ99F600247

## Criminal History Record

### Introduction

This criminal history record was produced in response to the following request ( Produced on 2023-03-20 ) :

Inquiries Name(s)                      LINDSAY L CHICHESTER (1978-01-16)

**NO MATCH WAS FOUND FOR YOUR REQUEST.**



MAINE STATE BUREAU OF IDENTIFICATION  
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42  
AUGUSTA, ME 04333  
(207) 624-7240 (VOICE)

LAURIE PROCTOR  
THE BENNETT LAW FIRM, P.A.  
75 MARKET STREET, SUITE 201  
PORTLAND, ME 04101

Transaction Response #: MIQ99F600252

## Criminal History Record

### Introduction

This criminal history record was produced in response to the following request ( Produced on 2023-03-20 ) :

Inquiries Name(s) RYAN J QUINN (1976-05-08)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION  
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42  
AUGUSTA, ME 04333  
(207) 624-7240 (VOICE)

LAURIE PROCTOR  
THE BENNETT LAW FIRM, P.A.  
75 MARKET STREET, SUITE 201  
PORTLAND, ME 04101

Transaction Response #: MIQ99F600242

## Criminal History Record

### Introduction

This criminal history record was produced in response to the following request ( Produced on 2023-03-20 ) :

Inquiries Name(s) COLLEEN H LYONS (1972-06-22)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION  
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42  
AUGUSTA, ME 04333  
(207) 624-7240 (VOICE)

LAURIE PROCTOR  
THE BENNETT LAW FIRM, P.A.  
75 MARKET STREET, SUITE 201  
PORTLAND, ME 04101

Transaction Response #: MIQ99F600245

## Criminal History Record

### Introduction

This criminal history record was produced in response to the following request ( Produced on 2023-03-20 ) :

Inquiries Name(s) COLLEEN H COLLEEN MARIE LYONS (1972-06-22)

NO MATCH WAS FOUND FOR YOUR REQUEST.



**STATE OF MAINE**  
**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES**  
**BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS**  
**DIVISION OF LIQUOR LICENSING AND ENFORCEMENT**

**Application for an On-Premises License**

*All Questions Must Be Answered Completely. Please print legibly.*

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

**Section I: Licensee/Applicant(s) Information;  
Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): Olive Garden Holdings, LLC	Business Name (D/B/A): The Olive Garden Italian Restaurant #6480
Individual or Sole Proprietor Applicant Name(s):	Physical Location: 10 Subaru Drive, Auburn, ME 04210
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: PO Box 695016, Orlando, FL 32869-5016
Mailing address, if different from DBA address:	Email Address: licensinglaw@darden.com
Telephone #      Fax #: 407-245-4000	Business Telephone #      Fax #: (207) 376-8149                  (207) 376-9265
Federal Tax Identification Number: 47-4531614	Maine Seller Certificate # or Sales Tax #: 1006-4245
Retail Beverage Alcohol Dealers Permit: N/A	Website address: www.olivegarden.com

1. New license or renewal of existing license?     New      Expected Start date: 04/21/2023  
     Renewal      Expiration Date: \_\_\_\_\_

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:  
 Food:    \$ 3,391,200.00      Beer, Wine or Spirits: \$ 376,800.00      Guest Rooms: \$ 0.00

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)  
 Malt Liquor (beer)     Wine       Spirits

4. Indicate the type of license applying for: (choose only one)

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Restaurant<br>(Class I, II, III, IV)   | <input type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI)         | <input type="checkbox"/> Class A Lounge<br>(Class X)  |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)   | <input type="checkbox"/> Hotel – Food Optional<br>(Class I-A)            | <input type="checkbox"/> Bed & Breakfast<br>(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)<br>(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary                                       | <input type="checkbox"/> Mobile Cart                  |
| <input type="checkbox"/> Tavern<br>(Class IV)  | <input type="checkbox"/> Other: _____                                    |   |
| <input type="checkbox"/> Qualified Caterer   | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) |   |

*Refer to Section V for the License Fee Schedule on page 9*

5. Business records are located at the following address:

1000 Darden Center Drive, Orlando, FL 32837

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6. Is the licensee/applicant(s) citizens of the United States?  Yes  No
7. Is the licensee/applicant(s) a resident of the State of Maine?  Yes  No

**NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.**

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

Yes  No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

Yes  No

Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes  No

If yes, please provide details: \_\_\_\_\_

11. Do you own or have any interest in any another Maine Liquor License?  Yes  No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Lindsay L. Koren (maiden Lindsay L. Chichester)	01/16/1978	Fort Wayne, IN
Colleen H. Lyons (maiden Colleen Marie Lyons)	06/22/1972	Miami, FL
Ryan J. Quinn	05/08/1976	Bay Shore, NY
Residence address on all the above for previous 5 years		
Name Lindsay Koren	Address: 8803 Abbey Leaf Lane, Orlando, FL 32827	
Name Colleen Lyons	Address: 11762 Aurelio Lane, Orlando, FL 32827	
Name Ryan Quinn	Address: 9 Summer Street, Apt. 1, Freeport ME 04032 (see attached)	
Name	Address:	

Addresses for last 5 years:

Ryan Quinn

3/2022 to current:	9 Summer St Apt 1 Freeport, ME 04032
3/2021 to 3/2022:	100 Clearwater Dr Unit 138 Falmouth ME 04105
3/2014 to 3/2021:	500 S Valley Forge Rd Lansdale PA 19446



13. Will any law enforcement officer directly benefit financially from this license, if issued?

Yes  No

If Yes, provide name of law enforcement officer and department where employed:

\_\_\_\_\_

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States?  Yes  No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States?  Yes  No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

16. Has the licensee/applicant(s) formerly held a Maine liquor license?  Yes  No

17. Does the licensee/applicant(s) own the premises?  Yes  No

If No, please provide the name and address of the owner:

FCPT Holdings, LLC, 591 Redwood Hwy, Ste 3215, Mill Valley, CA 94941 Attn: Jim Brat

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: 0.00

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

Full service restaurant serving alcoholic beverages in the dining rooms, bar and lounge areas.

One story building 6,607 sq. ft. building.

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

Name: Full Gospel Tabernacle

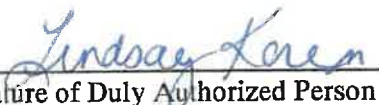
Distance: 2,500.00

**Section II: Signature of Applicant(s)**

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

*Please sign and date in blue ink.*

Dated: 03/16/2023

  
Signature of Duly Authorized Person

\_\_\_\_\_  
Signature of Duly Authorized Person

Lindsay L. Koren  
Printed Name Duly Authorized Person

\_\_\_\_\_  
Printed Name of Duly Authorized Person

**Section III: For use by Municipal Officers and County Commissioners only**

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: \_\_\_\_\_

Who is approving this application?  Municipal Officers of \_\_\_\_\_

County Commissioners of \_\_\_\_\_ County

- Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine’s liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

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

A. The bureau shall prepare and supply application forms.

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

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

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

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

**A.** Conviction of the applicant of any Class A, Class B or Class C crime;

**B.** Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

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

**D.** Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

**D-1.** Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

**E.** A violation of any provision of this Title;

**F.** A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

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

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

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

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

#### **Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine**

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
  - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

## Section V: Fee Schedule

**Filing fee required.** In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

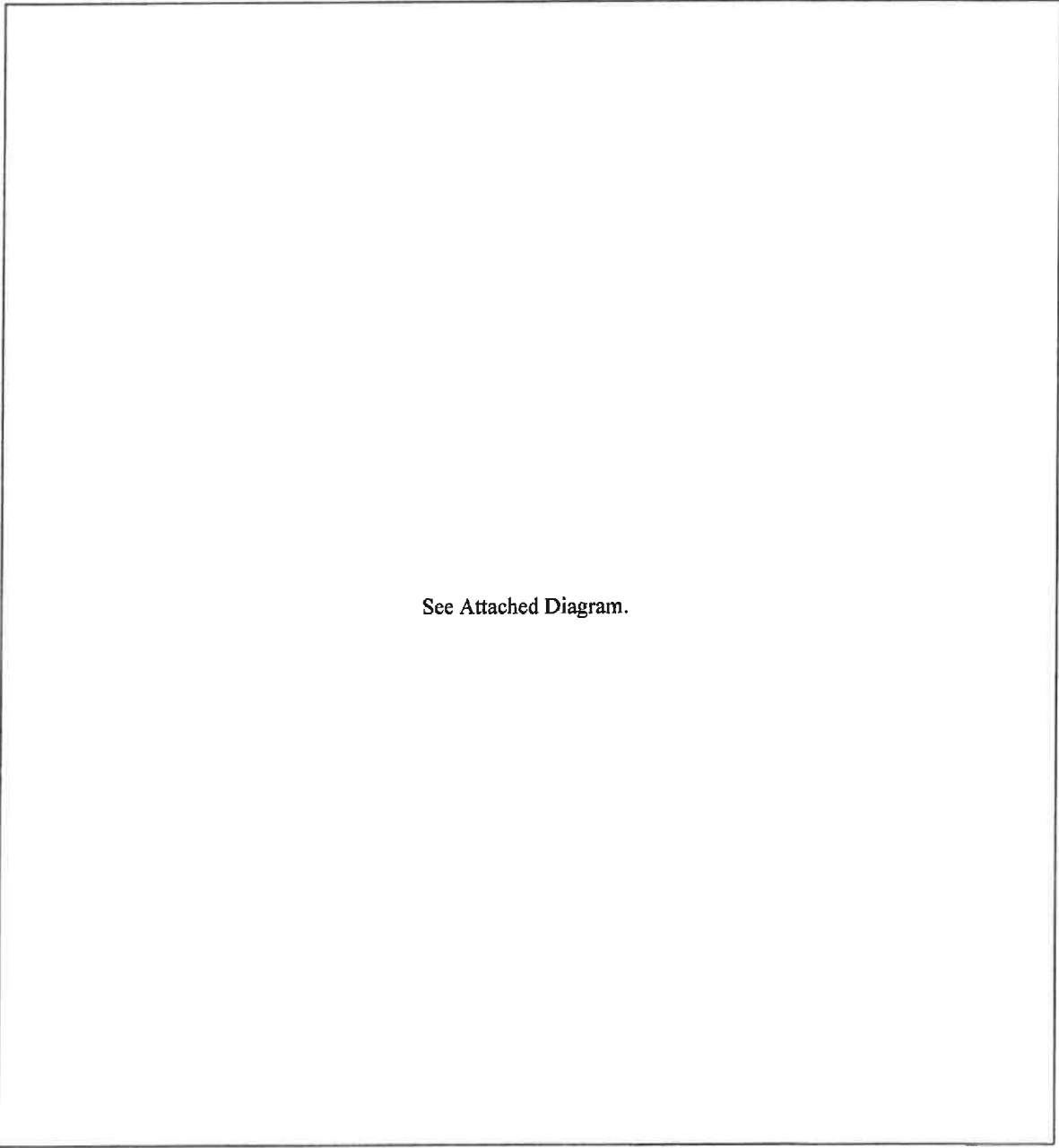
**Please note:** For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

<b>Class of License</b>	<b>Type of liquor/Establishments included</b>	<b>Fee</b>
<b>Class I</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
<b>Class I-A</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only hotels that do not serve three meals a day.	\$1,100.00
<b>Class II</b>	<b>For the Sale of Spirits Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
<b>Class III</b>	<b>For the Sale of Wine Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
<b>Class IV</b>	<b>For the Sale of Malt Liquor Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
<b>Class III and IV</b>	<b>For the Sale of Malt Liquor and Wine Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
<b>Class V</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Club without catering privileges.	\$ 495.00
<b>Class X</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Class A Lounge	\$2,200.00
<b>Class XI</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Restaurant Lounge	\$1,500.00

## Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

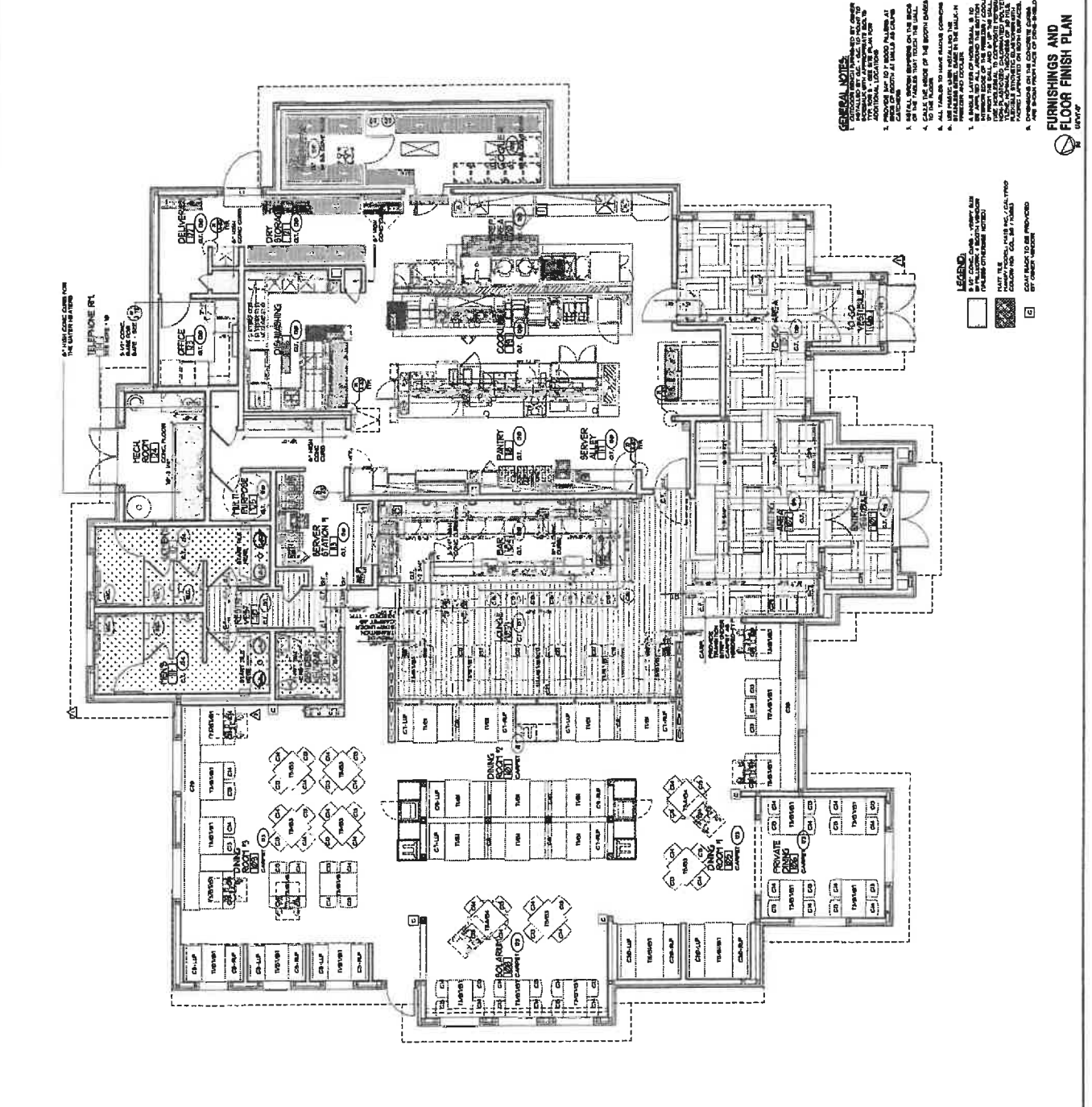
Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



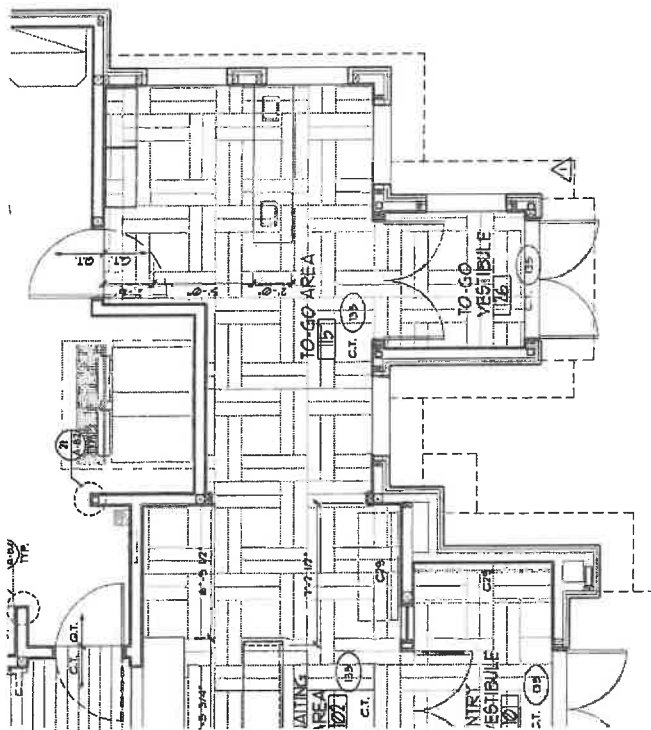
See Attached Diagram.

### FURNISHINGS SCHEDULE

NO.	DESCRIPTION	QTY.	UNIT PRICE	TOTAL PRICE	NO.	DESCRIPTION	QTY.	UNIT PRICE	TOTAL PRICE
1	2" X 4" SPLY. DRY, 20' L	10	100000	1000000	11	6" X 6" SPLY. DRY, 20' L	10	100000	1000000
2	2" X 4" SPLY. DRY, 10' L	10	50000	500000	12	2" X 4" SPLY. DRY, 10' L	10	50000	500000
3	2" X 4" SPLY. DRY, 5' L	10	25000	250000	13	2" X 4" SPLY. DRY, 5' L	10	25000	250000
4	2" X 4" SPLY. DRY, 2.5' L	10	12500	125000	14	2" X 4" SPLY. DRY, 2.5' L	10	12500	125000
5	2" X 4" SPLY. DRY, 1.25' L	10	6250	62500	15	2" X 4" SPLY. DRY, 1.25' L	10	6250	62500
6	2" X 4" SPLY. DRY, 0.625' L	10	3125	31250	16	2" X 4" SPLY. DRY, 0.625' L	10	3125	31250
7	2" X 4" SPLY. DRY, 0.3125' L	10	1562	15625	17	2" X 4" SPLY. DRY, 0.3125' L	10	1562	15625
8	2" X 4" SPLY. DRY, 0.15625' L	10	781	7812	18	2" X 4" SPLY. DRY, 0.15625' L	10	781	7812
9	2" X 4" SPLY. DRY, 0.078125' L	10	390	3906	19	2" X 4" SPLY. DRY, 0.078125' L	10	390	3906
10	2" X 4" SPLY. DRY, 0.0390625' L	10	195	1953	20	2" X 4" SPLY. DRY, 0.0390625' L	10	195	1953
21	2" X 4" SPLY. DRY, 0.01953125' L	10	97	976	21	2" X 4" SPLY. DRY, 0.01953125' L	10	97	976
22	2" X 4" SPLY. DRY, 0.009765625' L	10	49	488	22	2" X 4" SPLY. DRY, 0.009765625' L	10	49	488
23	2" X 4" SPLY. DRY, 0.0048828125' L	10	25	244	23	2" X 4" SPLY. DRY, 0.0048828125' L	10	25	244
24	2" X 4" SPLY. DRY, 0.00244140625' L	10	12	122	24	2" X 4" SPLY. DRY, 0.00244140625' L	10	12	122
25	2" X 4" SPLY. DRY, 0.001220703125' L	10	6	61	25	2" X 4" SPLY. DRY, 0.001220703125' L	10	6	61
26	2" X 4" SPLY. DRY, 0.0006103515625' L	10	3	30	26	2" X 4" SPLY. DRY, 0.0006103515625' L	10	3	30
27	2" X 4" SPLY. DRY, 0.00030517578125' L	10	1	10	27	2" X 4" SPLY. DRY, 0.00030517578125' L	10	1	10
28	2" X 4" SPLY. DRY, 0.000152587890625' L	10	0	0	28	2" X 4" SPLY. DRY, 0.000152587890625' L	10	0	0
29	2" X 4" SPLY. DRY, 0.0000762939453125' L	10	0	0	29	2" X 4" SPLY. DRY, 0.0000762939453125' L	10	0	0
30	2" X 4" SPLY. DRY, 0.00003814697265625' L	10	0	0	30	2" X 4" SPLY. DRY, 0.00003814697265625' L	10	0	0
31	2" X 4" SPLY. DRY, 0.000019073486328125' L	10	0	0	31	2" X 4" SPLY. DRY, 0.000019073486328125' L	10	0	0
32	2" X 4" SPLY. DRY, 0.0000095367431640625' L	10	0	0	32	2" X 4" SPLY. DRY, 0.0000095367431640625' L	10	0	0
33	2" X 4" SPLY. DRY, 0.00000476837158203125' L	10	0	0	33	2" X 4" SPLY. DRY, 0.00000476837158203125' L	10	0	0
34	2" X 4" SPLY. DRY, 0.000002384185791015625' L	10	0	0	34	2" X 4" SPLY. DRY, 0.000002384185791015625' L	10	0	0
35	2" X 4" SPLY. DRY, 0.0000011920928955078125' L	10	0	0	35	2" X 4" SPLY. DRY, 0.0000011920928955078125' L	10	0	0
36	2" X 4" SPLY. DRY, 0.00000059604644775390625' L	10	0	0	36	2" X 4" SPLY. DRY, 0.00000059604644775390625' L	10	0	0
37	2" X 4" SPLY. DRY, 0.000000298023223876953125' L	10	0	0	37	2" X 4" SPLY. DRY, 0.000000298023223876953125' L	10	0	0
38	2" X 4" SPLY. DRY, 0.0000001490116119384765625' L	10	0	0	38	2" X 4" SPLY. DRY, 0.0000001490116119384765625' L	10	0	0
39	2" X 4" SPLY. DRY, 0.00000007450580596923828125' L	10	0	0	39	2" X 4" SPLY. DRY, 0.00000007450580596923828125' L	10	0	0
40	2" X 4" SPLY. DRY, 0.000000037252902984619140625' L	10	0	0	40	2" X 4" SPLY. DRY, 0.000000037252902984619140625' L	10	0	0
41	2" X 4" SPLY. DRY, 0.0000000186264514923095703125' L	10	0	0	41	2" X 4" SPLY. DRY, 0.0000000186264514923095703125' L	10	0	0
42	2" X 4" SPLY. DRY, 0.00000000931322574615478515625' L	10	0	0	42	2" X 4" SPLY. DRY, 0.00000000931322574615478515625' L	10	0	0
43	2" X 4" SPLY. DRY, 0.000000004656612873077392578125' L	10	0	0	43	2" X 4" SPLY. DRY, 0.000000004656612873077392578125' L	10	0	0
44	2" X 4" SPLY. DRY, 0.0000000023283064365386962890625' L	10	0	0	44	2" X 4" SPLY. DRY, 0.0000000023283064365386962890625' L	10	0	0
45	2" X 4" SPLY. DRY, 0.00000000116415321826934814453125' L	10	0	0	45	2" X 4" SPLY. DRY, 0.00000000116415321826934814453125' L	10	0	0
46	2" X 4" SPLY. DRY, 0.000000000582076609134674072265625' L	10	0	0	46	2" X 4" SPLY. DRY, 0.000000000582076609134674072265625' L	10	0	0
47	2" X 4" SPLY. DRY, 0.0000000002910383045673370361328125' L	10	0	0	47	2" X 4" SPLY. DRY, 0.0000000002910383045673370361328125' L	10	0	0
48	2" X 4" SPLY. DRY, 0.0000000001455191522836685180615625' L	10	0	0	48	2" X 4" SPLY. DRY, 0.0000000001455191522836685180615625' L	10	0	0
49	2" X 4" SPLY. DRY, 0.00000000007275957614183425903078125' L	10	0	0	49	2" X 4" SPLY. DRY, 0.00000000007275957614183425903078125' L	10	0	0
50	2" X 4" SPLY. DRY, 0.000000000036379788070917129515390625' L	10	0	0	50	2" X 4" SPLY. DRY, 0.000000000036379788070917129515390625' L	10	0	0
51	2" X 4" SPLY. DRY, 0.0000000000181898940354585647576953125' L	10	0	0	51	2" X 4" SPLY. DRY, 0.0000000000181898940354585647576953125' L	10	0	0
52	2" X 4" SPLY. DRY, 0.00000000000909494701772928237884765625' L	10	0	0	52	2" X 4" SPLY. DRY, 0.00000000000909494701772928237884765625' L	10	0	0
53	2" X 4" SPLY. DRY, 0.000000000004547473508864618939423828125' L	10	0	0	53	2" X 4" SPLY. DRY, 0.000000000004547473508864618939423828125' L	10	0	0
54	2" X 4" SPLY. DRY, 0.0000000000022737367544323094697119140625' L	10	0	0	54	2" X 4" SPLY. DRY, 0.0000000000022737367544323094697119140625' L	10	0	0
55	2" X 4" SPLY. DRY, 0.0000000000011368683772161547348559578125' L	10	0	0	55	2" X 4" SPLY. DRY, 0.0000000000011368683772161547348559578125' L	10	0	0
56	2" X 4" SPLY. DRY, 0.00000000000056843418860787736742797890625' L	10	0	0	56	2" X 4" SPLY. DRY, 0.00000000000056843418860787736742797890625' L	10	0	0
57	2" X 4" SPLY. DRY, 0.000000000000284217094303938683713989423828125' L	10	0	0	57	2" X 4" SPLY. DRY, 0.000000000000284217094303938683713989423828125' L	10	0	0
58	2" X 4" SPLY. DRY, 0.000000000000142108547151969341868559578125' L	10	0	0	58	2" X 4" SPLY. DRY, 0.000000000000142108547151969341868559578125' L	10	0	0
59	2" X 4" SPLY. DRY, 0.0000000000000710542735759846934342797890625' L	10	0	0	59	2" X 4" SPLY. DRY, 0.0000000000000710542735759846934342797890625' L	10	0	0
60	2" X 4" SPLY. DRY, 0.00000000000003552713678799234671713989423828125' L	10	0	0	60	2" X 4" SPLY. DRY, 0.00000000000003552713678799234671713989423828125' L	10	0	0







- LEGEND:**
- 3/4" CONC. CURB - VERIFY SIZE
  - ▨ MATT TILE - VERIFY SIZE
  - ▩ MATT TILE - VERIFY COLOR (UNLESS OTHERWISE NOTED)
  - MATT TILE
  - ▨ MATT TILE - VERIFY COLOR (UNLESS OTHERWISE NOTED)
  - COAT RACK TO BE PROVIDED BY OWNER/VEHICLE

**FURNISHINGS AND FLOOR FINISH PLAN**  
1/4"=1'-0"

- GENERAL NOTES:**
1. OUTDOOR BENCH FINISHED BY OWNER. INSTALL BY O.C. - O.C. TO POINT TO INDICATE WITH APPROPRIATE BOLTS AND ANCHORS. PROVIDE PLAN FOR ADDITIONAL LOCATIONS.
  2. PROVIDE 3/4" x 1" WOOD RILERS AT END OF BOOTH AT WALLS AND CUBES/CATCHERS.
  3. INSTALL BRONZ BUMPERS ON THE ENDS OF THE TABLES THAT TOUCH THE WALL, TO THE FLOOR.
  4. CAULK THE INSIDE OF THE BOOTH BASES TO THE FLOOR.
  5. ALL TABLES TO HAVE RADIUS CORNERS.
  6. USE MASTIC WHEN INSTALLING THE BRONZ STEEL BASE IN THE WALK-IN FREEZER AND COOLER.
  7. A SINGLE LAYER OF NOBLESEAL IS TO BE APPLIED TO THE INTERIOR SURFACE OF THE INTERIOR EDGE OF THE FREEZER / COOLER. 2" FROM THE WALL AND 6" UP THE WALL. USE NOBLESEAL TO COMPOSITE MEMBRANE. USE NOBLESEAL TO COMPOSITE THE FLOOR TO THE WALL. USE FLEXIBLE SYNTHETIC ELASTOMER WITH FABRIC LAMINATED ON BOTH SURFACES.
  8. DIMENSIONS ON THE CONCRETE CURBS ARE SHOWN FROM FACE OF DENS-SHIELD

**SEATING COUNT - P62 DOM**

PREBOOKED DRINKING SEATING	
4 TOPS:	36 (92%) • 144 SEATRS
6 TOPS:	3 (8%) • 18 SEATRS
<b>TOTAL TOPS:</b>	<b>39 (100%) • 162 SEATS</b>
SEATING COUNT:	
DINING	162
LONGE	72
BAR	18
<b>TOTAL</b>	<b>154 (100% SEATRS)</b>
WAITING	18

REV	DESCRIPTION	DATE	BY	NOT USED
1	ISSUE DATE: 10-18-21			
2	REVISION			
3	AGENCY REVISIONS	1/13/22		
4	AGENCY REVISIONS	2/18/22		
5	AGENCY REVISIONS	4/11/22		
6	CLIENT REVISIONS			
7				
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Restaurant #: 6880  
**OLIVE GARDEN**  
**P62DOM-R**  
 10 SUBARU DRIVE  
 AUBURN ME, 04210  
 Drawing  
**FURNISHINGS & FLOOR FINISH PLAN**  
**A-1.2**

**Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities**

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State’s office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State’s office at (207) 624-7752.

*All Questions Must Be Answered Completely. Please print legibly.*

1. Exact legal name: Olive Garden Holdings, LLC
2. Doing Business As, if any: The Olive Garden Italian Restaurant #6480
3. Date of filing with Secretary of State: 07/13/2015 State in which you are formed: FL
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: 08/13/2021
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Lindsay L. Koren	8803 Abbey Leaf Ln, Orlando FL	01/16/1972	President/Mgr	0.0000
Colleen H. Lyons	11762 Aurelio Ln, Orlando, FL	06/22/1972	Secretary/Mgr	0.0000
GMRI, Inc.	1000 Darden Center Dr, Orlando		Sole Member	100.0000

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



**State of Maine**  
 Division of Alcoholic Beverages and  
 Lottery Operations  
 Division of Liquor Licensing and Enforcement

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

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

1. Exact legal name: GMRI, Inc.
2. Doing Business As, if any: \_\_\_\_\_
3. Legal Entity's FEIN #: 59-1219168
4. Date of filing with Secretary of State: 03/27/1968 State in which you are formed: FL
5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: 04/22/1991
6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Angela M. Simmons	8111 Hoboh Lane Clermont, FL 34714	08/16/1977	President	0
Lindsay L. Koren	8803 Abbey Leaf Lane Orlando, FL 32827	01/16/1978	VP/Secretary	0
Colleen H. Lyons	11762 Aurelio Lane Orlando, FL 32827	06/22/1972	Asst Secretary	0
Darden Restaurants, Inc	1000 Darden Center Drive Orlando, FL 32837		Shareholder	100

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

7. If Co-Op # of members: \_\_\_\_\_ (list primary officers in the above boxes)

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes  No

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

Name: \_\_\_\_\_

Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_

Location of Conviction: \_\_\_\_\_

Disposition: \_\_\_\_\_

Signature:

**PLEASE SIGN IN BLUE INK**

  
Signature of Owner or Corporate Officer

3/16/23  
Date

Lindsay L. Koren  
Print Name of Owner or Corporate Officer

Submit Completed Forms To:

Bureau of Alcoholic Beverages  
Division of Liquor Licensing and Enforcement  
8 State House Station, Augusta, Me 04333-0008 (Regular address)  
19 Union St., Augusta, ME 04330 (Overnight address)  
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434  
Email Inquiries: [MaineLiquor@Maine.gov](mailto:MaineLiquor@Maine.gov)



**State of Maine**  
 Division of Alcoholic Beverages and  
 Lottery Operations  
 Division of Liquor Licensing and Enforcement

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

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

1. Exact legal name: Darden Restaurants, Inc.
2. Doing Business As, if any: \_\_\_\_\_
3. Legal Entity's FEIN #: 59-3305930
4. Date of filing with Secretary of State: 03/30/1995 State in which you are formed: FL
5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: \_\_\_\_\_
6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Darden Restaurants, Inc. is a publicly traded company on the NY				
stock exchange with no one person owning more than 10% of stock.				

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

7. If Co-Op # of members: \_\_\_\_\_ (list primary officers in the above boxes)

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes  No

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

Name: \_\_\_\_\_

Date of Conviction: \_\_\_\_\_


Offense: \_\_\_\_\_

Location of Conviction: \_\_\_\_\_

Disposition: \_\_\_\_\_

Signature:

**PLEASE SIGN IN BLUE INK**

  
Signature of Owner or Corporate Officer

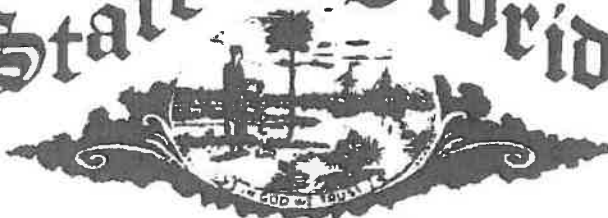
3/16/23  
Date

Lindsay L. Koren  
Print Name of Owner or Corporate Officer

Submit Completed Forms To:

Bureau of Alcoholic Beverages  
Division of Liquor Licensing and Enforcement  
8 State House Station, Augusta, Me 04333-0008 (Regular address)  
19 Union St., Augusta, ME 04330 (Overnight address)  
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434  
Email Inquiries: [MaineLiquor@Maine.gov](mailto:MaineLiquor@Maine.gov)

# State of Florida



## Department of State

I certify from the records of this office that OLIVE GARDEN HOLDINGS, LLC, is a limited liability company organized under the laws of the State of Florida, filed on July 13, 2015.

The document number of this company is L15000116767.

I further certify that said company has paid all fees due this office through December 31, 2015, and its status is active.

Authentication Code: 115A00014639-071415-L15000116767-1/1

Given under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this the Fourteenth day of July, 2015



*Ken Detar*  
Ken Detar  
Secretary of State

July 14, 2015

OLIVE GARDEN HOLDINGS, LLC  
PO BOX 695011  
ORLANDO, FL 32869-5011

The Articles of Organization for OLIVE GARDEN HOLDINGS, LLC were filed on July 13, 2015, and assigned document number L15000116767. Please refer to this number whenever corresponding with this office.

The certification you requested is enclosed. To be official, the certification for a certified copy must be attached to the original document number that was electronically submitted and filed under FAX audit number H15000170618.

To maintain "active" status with the Division of Corporations, an annual report must be filed yearly between January 1st and May 1st beginning in the year following the file date or effective date indicated above. If the annual report is not filed by May 1st, a \$400 late fee will be added. It is your responsibility to remember to file your annual report in a timely manner.

A Federal Employer Identification Number (FEI/EIN) will be required when this report is filed. Apply today with the IRS online at:

<https://sa.www4.irs.gov/modiein/individual/index.jsp>.

Please be aware if the limited liability company address changes, it is the responsibility of the limited liability to notify this office.

Should you have any questions regarding this matter, please contact this office at the address given below.

Jessica A Fason  
Regulatory Specialist II  
New Filing Section  
Division of Corporations

Letter Number: 115A00014639



## ARTICLES OF ORGANIZATION

### Article I. Name

The name of this Florida limited liability company is:  
Olive Garden Holdings, LLC

### Article II. Address

The street address of the Company's initial principal office is:  
Olive Garden Holdings, LLC  
1000 Darden Center Drive  
Orlando, FL 32837

The mailing address of the Company's initial principal office is:  
Olive Garden Holdings, LLC  
PO Box 695011  
Orlando, FL 32869-5011

### Article III. Registered Agent

The name and street address of the Company's registered agent is:  
  
Corporate Creations Network Inc.  
11380 Prosperity Farms Road #221E  
Palm Beach Gardens, FL 33410

### Article IV. Transferability of Membership Interests

No members shall have the right to assign their membership interests in the Company without the written agreement of all of the membership interests, unless otherwise provided in the Company's Operating Agreement. If the assignment is not approved by all of the membership interests, the assignee shall have no right to become a member, to participate in the management of the Company, or to exercise any other rights or powers of a member. The assignee shall merely be entitled to receive the share of profits and other distributions and the allocation of income, gain, loss deduction, credit or similar item to which the assignor was entitled, to the extent assigned.

### Article V. Distribution of Profits

Unless otherwise provided in the Company's Operating Agreement, there shall not be any distribution of profits unless each separate distribution is approved by the affirmative vote of members who own more than 50% of the voting interest in the Company. The voting members shall have complete discretion on when and if to approve any distribution of profits.

Article VI. Management

This will be a manager-managed company. The name and address of each manager is:

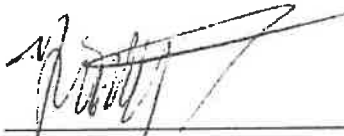
Colleen M. Hunter  
1000 Darden Center Drive  
Orlando, FL 32837

Joseph G. Kern  
1000 Darden Center Drive  
Orlando, FL 32837

Article VII. Company Existence

The Company's existence shall begin effective as of July 13, 2015.

The undersigned authorized representative of a member executed these Articles of Organization on 7/13/2015.



---

Corporate Creations International Inc.  
Diana Serra, Vice President  
By Tim Pratts as attorney-in-fact

**STATEMENT OF REGISTERED AGENT**


**LIMITED LIABILITY COMPANY:**

Olive Garden Holdings, LLC

**REGISTERED AGENT/OFFICE:**

Corporate Creations Network Inc.  
11380 Prosperity Farms Road #221E  
Palm Beach Gardens, FL 33410

I agree to act as registered agent to accept service of process for the company named above at the place designated in this Statement. I agree to comply with the provisions of all statutes relating to the proper and complete performance of the registered agent duties. I am familiar with and accept the obligations of the registered agent position.



---

Corporate Creations Network Inc.  
Tim Pratts, Special Secretary  
Date: July 13, 2015

FOREIGN  
LIMITED LIABILITY COMPANY

STATE OF MAINE

STATEMENT OF FOREIGN QUALIFICATION  
TO CONDUCT ACTIVITIES

Olive Garden Holdings, LLC

(Name of Limited Liability Company in Jurisdiction of Organization)

File No. 20220170FC Pages 4  
Fee Paid \$ 250  
DCN 2212281600041 QUAL  
-----FILED-----  
08/13/2021

  
Deputy Secretary of State

A True Copy When Attested By Signature

  
Deputy Secretary of State

Pursuant to 31 MRSA §1622, the undersigned limited liability company executes and delivers the following Statement of Foreign Qualification:

**FIRST:** If the name of the limited liability company in the jurisdiction of organization does not contain one of the words or abbreviations required by 31 MRSA § 1508.1 ("limited liability company" or "limited company" or the abbreviation "L.L.C.," "LLC," "L.C." or "LC" or, in the case of a low-profit limited liability company, "L3C" or "l3c"), the proposed name to be used in this State in compliance with this requirement is: \* (If not applicable, so indicate.)

N/A

**SECOND:** If the name of the limited liability company in the jurisdiction of organization is unavailable pursuant to 31 MRSA §1508, the fictitious name under which it seeks authority to conduct activities in the State of Maine is: (If not applicable, so indicate.)

N/A

Form MLLC-5 accompanies this application. (See 31 MRSA § 1624.1)

**THIRD:** Date of formation: 07/13/2015 Jurisdiction where formed: Florida

Address of the principal office, wherever located:

1000 DARDEN CENTER DR, ORLANDO, FL 32837

(physical location - street (not P.O. Box), city, state and zip code)

(mailing address if different from above)

**FOURTH:** The foreign limited liability company is a foreign limited liability company as defined in 31 MRSA §1502.11.

**FIFTH:** The nature of the business or purpose(s) to be conducted or promoted in the State of Maine is:

Full service restaurant

SIXTH: The Registered Agent is a: (select either a Commercial or Noncommercial Registered Agent)

Commercial Registered Agent CRA Public Number: P10221

Corporate Creations Network Inc.  
(name of commercial registered agent)

Noncommercial Registered Agent  
\_\_\_\_\_  
(name of noncommercial registered agent)

\_\_\_\_\_  
(physical location, not P.O. Box – street, city, state and zip code)

\_\_\_\_\_  
(mailing address if different from above)

SEVENTH: Pursuant to 5 MRSA §105.2, the registered agent listed above has consented to serve as the registered agent for this limited liability company.

EIGHTH: The name and business, residence and mailing address of each manager (if any):

NAME	ADDRESS
<u>COLLEEN HUNTER LYONS</u>	<u>1000 DARDEN CENTER DR, ORLANDO, FL 32837</u>
<u>LINDSAY L KOREN</u>	<u>1000 DARDEN CENTER DR, ORLANDO, FL 32837</u>
<u>GMRI, Inc.</u>	<u>1000 DARDEN CENTER DR, ORLANDO, FL 32837</u>

Names and addresses of additional managers are attached as Exhibit \_\_\_\_\_, and made a part hereof.

NINTH: The date on which the foreign limited liability company commenced or expects to commence conducting activities in the State of Maine is 08/11/2021.

TENTH: Check only if applicable

This is a professional limited liability company qualified pursuant to 13 MRSA Chapter 22-A to provide the following professional services (see 13 MRSA, chapter 22-A for information on what constitutes professional services):

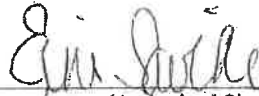
\_\_\_\_\_  
(type of professional services)

**ELEVENTH: (Check if applicable)**

The foreign limited liability company is governed by an agreement that establishes or provides for the establishment of designated series having separate rights, powers or duties with respect to specified property or obligations of the foreign limited liability company or profits and losses associated with specified property or obligations. Additional information required pursuant to MRSA 31 §1622.2.J are attached hereto as Exhibit \_\_\_\_\_, and made a part hereof.

**TWELFTH:** This statement of qualification is accompanied by a certificate of existence or such other document that the Secretary of State determines to be suitable for purposes of proving the valid existence of the foreign limited liability company under the law of the State or other jurisdiction listed in item Third. The certificate or other document must not have been issued more than 90 days before the delivery of this statement to the office of the Secretary of State.

Dated 08/21/2021



(Authorized Signature\*\*)

Erin Seville, Special Secretary of GMRI, Inc., Member

(Type or print name and capacity)

\*The limited liability company name as used in the State of Maine must contain one of the following: "limited liability company" or "limited company" or the abbreviation "L.L.C.," "LLC," "L.C." or "LC" or, in the case of a low-profit limited liability company, "L3C" or "l3c" – see 31 MRSA 1508). If the limited liability company's name in its jurisdiction of organization complies with 31 MRSA § 1508 with the addition of these words, then no fictitious name filing is required pursuant to 31 MRSA §§ 1622.2.A and 1624.1.

**\*\*Statement MUST be signed by at least one authorized person (31 MRSA §1676.1B).**

The execution of this statement constitutes an oath or affirmation under the penalties of false swearing under 17-A MRSA §453.

Please remit your payment made payable to the Maine Secretary of State.

Submit completed form to:

**Secretary of State  
Division of Corporations, UCC and Commissions  
101 State House Station  
Augusta, ME 04333-0101  
Telephone Inquiries: (207) 624-7752**

Email Inquiries: CEC.Corporations@Maine.gov

# *State of Florida*

## *Department of State*

I certify from the records of this office that OLIVE GARDEN HOLDINGS, LLC is a limited liability company organized under the laws of the State of Florida, filed on July 13, 2015.

The document number of this limited liability company is L15000116767.

I further certify that said limited liability company has paid all fees due this office through December 31, 2021, that its most recent annual report was filed on April 21, 2021, and that its status is active.

*Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capital, this  
the Eleventh day of August, 2021*



*Randy Lee*  
**Secretary of State**

Tracking Number: 6343355744CU

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

<https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication>



STATE OF MAINE  
 MAINE REVENUE SERVICES  
 PO BOX 1060  
 AUGUSTA ME 04332-1060

Letter ID: L0000478344  
 Letter Date: March 03, 2023  
 TAXPAYER ASSISTANCE: (207) 624-9784  
 V/TTY 7-1-1

Account ID: Sales and Use Tax  
 1006-4245

OLIVE GARDEN HOLDINGS, LLC  
 PO BOX 695019  
 ORLANDO FL 32869-5019



### RETAILER CERTIFICATE

Enclosed is the Retailer Certificate for your Sales and Use Tax account. This certificate acknowledges that you are registered with Maine Revenue Services for the collection and remittance of sales and use tax.

A Retailer Certificate is issued to all retailers. This certificate verifies a retail location has a valid Maine Sales and Use Tax account and is authorized to collect and remit sales tax on behalf of the State of Maine. The certificate does not expire and must be available at the place of business for inspection.

**PLEASE NOTE: This retailer's certificate may NOT be used to purchase tangible personal property or taxable services for resale (tax exempt in Maine). A resale certificate is a separate document. If you qualify to receive a resale certificate, one has been printed and mailed to you.**

You can now access your account information as well as electronic copies of your certificates and letters on the Maine Tax Portal at [revenue.maine.gov](http://revenue.maine.gov). If you have questions regarding this document, please call (207) 624-9693.

Go Paperless - Visit the Maine Tax Portal at [revenue.maine.gov](http://revenue.maine.gov) to file and pay today.



# Retailer Certificate

**This Certificate is issued to**  
**OLIVE GARDEN HOLDINGS, LLC**  
**THE OLIVE GARDEN ITALIAN**  
**RESTAURANT #6480**

OLIVE GARDEN HOLDINGS, LLC  
PO BOX 695019  
ORLANDO FL 32869-5019

Account Number: 1006-4245  
Date Effective: March 02, 2023  
Filing Frequency: Monthly  
Business Description: Restaurant

This certificate is issued under the provisions of 36 M.R.S. § 1754(B).

This certificate must be available for inspection by the State Tax Assessor, the Assessor's representatives and agents and authorized municipal officials. This retailer's certificate verifies that this retailer and this retail location hold a valid Maine sales tax account and is authorized to collect and remit the sales tax on behalf of the State of Maine. This certificate has no expiration date. If you cease to do business in Maine please return this certificate to Maine Revenue Services.

**\*This certificate is non-transferable and must be returned to Maine Revenue Services when operations cease.\***

Go Paperless - Visit the Maine Tax Portal at [revenue.maine.gov](http://revenue.maine.gov) to file and pay today.



STATE OF MAINE  
 MAINE REVENUE SERVICES  
 PO BOX 1060  
 AUGUSTA ME 04332-1060

Letter ID: L0000511112  
 Letter Date: March 03, 2023  
 TAXPAYER ASSISTANCE: (207) 624-9784  
 V/TTY 7-1-1

Account ID: Sales and Use Tax  
 1006-4245

OLIVE GARDEN HOLDINGS, LLC  
 PO BOX 695019  
 ORLANDO FL 32869-5019



## RESALE CERTIFICATE

Enclosed is the Resale Certificate for your Sales and Use Tax account. This certificate allows you to make purchases for resale without paying sales tax on such purchases and must be provided to your vendor to support a claim that a purchase is exempt for resale.

### DO NOT WRITE ON THIS ORIGINAL FORM

Retain this copy as an original in your files. Make copies of this original certificate, fill in the appropriate data and provide it to the vendors from whom you make purchases for resale.

This certificate is valid only for the period indicated on this certificate.

Prior to the expiration of this certificate, Maine Revenue Services will automatically renew and reissue a new resale certificate for the next period if:

- Your account is active; and
- You have reported \$3000 or more in gross sales during the previous 12 months

You can now access your account information as well as electronic copies of your certificates and letters on the Maine Tax Portal at [revenue.maine.gov](http://revenue.maine.gov).

If you cease doing business, this certificate is void and must be returned to Maine Revenue Services. Use of a resale certificate to make purchases not intended for resale is a criminal offense. If you have questions regarding this document, please call (207) 624-9693.

Go Paperless - Visit the Maine Tax Portal at [revenue.maine.gov](http://revenue.maine.gov) to file and pay today.

# Resale Certificate

This Certificate is issued to  
**OLIVE GARDEN HOLDINGS, LLC**  
**THE OLIVE GARDEN ITALIAN**  
**RESTAURANT #6480**

OLIVE GARDEN HOLDINGS, LLC  
10 SUBARU DR  
AUBURN ME 04210-5769

Certificate Number: 7004474  
Date Effective: March 02, 2023  
Valid Through: December 31, 2027  
Business Description: Restaurant

This is to certify that the above named business is authorized to purchase during the period indicated on this certificate: (1) tangible personal property to be resold in the form of tangible personal property, or (2) a taxable service to be resold as the same taxable service. This certificate cannot be reassigned or transferred and can only be used by the above business or its authorized employees. This certificate is void if the business has ceased operating or if the certificate has been altered.

I understand that if the items purchased for resale are not resold but are instead used by the purchaser for its own purpose, the purchaser will be held liable for Use Tax.

Purchase Description:

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Presented to: (Insert name of seller)

Date:

Presented By: (Purchaser)

Date:

**\*This certificate is non-transferable and must be returned to Maine Revenue Services when operations cease.\***

Go Paperless - Visit the Maine Tax Portal at [revenue.maine.gov](http://revenue.maine.gov) to file and pay today.



Olive Garden ■ LongHorn Steakhouse ■ Cheddar's Scratch Kitchen ■ Yard House ■ The Capital Grille ■ Seasons 52 ■ Bahama Breeze ■ Eddie V's

*Lisa Scallion-Black*  
*Legal Specialist, Licensing Dept.*  
*Phone (407) 245-5211*  
*Fax: (407) 241-5646*  
[\*lscallionblack@darden.com\*](mailto:lscallionblack@darden.com)

**VIA UPS DELIVERY**

March 03, 2023

Alcohol and Tobacco Tax and Trade Bureau  
550 Main Street, Suite 8002  
Cincinnati, OH 45202-5215  
(800) 937-8864

**RE: Alcohol Dealer Registration**

Dear Sir or Madam:

Enclosed is the application for Alcohol Dealer Registration for **OLIVE GARDEN HOLDINGS, LLC** doing business as the restaurant listed below:

**The Olive Garden Italian Restaurant #6480**  
**10 Subaru Drive**  
**Auburn, ME 04210**

If you have any questions or require additional information, please call me at 407-245-5211.  
Thank you for your assistance.

Sincerely,

Lisa Scallion-Black

Enclosures



DEPARTMENT OF THE TREASURY  
 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU (TTB)  
**Alcohol Dealer Registration – For Use On and After July 1, 2008**  
 (Please read instructions carefully before completing this form)

**SECTION 1 – IDENTIFYING INFORMATION**  
 Complete all fields in section 1 to correctly identify your business

NAME (Last, First, Middle) or CORPORATE NAME (If Corporation) <b>Olive Garden Holdings, LLC</b>		EMPLOYER IDENTIFICATION NUMBER (See Instructions) <b>47 - 4531614</b>	
MAILING ADDRESS (Street address or P.O. Box) <b>P.O. Box 695016, ATTN: Licensing Department</b>		CITY <b>Orlando</b>	STATE <b>FL</b>
		ZIP CODE <b>32869-5016</b>	

SELECT BOX a, b, or c:

a.  NEW BUSINESS  
 b.  OUT OF BUSINESS

c.  EXISTING BUSINESS WITH CHANGE IN: (complete items below)

<input type="checkbox"/> NAME / TRADE NAME	<input type="checkbox"/> OWNERSHIP INFO
<input type="checkbox"/> ADDRESS / LOCATION	<input type="checkbox"/> EMPLOYER IDENTIFICATION NUMBER
<input type="checkbox"/> BUSINESS CLASS (OLD: - )	
<input type="checkbox"/> PHONE (NEW: - )	

05/22/2023

DATE OF CHANGE, OR OF ENTRY INTO BUSINESS, OR OF TERMINATION OF BUSINESS (mm/dd/yyyy)

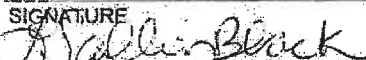
**SECTION 2 – BUSINESS CLASS(ES) AND PREMISES LOCATIONS**  
 Enter information below for each business location, using the appropriate class code

DEALER CLASS	SUBCLASS	CLASS CODE
RETAIL DEALER (Anyone who sells, or offers for sale, beverage alcohol products to any person other than a dealer. Examples are package stores, restaurants, bars, private clubs, fraternal organizations, grocery stores or supermarkets which sell such beverages.)	Liquors (Distilled Spirits, Wine or Beer)	11
	Beer Only	12
	Liquors (Distilled Spirits, Wine or Beer) – At Large*	15
	Beer Only – At Large*	16
WHOLESALE DEALER (Anyone who sells, or offers for sale, beverage alcohol products to another dealer. An IMPORTER must register as a wholesaler if he or she sells beverage alcohol products to other dealers.)	Liquors (Distilled Spirits, Wine, or Beer)	31
	Beer Only	32

\* A retail dealer at large is one whose business requires him to move from place to place, such as a circus or carnival.

CLASS CODE	TRADE NAME	PREMISES ADDRESS STREET NUMBER AND NAME	CITY, STATE, ZIP CODE	TELEPHONE NUMBER
11	The Olive Garden Italian Restaurant #6480	10 Subaru Drive	Auburn, ME 04210	( 207 ) 376-8149
				( )
				( )
				( )
				( )

Under penalties of perjury, I declare that the statements in this registration are true and correct to the best of my knowledge and belief; that this registration applies only to the specified business and location or, where the registration is for more than one location, it applies only to the businesses at the locations specified on the attached list.

SIGNATURE 	TITLE Lisa Scallion-Black, Agent/Olive Garden Holdings, LLC	DATE 3/3/23
--	--	----------------

**SECTION 3 – OWNERSHIP INFORMATION**

INDIVIDUAL OWNER    PARTNERSHIP    CORPORATION    LLC    OTHER (Specify)

FULL NAME Lindsay Koren	RESIDENCE ADDRESS 8803 Abbey Leaf Lane Orlando, FL 32827	POSITION President/Mgr.
FULL NAME Colleen H. Lyons	RESIDENCE ADDRESS 11762 Aurelio Lane Orlando, FL 32827	POSITION Secretary/Treasurer/Mgr.
FULL NAME	RESIDENCE ADDRESS	POSITION
FULL NAME	RESIDENCE ADDRESS	POSITION
FULL NAME	RESIDENCE ADDRESS	POSITION

**INSTRUCTIONS****GENERAL INSTRUCTIONS**

This registration is for use on and after July 1, 2008. If you are engaged in one or more of the alcohol activities listed on this form, you are required to file this form before beginning business. If there is a change in your business, you need to report it on or before the next July 1 (see CHANGES IN OPERATIONS, below). You may file one registration to cover several locations or several types of activity operating under the same Employer Identification Number (EIN).

**NOTE:** The special (occupational) tax on producers and marketers of alcohol beverages was repealed by Section 11125 of Public Law 109-59, effective July 1, 2008. However, tax liability and the registration requirement for periods before that date remain. If you need to file a delinquent or amended registration for a period through June 30, 2008, please use TTB Form 5630.5a, Alcohol Special (Occupational) Tax Registration and Return – For Periods Ending On or Before June 30, 2008.

**SIGNING YOUR REGISTRATION**

This form must be signed by the individual owner, a partner, or, in the case of a corporation or LLC, an individual authorized to sign on behalf of the corporation or LLC.

**SECTION 1 – IDENTIFYING INFORMATION**

Complete Section 1, Identifying Information, as specified on the form. Your registration must contain a valid Employer Identification Number (EIN). The EIN is a unique number for business entities issued by the Internal Revenue Service (IRS). You must have an EIN whether you are an individual owner, partnership, corporation, LLC, or a government agency. If you do not have an EIN, contact the Internal Revenue Service immediately to obtain one. While TTB may assign a temporary identification number (beginning with XX) to allow initial processing of a return which lacks an EIN, do not delay submission of your registration pending receipt of your EIN. If you have not received a number by the time you file this return, write "number applied for" in the space for the number. Submit your EIN by separate correspondence after receipt from the IRS.

**SECTION 2 – PREMISES LOCATIONS**

Enter the requested information in Section 2 for each premises location even if this repeats the business information listed in Section 1. If you are reporting a change, enter the date of the change in the appropriate space in Section 1. If additional sheets are needed, make a copy of page 1 of this form or enter the requested information on a separate sheet of paper with your EIN and Company's name.

**SECTION 3 – OWNERSHIP INFORMATION**

Please complete the ownership information in Section 3. Supply the information specified for each individual owner, partner or responsible person. For a corporation, partnership or association, a responsible person is anyone with the power to control the management policies or buying or selling practices pertaining to alcohol. For a corporation, association, or similar organization, it also means any person owning 10 percent or more of the outstanding stock in the business.

**CHANGES IN OPERATIONS**

If there is a change of your company's name, trade name, address, premises location, telephone number, ownership information, type of business, or EIN, complete TTB F 5630.5d and submit it no later than the next July 1 after the change. Check the box, Existing Business with Change(s), complete all fields in Section 1, and complete Sections 2 and 3 as necessary to show any changes there. Upon going out of business, submit TTB F 5630.5d within 30 days, checking box b in Section 1. If you are still in business but there are no changes since your last registration, this form does not need to be submitted.

**MAILING INSTRUCTIONS**

Please sign and date this registration and mail it to:

Alcohol and Tobacco Tax and Trade Bureau  
550 Main Street, Suite 8002  
Cincinnati, OH 45202-5215.

**CONTACT INFORMATION**

For further assistance, contact TTB National Revenue Center at 1-800-937-8864 or 1-877-882-3277; or email to [ttbtaxstamp@ttb.gov](mailto:ttbtaxstamp@ttb.gov). Additional information is also available at our Web site, [www.ttb.gov](http://www.ttb.gov).

**PAPERWORK REDUCTION ACT NOTICE**

This request is in accordance with the Paperwork Reduction Act of 1995. This information is used to ensure compliance with Section 11125 of Public Law 109-59, and the Internal Revenue Laws of the United States.

The estimated average burden associated with this collection of information is .8 hour per respondent or record keeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be addressed to the Reports Management Officer, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street, NW., Box 12, Washington, DC 20005.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a current, valid OMB control number.

TTBs for:  
 6484, 8392, 2212, 6488,  
 6482, 6475, 6457, 6480,  
 6474, 5658, 5650, 5654

# Shipment Receipt

Transaction Date: 03 Mar 2023

Tracking Number:

1Z3468060294422237

## ① Address Information

<b>Ship To:</b> Alcohol & Tobacco Tax& Tra 550 Main Street Suite 8002 CINCINNATI OH 452028215 Telephone:8009378864	<b>Ship From:</b> DARDEN RSC Lisa Seallion-Black 1000 Darden Center Dr ORLANDO FL 32837 Telephone:4072455211 email:lisa@lionsblack@darden.co m	<b>Return Address:</b> DARDEN RSC Lisa Seallion-Black 1000 Darden Center Dr ORLANDO FL 32837 Telephone:4072455211 email:lisa@lionsblack@darden.com
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## ② Package Information

Weight	Dimensions / Packaging	Declared Value	Reference Numbers
1. Letter (Letter billable)	UPS Letter		Reference #1 - 0026484 Reference # 2 - 0202212 Reference # 3 - 0026488

## ③ UPS Shipping Service and Shipping Options

**Service:** UPS 2nd Day Air  
**Delivered By:** End of Day Tuesday, Mar 7, 2023

**Shipping Fees Subtotal:** 33.61 USD **Additional Shipping Options**

<b>Transportation</b>	28.73 USD	<b>Quantum View Notify E-mail Notifications:</b>	No Charge
<b>Fuel Surcharge</b>	4.88 USD	1 LSeallionBlack@darden.com: Ship, Exception, Delivery	

## ④ Payment Information

Bill Shipping Charges to: Shipper's Account 346806

<b>Shipping Charges:</b>	33.61 USD
A discount has been applied for this shipment.	
<b>Negotiated Charges:</b>	13.55 USD
<b>Subtotal Shipping Charges:</b>	13.55 USD
<b>Total Charges:</b>	13.55 USD

Note: This document is not an invoice. Your final invoice may vary from the displayed reference rates.

\* For delivery and guarantee information, see the UPS Service Guide (0). To speak to a customer service representative, call 1-800-PICK-UPS for domestic services and 1-800-782-7892 for international services.

**OPERATING AGREEMENT**  
**OF**  
**OLIVE GARDEN HOLDINGS, LLC**

THIS OPERATING AGREEMENT (the "Agreement") of Olive Garden Holdings, LLC, a Florida limited liability company (the "Company") dated as of this 18th day of August, 2015, by Rare Hospitality International, Inc., a Georgia corporation, as the sole member of the Company (the "Member").

**RECITAL**

The Member has previously formed the Company as a limited liability company under the laws of the State of Florida and now desires to enter into a written agreement, in accordance with the provisions of Chapter 605 of the Florida Revised Limited Liability Company Act and any successor statute, as amended from time to time (the "Act"), governing the affairs of the Company and the conduct of its business.

**ARTICLE 1**  
**The Limited Liability Company**

1.1 Formation. The Member has previously formed the Company as a limited liability company pursuant to the provisions of the Act. The Member hereby ratifies the prior execution of Articles of Organization described in Chapter 605, Section 0201 of the Act (the "Articles of Organization") by Diana Serra and Tim Pratts, each on behalf of Corporate Creations International Inc., and the filing of such Articles of Organization with the Secretary of State of the Florida Department of State in conformity with the Act.

1.2 Name. The name of the Company shall be "Olive Garden Holdings, LLC" and its business shall be carried on in such name with such variations and changes as the Board (as hereinafter defined) shall determine or deem necessary to comply with requirements of the jurisdictions in which the Company's operations are conducted.

1.3 Business Purpose; Powers. The Company is formed for the purpose of engaging in any lawful business, purpose or activity for which limited liability companies may be formed under the Act. The Company shall possess and may exercise all the powers and privileges granted by the Act or by any other law or by this Agreement, together with any powers incidental thereto, so far as such powers and privileges are necessary or convenient to the conduct, promotion or attainment of the business purposes or activities of the Company.

1.4 Registered Office and Agent. The location of the registered office of the Company shall be 11380 Prosperity Farms Road, 221E, Palm Beach Gardens, Florida 33410. The Company's registered agent at such address shall be Corporate Creations Network Inc.

1.5 Term. Subject to the provisions of Article 6 below, the Company shall have perpetual existence.



**ARTICLE 2**  
**The Member**

2.1 The Member. The name and address of the Member and Common Interests held by the Member are as set forth on Schedule A hereto.

2.2 Actions by the Member; Meetings. The Member may approve a matter or take any action at a meeting or without a meeting by the written consent of the Member. Meetings of the Member may be called at any time by the Member.

2.3 Liability of the Member. All debts, obligations and liabilities of the Company, whether arising in contract, tort or otherwise, shall be solely the debts, obligations and liabilities of the Company, and the Member shall not be obligated personally for any such debt, obligation or liability of the Company solely by reason of being a member.

2.4 Power to Bind the Company. The Member (acting in its capacity as such) shall have the authority to bind the Company to any third party with respect to any matter.

2.5 Admission of Members. New Members shall be admitted only upon the approval of the Board. Upon the admission of any new Members, the Board shall update Schedule A to include the applicable information for each Member and all references to member herein shall be deemed to be a reference to all members taken as a whole. Each new Member shall execute a counterpart signature page to this Agreement agreeing to be bound by the terms hereby.

**ARTICLE 3**  
**The Board**

3.1 Management By Board of Managers.

(a) Subject to such matters which are expressly reserved hereunder or under the Act to the Member for decision, the business and affairs of the Company shall be managed by a board of managers (the "Board"), which shall be responsible for policy setting, approving the overall direction of the Company and making all decisions affecting the business and affairs of the Company. The Board shall consist of one (1) to three (3) individuals (the "Managers"), the exact number of Managers to be determined from time to time by resolution of the Member. The initial Board shall consist of two (2) Managers, who shall be Joseph G. Kern and Colleen M. Hunter.

(b) Each Manager shall be elected by the Member and shall serve until his or her successor has been duly elected and qualified, or until his or her earlier removal, resignation, death or disability. The Member may remove any Manager from the Board or from any other capacity with the Company at any time, with or without cause. A Manager may resign at any time upon written notice to the Member.

(c) Any vacancy occurring on the Board as a result of the resignation, removal, death or disability of a Manager or an increase in the size of the Board shall be filled by a Manager appointed thereto by the Member. A Manager chosen to fill a vacancy resulting from the resignation, removal, death or disability of a Manager shall serve the unexpired term of his or her predecessor in office.

3.2 Action By the Board.

(a) Meetings of the Board may be called by any Manager upon twenty-four hours prior written notice to each Manager. The presence of a majority of the Managers then in office shall constitute a quorum at any meeting of the Board. All actions of the Board shall require the affirmative vote of a majority of the Managers then in office.

(b) Meetings of the Board may be conducted in person or by conference telephone facilities. Any action required or permitted to be taken at any meeting of the Board may be taken without a meeting if such number of Managers sufficient to approve such action pursuant to the terms of this Agreement consent thereto in writing. Notice of any meeting may be waived by any Manager.

3.3 Power to Bind Company. None of the Managers (acting in their capacity as such) shall have authority to bind the Company to any third party with respect to any matter unless the Board shall have approved such matter and authorized such Manager(s) to bind the Company with respect thereto.

3.4 Officers and Related Persons. The Board shall have the authority to appoint and terminate officers of the Company and retain and terminate employees, agents and consultants of the Company and to delegate such duties to any such officers, employees, agents and consultants as the Board deems appropriate, including the power, acting individually or jointly, to represent and bind the Company in all matters, in accordance with the scope of their respective duties. The following persons shall serve as the initial officers of the Company until their respective resignation or removal or until their respective successors are duly elected and qualified:

Joseph G. Kern – President  
Colleen M. Hunter – Secretary and Treasurer

**ARTICLE 4**

**Capital Structure and Contributions**

4.1 Capital Structure. The capital structure of the Company shall consist of one class of common membership interests (the "Common Interests"). All Common Interests shall be identical with each other in every respect. The Member shall own all of the Common Interests issued and outstanding.

4.2 Capital Contributions. From time to time, the Board may determine that the Company requires capital and may request the Member to make capital contribution(s) in an amount determined by the Board. A capital account shall be maintained for the Member, to which contributions and profits shall be credited and against which distributions and losses shall be charged.

**ARTICLE 5**

**Profits, Losses and Distributions**

5.1 Profits and Losses. For financial accounting and tax purposes, the Company's net profits or net losses shall be determined on an annual basis in accordance with the manner determined by the Board. In each year, profits and losses shall be allocated entirely to the Member, provided if there is more than one member of the Company, profits and losses shall be allocated to such members in accordance with each member's pro rata ownership of the outstanding Common Interests.

5.2 Distributions. The Board shall determine profits available for distribution and the amount, if any, to be distributed to the Member, and shall authorize and distribute on the Common Interests, the determined amount when, as and if declared by the Board. The distributions of the Company shall be allocated entirely to the Member, provided if there is more than one member of the Company, distributions shall be allocated to such members in accordance with each member's pro rata ownership of the outstanding Common Interests.

## **ARTICLE 6** **Events of Dissolution**

The Company shall be dissolved and its affairs wound up upon the occurrence of any of the following events (each, an "Event of Dissolution"):

- (a) The Member votes for dissolution;
- (b) A judicial dissolution of the Company in accordance with the Act; or
- (c) The filing of a statement of administrative dissolution by the Florida Department of State pursuant to the Act.

No other event, including, without limitation, the death, retirement, resignation, expulsion, bankruptcy or dissolution of the Member, shall cause the dissolution of the Company; provided, however, that in the event of any occurrence resulting in the termination of the continued membership of the last remaining member of the Company, the Company shall be dissolved unless, within 90 days following such event, the legal representative or successor of the last remaining member agrees in writing to continue the Company and to the admission of such legal representative or successor (or any other person or entity designated by such legal representative or successor) as a member of the Company, effective upon the event resulting in the termination of the continued membership of the last remaining member of the Company.

## **ARTICLE 7** **Transfer of Interests in the Company**

The Member may sell, assign, transfer, convey, gift, exchange, pledge, hypothecate or otherwise dispose of ("Transfer") any or all of its Common Interests to any person or entity; provided, however, that such person or entity to whom such Common Interests are Transferred shall be an assignee and shall have no right to participate in the Company's business and affairs unless and until such person or entity shall be admitted as a member of the Company upon (i) the prior written approval by the Board pursuant to Section 2.5 of this Agreement and (ii) receipt by the Company of a written agreement executed by the person or entity to whom such Common Interests are Transferred agreeing to be bound by the terms of this Agreement.

## **ARTICLE 8** **Exculpation and Indemnification**

8.1 Exculpation. Except as otherwise provided in the Act, and notwithstanding any other provisions of this Agreement, whether express or implied, or any obligation or duty at law or in equity, neither the Member nor the Managers, nor any of their respective officers, directors, stockholders, partners, members, managers, employees, affiliates, representatives or agents, nor any officer, employee, representative or agent of the Company (individually, a "Covered Person" and, collectively, the "Covered

Persons”) shall be liable to the Company or any other person for any act or omission (in relation to the Company, its property or the conduct of its business or affairs, this Agreement, any related document or any transaction contemplated hereby or thereby) taken or omitted by a Covered Person in good faith in the reasonable belief that such act or omission is in or is not contrary to the best interests of the Company and is within the scope of authority granted to such Covered Person by this Agreement, provided such act or omission does not constitute fraud, willful misconduct or gross negligence.

8.2 Indemnification. To the fullest extent permitted by the Act, the Company shall indemnify and hold harmless each Covered Person from and against any and all losses, claims, demands, liabilities, expenses, judgments, fines, settlements and other amounts arising from any and all claims, demands, actions, suits or proceedings, civil, criminal, administrative or investigative (“Claims”), in which the Covered Person may be involved, or threatened to be involved, as a party or otherwise, by reason of the fact that he, she or it is a Covered Person or which relates to or arises out of the Company or its property, business or affairs. A Covered Person shall not be entitled to indemnification under this Section 8.2 with respect to (i) any Claim with respect to which such Covered Person has engaged in fraud, willful misconduct or gross negligence or (ii) any Claim initiated by such Covered Person unless such Claim (A) was brought to enforce such Covered Person's rights to indemnification hereunder or (B) was authorized or consented to by the Board. Expenses incurred in defending any Claim by (y) the Member or any Manager or any officer, director, stockholder, partner, member, manager, or affiliate of the Member or any Manager shall be paid by the Company and (z) any other Covered Person may be paid by the Company, but only upon the prior written approval of the Board in its sole and absolute discretion, upon such terms and conditions, if any, as the Board deems appropriate, in each case, in advance of the final disposition of such Claim upon receipt by the Company of an undertaking by or on behalf of such Covered Person to repay such amount if it shall be ultimately determined that such Covered Person is not entitled to be indemnified by the Company as authorized by this Section 8.2.

8.3 Amendments. Any repeal or modification of this Article 8 by the Member shall not adversely affect any rights of such Covered Person pursuant to this Article 8, including the right to indemnification and to the advancement of expenses of a Covered Person existing at the time of such repeal or modification with respect to any acts or omissions occurring prior to such repeal or modification.

## **ARTICLE 9** **Miscellaneous**

9.1 Tax Treatment. Unless otherwise determined by the Member, the Company shall be a corporation for U.S. federal income tax purposes (as well as for any analogous state or local tax purposes), and the Member and the Company shall timely make any and all necessary elections and filings for the Company to be treated as a corporation for U.S. federal income tax purposes (as well as for any analogous state or local tax purposes) effective on the date of the Company's formation.

9.2 Amendments. Amendments to this Agreement and to the Articles of Organization shall be effective only if approved in writing by the Member. An amendment shall become effective as of the date specified in the approval of the Member or if none is specified as of the date of such approval.

9.3 Severability. If any provision of this Agreement is held to be invalid or unenforceable for any reason, such provision shall be ineffective to the extent of such invalidity or unenforceability; provided, however, that the remaining provisions will continue in full force without being impaired or invalidated in any way unless such invalid or unenforceable provision or clause shall be

so significant as to materially affect the expectations of the Member regarding this Agreement. Otherwise, any invalid or unenforceable provision shall be replaced by the Member with a valid provision which most closely approximates the intent and economic effect of the invalid or unenforceable provision.

9.4 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida without regard to the principles of conflicts of laws thereof.

9.5 Limited Liability Company. The Member intends to form a limited liability company and does not intend to form a partnership under the laws of the State of Florida or any other laws.

**[SIGNATURE PAGE FOLLOWS]**

IN WITNESS WHEREOF, the undersigned has duly executed this Agreement as of the day first above written.

RARE HOSPITALITY INTERNATIONAL, INC.

By:   
Name: Colleen M. Hunter  
Title: Assistant Secretary

[Signature page to Operating Agreement of Olive Garden Holdings, LLC]


**SCHEDULE A**

**MEMBERS**

<b>Name</b>	<b>Address</b>	<b>Common Interests</b>
Rare Hospitality International, Inc.	c/o Darden Restaurants, Inc. 1000 Darden Center Drive Orlando, Florida 32837	100%

IN WITNESS WHEREOF, the undersigned has duly executed this Agreement as of the day and year written below.

GMRI, INC.

By:   
Name: William R. White, III  
Title: President and Treasurer  
Date: November 17, 2015

[Signature page to Operating Agreement of Olive Garden Holdings, LLC]



**CITY OF AUBURN  
NOTICE OF PUBLIC HEARING**

A public hearing will be held by the Auburn City Council on April 03, 2023 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Liquor License application for:

**Olive Garden Holdings, LLC., DBA The Olive Garden Italian Restaurant – 10 Subaru Drive**

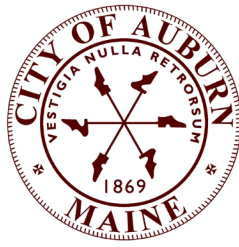
All interested persons may appear and will be given the opportunity to be heard before final action is taken.

**CITY OF AUBURN  
NOTICE OF PUBLIC HEARING**

A public hearing will be held by the Auburn City Council on April 03, 2023 at 7:00 p.m. or as soon as possible thereafter, on the Council Chambers of Auburn Hall, 50 Court Street, to consider the Liquor License application for:

**Olive Garden Holdings, LLC., DBA  
The Olive Garden Italian Restaurant  
126488 - 10 Sahara Drive**

All interested persons may appear and will be given the opportunity to be heard before final action is taken.



**ORDER 39-04032023**

# City Council Order

## IN CITY COUNCIL

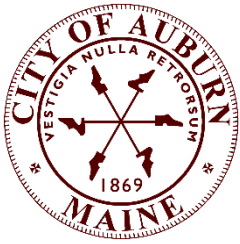
**ORDERED**, that the City Council hereby approves the Liquor License for Olive Garden Holdings, LLC., DBA/The Olive Garden Italian Restaurant #6480.

---

**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 3, 2023

**Author:** Glen E. Holmes, Director of Business & Community Development

**Subject:** Annual Reports to Maine State Housing

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**Information:** The City is required in accordance with the Certificate of Approval issued by the Maine State Housing Authority to provide them with an annual report for each of the Affordable Housing Districts and associated TIFs.

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**City Budgetary Impacts:** None

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**Staff Recommended Action:** Approve the Order as presented

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**Previous Meetings and History:** None

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**City Manager Comments:**

*Phillip Crowell Jr.*

I concur with the recommendation. Signature:

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**Attachments:** The Order and the Reports

Annual Report for Tax Year April 1, 20\_\_ – March 31, 20\_\_  
 Affordable Housing Tax Increment Financing District  
 Submission Deadline of April 30, 20\_\_

Municipality: \_\_\_\_\_

Municipal official submitting this report:

\_\_\_\_\_  
 Printed name

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

Title: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Phone number: \_\_\_\_\_

Email address: \_\_\_\_\_

Name of Affordable Housing Development District:

\_\_\_\_\_

Date the municipal legislative body approved this Report (not the District):

\_\_\_\_\_, 20\_\_

*In submitting this report, the legislative body of the municipality certifies that the public purpose of the affordable housing district is being met and that the required housing affordability and other conditions of approval, including limitations on uses of tax increment revenues for approved development project costs, set forth in the Certificate of Approval issued by Maine State Housing Authority for the District and the related Affordable Housing Development Program are being maintained.*

**Status of affordable housing within the District:** *“Affordable” means for households earning no more than 120% area median income.*

Type of housing unit	# of Existing affordable units	# of Existing market units	# of Planned affordable units	# of Planned market units
Rental (family)				
Rental (senior)				
Owned home/condo				

**Please list property sales within the District (NOTE: impact on affordability is not required by the statute for this item and in any event would be captured in the chart above):**

---

**Please describe any changes from what was described in the approved Development Program for the District, such as changes to the type, scope or timing of development within the District. If the Development Program and Certificate of Approval for the District allow alternative uses of funds, please list how funds are being used in practice.**

---

Annual Report for Tax Year April 1, 20\_\_ – March 31, 20\_\_  
 Affordable Housing Tax Increment Financing District  
 Submission Deadline of April 30, 20\_\_

Municipality: \_\_\_\_\_

Municipal official submitting this report:

\_\_\_\_\_  
 Printed name

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

Title: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Phone number: \_\_\_\_\_

Email address: \_\_\_\_\_

Name of Affordable Housing Development District:

\_\_\_\_\_

Date the municipal legislative body approved this Report (not the District):

\_\_\_\_\_, 20\_\_

*In submitting this report, the legislative body of the municipality certifies that the public purpose of the affordable housing district is being met and that the required housing affordability and other conditions of approval, including limitations on uses of tax increment revenues for approved development project costs, set forth in the Certificate of Approval issued by Maine State Housing Authority for the District and the related Affordable Housing Development Program are being maintained.*

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Rental (senior)				
Owned home/condo				

**Please list property sales within the District (NOTE: impact on affordability is not required by the statute for this item and in any event would be captured in the chart above):**

---

**Please describe any changes from what was described in the approved Development Program for the District, such as changes to the type, scope or timing of development within the District. If the Development Program and Certificate of Approval for the District allow alternative uses of funds, please list how funds are being used in practice.**

---



Annual Report for Tax Year April 1, 20\_\_ – March 31, 20\_\_  
 Affordable Housing Tax Increment Financing District  
 Submission Deadline of April 30, 20\_\_

Municipality: \_\_\_\_\_

Municipal official submitting this report:

\_\_\_\_\_  
 Printed name

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

Title: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Phone number: \_\_\_\_\_

Email address: \_\_\_\_\_

Name of Affordable Housing Development District:

\_\_\_\_\_

Date the municipal legislative body approved this Report (not the District):

\_\_\_\_\_, 20\_\_

*In submitting this report, the legislative body of the municipality certifies that the public purpose of the affordable housing district is being met and that the required housing affordability and other conditions of approval, including limitations on uses of tax increment revenues for approved development project costs, set forth in the Certificate of Approval issued by Maine State Housing Authority for the District and the related Affordable Housing Development Program are being maintained.*

**Status of affordable housing within the District:** *“Affordable” means for households earning no more than 120% area median income.*

Type of housing unit	# of Existing affordable units	# of Existing market units	# of Planned affordable units	# of Planned market units
Rental (family)				
Rental (senior)				
Owned home/condo				

**Please list property sales within the District (NOTE: impact on affordability is not required by the statute for this item and in any event would be captured in the chart above):**

---

**Please describe any changes from what was described in the approved Development Program for the District, such as changes to the type, scope or timing of development within the District. If the Development Program and Certificate of Approval for the District allow alternative uses of funds, please list how funds are being used in practice.**

---



**ORDER 40-04032023**

# City Council Order

## IN CITY COUNCIL

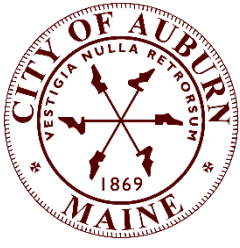
**ORDERED**, that the City Council hereby approves the Annual Reports to the Maine State Housing Authority for Tax Year April 1, 2022 – March 31, 2023, and authorizes the City Manager to sign the annual reports for Affordable Housing Tax Increment Financing Districts, #16 (Webster School), #21 (477 Minot Ave) and #22 (48 Hampshire Street), as provided by Business and Community Development Staff.

---

**Richard S. Whiting**, Ward One  
**Joseph R. Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan A. Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana N. Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** 04/03/2023

**Order:** 41-04032023

**Author:** Brian Wood, Assistant City Manager

**Subject:** Authorization for the City Manager to execute the Collective Bargaining Agreement between the City of Auburn and the Teamsters Local Union 340 covering 07/01/2023 to 06/30/2026

---

**Information:** The Collective Bargaining Agreement between the City of Auburn and Teamsters Local Union 340 includes market adjustments for FY 23.

The following is a summary of the changes:

- FY 24 Market rate adjustments
- FY 25 4% Cola
- FY 26 4 % Cola
- Cell Phone stipend of \$25
- Two weeks of matching paid parental leave
- Juneteenth as paid holiday

---

**City Budgetary Impacts:**

Fiscal Year 24

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**Staff Recommended Action:** Staff recommends the City Council vote for passage of this Resolve.

---

**Previous Meetings and History:**

---

**City Manager Comments:**



I concur with the recommendation. Signature:

---

**Attachments:**



**ORDER 41-04032023**

# City Council Order

## IN CITY COUNCIL

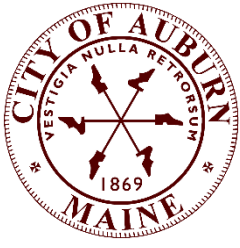
**ORDERED**, that the City Council hereby authorizes the City Manager to execute the Collective Bargaining Agreement with the Teamsters Union Local 340 (Highway), effective 07/01/2023.

---

**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** 04/03/2023

**Order:** 42-04032023

**Author:** Brian Wood, Assistant City Manager

**Subject:** Authorization for the City Manager to execute the Collective Bargaining Agreement between the City of Auburn and the Teamsters 340 Union for Mechanics covering 07/01/2023 to 06/30/2026

---

**Information:** Authorization for the City Manager to execute the Collective Bargaining Agreement between the City of Auburn and the Teamsters Local Union 340 for Mechanics, covering 07/01/2023 to 06/30/2026

The following is a summary of the changes:

- FY 24 Market Adjustment
- FY 25 4% Cola
- FY 26 4 % Cola
- Two weeks matching paid parental leave
- Additional 10 hour floater in lieu of Juneteenth

---

**City Budgetary Impacts:**

FY 24 includes budget impact

---

**Staff Recommended Action:** Staff recommends the City Council vote for passage of this Resolve.

---

**Previous Meetings and History:**

---

**City Manager Comments:**

I concur with the recommendation. Signature:



---

**Attachments:**



**ORDER 42-04032023**

# City Council Order

## IN CITY COUNCIL

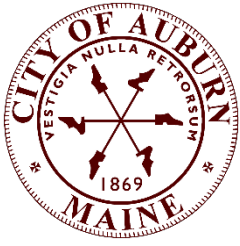
**ORDERED**, that the City Council hereby authorizes the City Manager to execute the Collective Bargaining Agreement with the Teamsters Union Mechanics Local 340 , effective 07/01/2023.

---

**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 3, 2023

**Order:** 43-04032023

**Author:** Jennifer Boenig, Downtown Coordinator

**Subject:** Approving the Mass Gathering for Auburn Lobster Festival event

---

**Information:** The Auburn Lobster Festival is scheduled for Saturday, May 6, 2023 from 1:00-7:00 PM. The event will be held in Festival Plaza and on Main Street which will be closed with public works trucks and barricades. This free community event will feature live music, craft brews, food trucks and more to help support our state's lobster industry.

*A mass gathering is defined by ordinance as any gathering held outdoors with the intent to attract the continued attendance of 1,000 or more persons for two or more hours.*

---

**City Budgetary Impacts:** This event is budgeted through the Economic Development Department.

---

**Staff Recommended Action:** Hold the public hearing and motion to approve the mass gathering.

---

**Previous Meetings and History:** NA

---

**City Manager Comments:**



I concur with the recommendation. Signature:

---

**Attachments:**

- Application for Lobster Festival mass gathering
- Application for a License for an Incorporated Civic Organization
- Public Notice
- Order



Date received: \_\_\_\_\_  
Date approved: \_\_\_\_\_



## CITY OF AUBURN SPECIAL EVENT/MASS GATHERING APPLICATION

Required for any special event on city property that will attract up to 1,000 people, or any outdoor event with continued attendance of 1,000 or more persons for 2 or more hours.

\*\*\*\*\*

Applications must be submitted to the Clerk at least 45 days prior to the event if the gathering is expected to attract up to 5,000 people.

Application must be submitted at least 90 days prior to the event if the gathering is expected to attract more than 5,000 people.

Date of Application: 3.24.23

### SPONSOR INFORMATION

Name of Sponsoring Organization: City of Auburn

Name of Contact Person for Event: Jennifer Boenig

Title of Contact Person: Downtown Coordinator

Mailing Address: 60 Court Street

Daytime Telephone: 207.333.6601 ext. 1132 Cell Phone: 207.576.5348

Email Address: jboenig@auburnmaine.gov

Contact Name and Cell Phone Number DURING the Event: Jennifer Boenig 207.576.5348

Is your organization incorporated as a non-profit organization? Yes  No

Non-Profit Number: \_\_\_\_\_

### EVENT INFORMATION

Name of Event: Auburn Lobster Festival

Type of Event (walk, festival, concert, etc.): festival with live music

Date of Event: Saturday, May 6, 2023 Rain Date: NA

Times of Event: Start Time including set-up: 7 AM Ending time including clean up: 11 P

Actual Event Start Time: 1 PM Actual Event End Time: 7 PM

Estimated Attendance: 2,500

Location of Event: Festival Plaza and Main Street

Have you held an event at this location within the last 12 months? Yes  No

If the location is a city park, have you applied for use of the property with the Recreation Department and has your request been approved?

Yes  No  Pending  Date submitted to the Recreation Department: \_\_\_\_\_

**TYPES OF PERMITS/PERMISSIONS NEEDED – PROVIDE AN ANSWER FOR EACH LINE:**

Permit Fee	Permission/Permit Type	YES	NO	NOT SURE
Not permitted	<b>CROSS-STREET BANNERS</b> Please note that the city no longer allows cross-street banners.			
Separate fee and permit possible	<b>FOOD</b> – Will food or beverages be sold? If yes, list what types of food or beverages: <b>4 food trucks</b> Note - A food service license may be required and must be submitted 14 days prior to the event. Other requirements and/or restrictions may apply.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Separate fee and permit possible	<b>NON-FOOD ITEMS</b> – Will products be sold or given away (such as t-shirts, crafts, souvenirs, etc.)? If yes, list what items: <b>City swag given away</b> Note - A peddler permit may be required and must be submitted 14 days prior to the event.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	<b>LIVE MUSIC</b> – Will there be any outdoor musical performances? If yes, please describe: <b>Three musical acts will perform</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	<b>SOUND AMPLIFICATION</b> – Will there be a microphone or speaker system to project sound?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Separate fee and permit possible	<b>ALCOHOL</b> – Will alcoholic beverages be sold? Note – Vendor must hold a valid State of Maine liquor license and submit an Off Premise Catering Event application 14 days prior to the event.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Separate fee and Permit required	<b>CARNIVAL</b> – Will carnival rides be offered? If yes, attach a copy of the state permit. A city permit is required as well.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Separate fee and Permit required	<b>FIREWORKS</b> – Will there be a fireworks display? If yes, a permit from the Fire Department is required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N/A	<b>PARADE</b> – Will there be a parade? If yes, describe route:  Note – A permit from the Police Department is required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N/A	<b>RUN/WALK/CYCLE</b> – Will event involve participants doing a walk-a-thon, road race, etc.? If yes, describe route:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Separate permit required	<b>BURN PERMIT</b> – Will there be any open flame such as a bonfire? If yes, describe activity:  Note - A permit from the Fire Department is required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

N/A	<b>TENT/CANOPY</b> – Will you be setting up a tent or canopy? If yes, list number and sizes: There will be EZ-Ups at the entry points and near the stage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Separate fee and permit required	<b>ELECTRICAL POWER/EQUIPMENT</b> – Will electrically powered equipment be utilized, if so, provide a brief description of the equipment and the entity responsible for the installation of the electrical equipment? Stage, sound, lighting equipment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	<b>ROAD/INTERSECTION CLOSURE</b> – Will any roads need to be closed to accommodate your event? If yes, please list: Main Street will be closed with hard barricades from Miller Street to Court Street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	<b>MAP/DIAGRAM</b> – Is a map or diagram attached detailing this event and depicting the placement of such items as tables, tents, port-a-potties, stage, parking, food service areas, etc.? This is a mandatory requirement for this application and must be included.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	<b>PARKING ACCOMODATIONS</b> – What will be the anticipated need for parking and what is your parking plan? City parking garage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	<b>TOILETS</b> – Please list amount at event and/or nearest location: 12 portable toilets on Main Street sidewalk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	<b>WASTE DISPOSAL</b> – Please list process and location: trash cans throughout the plaza, near portable toilets and food trucks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	<b>HAND WASHING FACILITIES</b> – Please list amount at event and/or nearest location: Portable toilets and hand sanitizer available at food/beer vendors and entry points	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	<b>POTABLE WATER</b> – Please list amount at event and location: bottled water in pump house	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	<b>FIRST AID FACILITIES</b> – Please list location at event: Fire rescue onsite and/or first aid kit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$	<b>TOTAL FEE INCLUDED</b> – Checks payable to "City of Auburn"			

### EVENT LIABILITY INSURANCE COVERAGE FOR EVENT

For an event such as a walk-a-thon, race, festival, concert, etc., the city requires general liability insurance coverage. The **City of Auburn** is to be named as "additionally insured" for the event activities on that date. Once the event is approved, the Certificate of Insurance will need to be received at least 30 days before the event and before permits can be issued. Please have the City of Auburn listed on the Certificate of Insurance (minimum coverage \$1,000,000 Bodily Injury or Death, per occurrence, and \$300,000 Property Damage, per occurrence). It should contain a clause providing that the policy may not be cancelled by either party except upon not less than 30 days written notice to the city. Please have your insurance company fax a copy to: City Clerk 207-333-6623.

**DESCRIPTION OF EVENT – Please describe what will occur during your event**

Auburn Lobster Festival is a free community event featuring live music, craft brews , food trucks, and more. This event is open to all ages and supports our state's lobster industry.

Signature of Applicant:

Jennifer Boenig

Printed Name:

Jennifer Boenig

Date Submitted:

3.24.23

**Please note that you will be contacted by City Staff if you require additional permitting.**

Please return this completed application with diagram and any applicable fee to:

MAIL: City Clerk's Office  
60 Court Street  
Auburn, ME 04210

FAX: 207-333-6623

EMAIL: [sdallaire@auburnmaine.gov](mailto:sdallaire@auburnmaine.gov)

PHONE: 207-333-6600

**\*\*\*\*FOR STAFF USE\*\*\*\***

**DEPARTMENT COMMENTS AND RECOMMENDATIONS:**

DEPARTMENT	APPROVE	DENY	DATE	INITIALS
Sanitarian/Health Inspector				
Code Officer/Land Use & Zoning				
Fire Department				
Police Department				
Public Works Department				
Recreation Department				

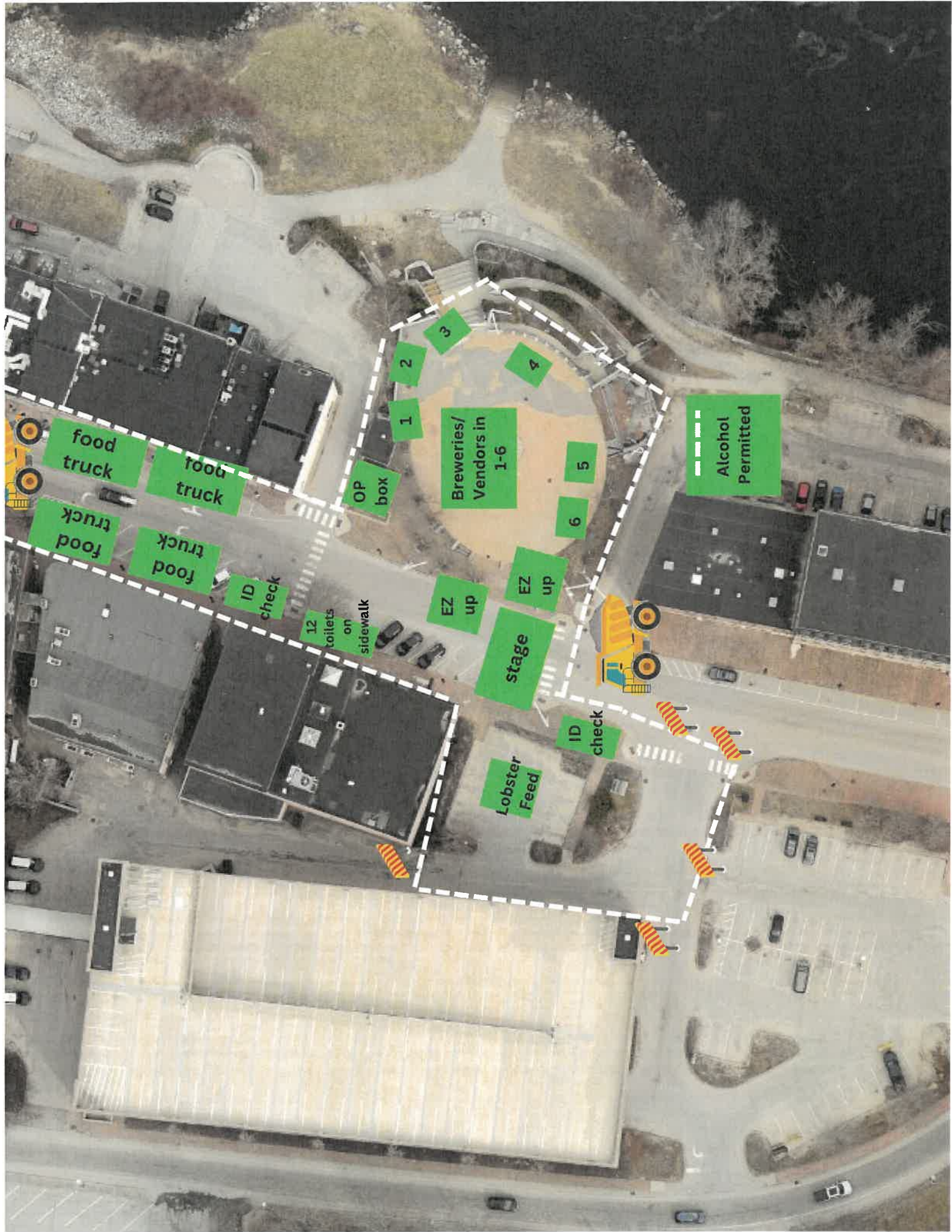
COMMENTS/CONDITIONS from any of the above departments:

City Council Public Hearing date, if applicable: \_\_\_\_\_

License Approved/Denied: \_\_\_\_\_

Date applicant notified: \_\_\_\_\_





Alcohol Permitted

Breweries/  
Vendors in  
1-6

1  
2  
3  
4  
5  
6

OP  
box

food  
truck

food  
truck

food  
truck

food  
truck

ID  
check

12  
toilets  
on  
sidewalk

EZ  
up

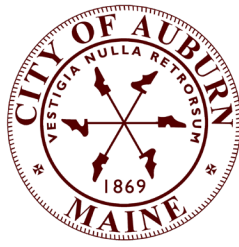
EZ  
up

stage

ID  
check

Lobster  
Feed

ID  
check



**ORDER 43-04032023**

# City Council Order

## IN CITY COUNCIL

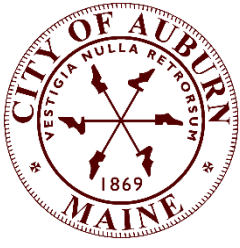
**ORDERED**, that the City Council hereby approves the Mass Gathering permit for the May 6, 2023 Auburn Lobster Festival event sponsored by the City of Auburn. The event will be held in the Festival Plaza and Main Street area.

---

**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 3, 2023

**Order:** 44-04032023

**Author:** Jennifer Boenig, Downtown Coordinator

**Subject:** Approving the temporary liquor license for an Incorporated Civic Organization for the Auburn Lobster Festival to be held on May 6, 2023. Public Hearing.

---

**Information:** The Auburn Lobster Festival is scheduled for Saturday, May 6, 2023 from 1:00-7:00 PM. The event will be held in Festival Plaza and on Main Street which will be closed with public works trucks and barricades. This free community event will feature live music, craft brews, food trucks and more to help support our state's lobster industry.

The City is applying for a Liquor License for an Incorporated Civic Organization to allow the sale of alcohol within the designated area of Festival Plaza and Main Street.

*A Public Hearing is not required per MRS Title 28-A Liquor § 1071. INCORPORATED CIVIC ORGANIZATIONS 4. Application G. Approval by the municipal officers of the municipality in which the proposed licensed premises are located, which, notwithstanding section 653, may be granted without notice or a public hearing.*

---

**City Budgetary Impacts:** This event is budgeted through the Economic Development Department.

---

**Staff Recommended Action:** Hold the public hearing and motion to approve the liquor license.

---

**Previous Meetings and History:** NA

---

**City Manager Comments:**

I concur with the recommendation. Signature:

---

**Attachments:**

- Application for a License for an Incorporated Civic Organization.
- Public Notice
- Order





STATE OF MAINE  
 DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES  
 BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS  
 DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

**Application for a License for an Incorporated Civic Organization**

**Section A: Applicant Information:**

1. Legal Name of Applicant: City of Auburn
2. Contact Name for Applicant: Lt. Barry Schmielks
3. Mailing Address of Primary Office of Applicant: 60 Court St.  
Auburn, ME 04210
4. Contact Name Telephone/Mobile Number: 207.333.6650 x2066
5. Email Address of Contact: bschmielks@auburnmaine.gov

**Section B: Event Information:**

1. Title Event: Auburn Lobster Festival
2. Purpose of Event: free community event featuring live music, food, craft beer
3. Duration of Event (check one):  One Day  Multiple Days (only 1 permitted per year)
4. Type of Event: (check one)  Indoor  Outdoor
5. Town or City where Event will take place: Auburn
6. Complete Physical Address of Event:  
Festival Plaza, 112 main Street and part of  
Main Street (see map)
7. Date of Event: 5.6.23 Time: From 1 PM To 7 PM  
Under Maine liquor laws, alcoholic beverages can **only** be served from 5:00 am to 1:00 am of the next day, Sunday through Saturday; event times cannot deviate from this statutory requirement.
8. Number of Persons Attending: 2,500 (estimate)



9. Describe specific indoor and/or outdoor area to be licensed: (for an outdoor event, please include a diagram of the outside space in Section F below.)

*See map*

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- 10. Will dancing be part of the event?                      Yes         No
- a. Does the venue have a dance license?            Yes         No
- b. If yes, please provide a copy of the license from the State's Fire Marshall's Office

**Section C: Signature of Applicant**

By signing this application, the licensee understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Duly Authorized Person

\_\_\_\_\_  
Printed Name of Duly Authorized Person

**Section D: For use by Municipal Officers and County Commissioners only**  
**Approval of an Application for a License for an Incorporated Civic Organization**

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this catering event application on this date: \_\_\_\_\_.

Check only one:      City                    Town                    Unorganized Territory

Name of City/Town/Unorganized Territory: \_\_\_\_\_

Who is approving this application?    Municipal Officers  
     County Commissioners of \_\_\_\_\_ County

**Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of license to be issued by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**Section E: Application Fee; Other Information**

1. The license fee is \$50.00 plus a \$10.00 filing fee; make checks payable to Treasurer State of Maine.
2. The law requires the application to be submitted at least 24 Hours prior to the function, however, a longer notice is appreciated to allow additional time for processing.
3. Once issued, this permit is not assignable and is valid only for use by the licensee named in this application and for the date, time, and location listed in this application. This permit is issued subject to Maine liquor laws under Title 28-A and the Bureau’s Administrative Rules. Penalties for failure to comply with the laws and rules are provided in Chapter 33 of Title 28-A.
4. The Division is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.
5. Payments to the Division by check subject to penalty provided by 28-A MRS Section 3-B.

**Section F: Diagram for Outdoor Events**

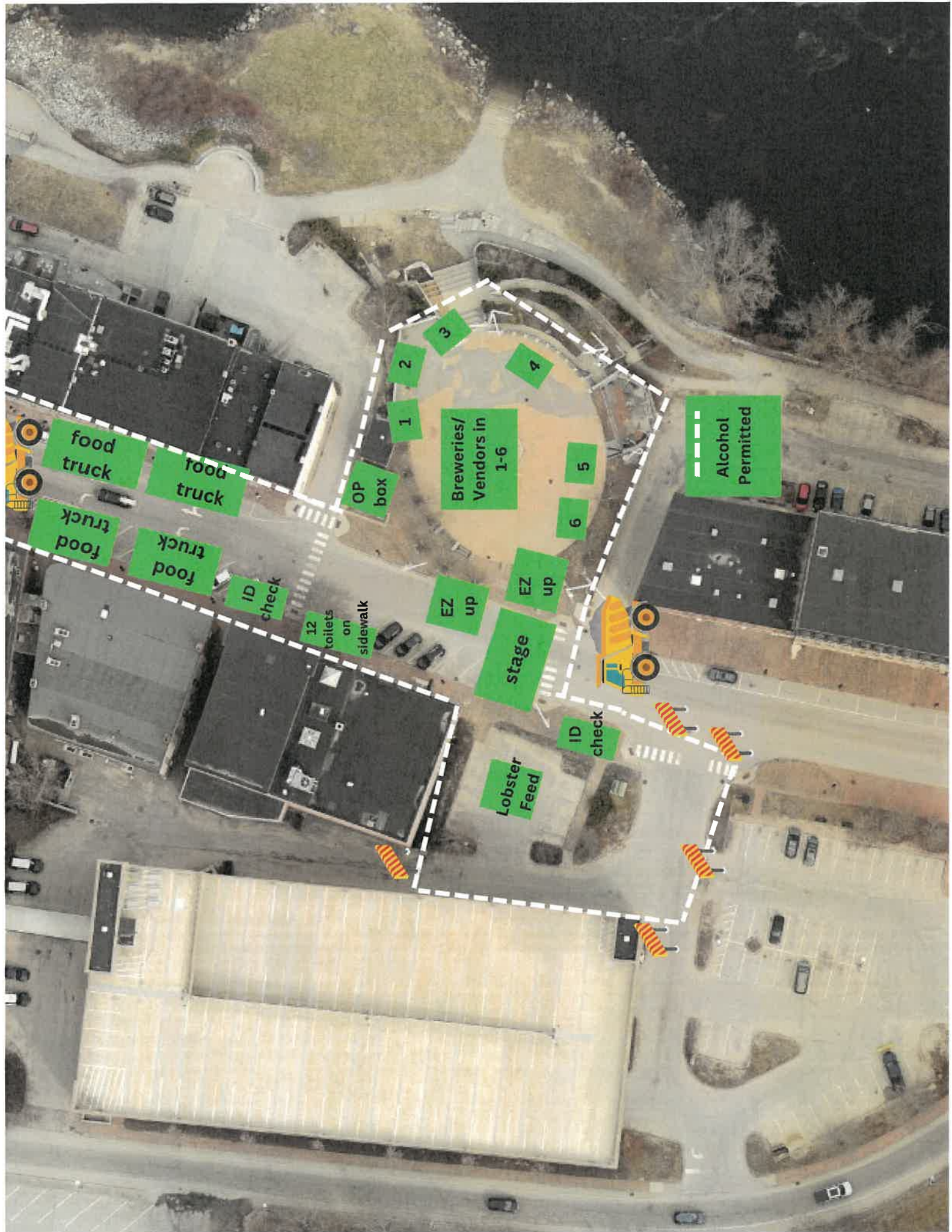
**The following restrictions apply to outdoor events:**

- There must be a stanchion or a fence completely enclosing the area.
- Signs must be posted stating “No alcohol beyond this point”.
- There must be sufficient employees at the event to control and monitor the area.

In an effort to clearly define the area that consumption and storage of liquor will occur during this outdoor event, diagrams must be submitted on this form and should be as accurate as possible. Be sure to label the areas of consumption and storage on your diagram.

See map

For Division Use Only	
Date Filed: _____	License No: _____
<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	Deposit Date: _____
Date Approved: _____	Amt. Deposited: _____
Approved By: _____	Payment Type: _____



Alcohol Permitted

Breweries/  
Vendors in  
1-6

1  
2  
3  
4

5  
6

OP  
box

food  
truck

food  
truck

food  
truck

food  
truck

ID  
check

12  
toilets  
on  
sidewalk

EZ  
up

EZ  
up

stage

Lobster  
Feed

ID  
check





**ORDER 44-04032023**

# City Council Order

## IN CITY COUNCIL

**ORDERED**, that the City Council hereby approves the temporary liquor license for an Incorporated Civic Organization for the Auburn Lobster Festival to be held on May 6, 2023 in the Festival Plaza and Main Street area.

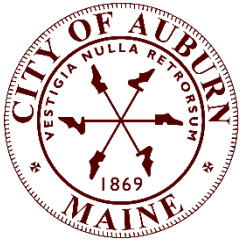
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**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager





**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 3, 2023

**Order:** 47-04032023

**Author:** Kelsey Earle, Deputy Finance Director

**Subject:** Acceptance consideration of gifted property- Riverside Drive

---

**Information:** The property owners of Riverside Drive (PID 184-030) approached the City with the offer of gifting the parcel as they had sold the adjoining parcel in 2021 and this portion was not acquired in that sale; the parcel had very little value to the new owners and no longer serves a purpose to the current owners without the adjoining property. City staff reviewed the parcel and determined that the potential for additional takeout and emergency access, and preservation of river views were favorable reasons to accept.

---

**City Budgetary Impacts:** None

---

**Staff Recommended Action:** Acceptance of the gifted property.

---

**Previous Meetings and History:** None

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**City Manager Comments:**

*Phillip Crowell Jr.*

I concur with the recommendation. Signature:

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**Attachments:**

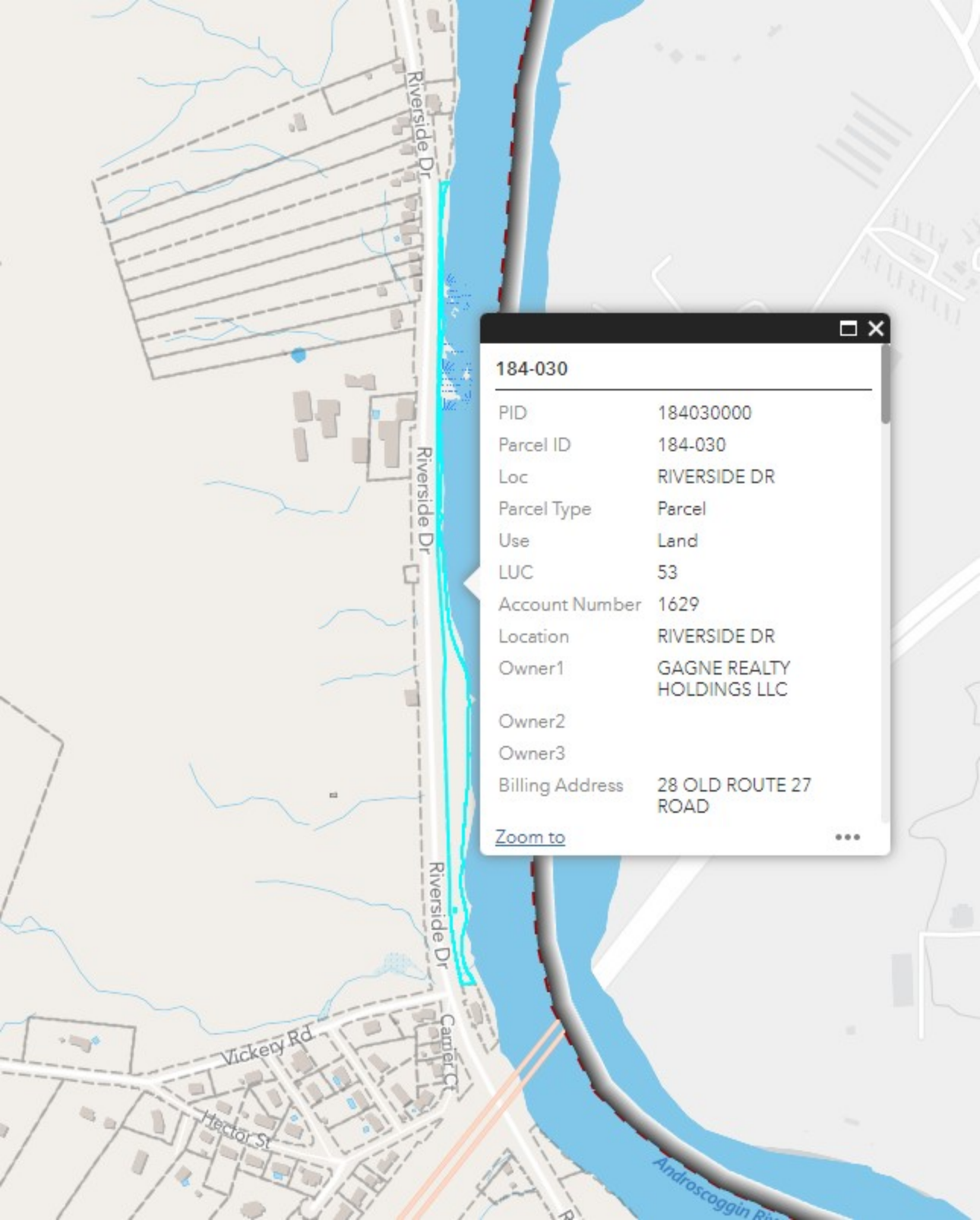
- Parcel Map
- Parcel Record Card
- Quitclaim Deed

184-030

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PID	184030000
Parcel ID	184-030
Loc	RIVERSIDE DR
Parcel Type	Parcel
Use	Land
LUC	53
Account Number	1629
Location	RIVERSIDE DR
Owner1	GAGNE REALTY HOLDINGS LLC
Owner2	
Owner3	
Billing Address	28 OLD ROUTE 27 ROAD

[Zoom to](#) ⋮



# Unofficial Property Record Card - Melrose, MA

## General Property Data

Parcel ID **184-030** Account Number **184030000**  
Prior Parcel ID  
Property Owner **GAGNE REALTY HOLDINGS LLC** Property Location **RIVERSIDE DR**  
Property Use **AGRICULTURAL**  
Mailing Address **28 OLD ROUTE 27 ROAD** Most Recent Sale Date **12/30/2021**  
Legal Reference **1100-16**  
City **BELGRADE** Grantor **GAGNE & SON HOLDING CO INC**  
Mailing State **ME** Zip **04917-3708** Sale Price **0**  
ParcelZoning **N/A** Land Area **2.800 acres**

## Current Property Assessment

Card 1 Value Building Value 0 Xtra Features Value 0 Land Value **3,400** Total Value **3,400**

## Building Description

Building Style <b>N/A</b>	Foundation Type <b>N/A</b>	Flooring Type <b>N/A</b>
# of Living Units <b>0</b>	Frame Type <b>N/A</b>	Basement Floor <b>N/A</b>
Year Built <b>N/A</b>	Roof Structure <b>N/A</b>	Heating Type <b>N/A</b>
Building Grade <b>N/A</b>	Roof Cover <b>N/A</b>	Heating Fuel <b>N/A</b>
Building Condition <b>N/A</b>	Siding <b>N/A</b>	Air Conditioning <b>0%</b>
Finished Area (SF) <b>0</b>	Interior Walls <b>N/A</b>	# of Bsmt Garages <b>0</b>
Number Rooms <b>0</b>	# of Bedrooms <b>0</b>	# of Full Baths <b>0</b>
# of 3/4 Baths <b>0</b>	# of 1/2 Baths <b>0</b>	# of Other Fixtures <b>0</b>

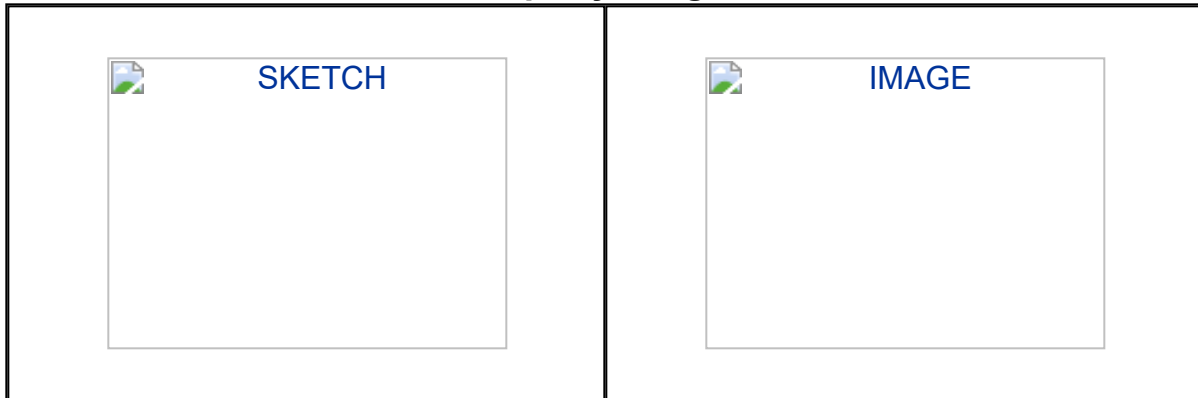
## Legal Description

NARROW LOT ON RIVER EDGE

## Narrative Description of Property

This property contains 2.800 acres of land mainly classified as AGRICULTURAL with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

## Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.



**QUITCLAIM DEED WITH COVENANT**  
(Maine Statutory Short Form)

KNOW ALL PERSONS BY THESE PRESENTS, that **GAGNE REALTY HOLDINGS, LLC**, a Maine limited liability company with a mailing address of 67 Old Route 27 Road, Belgrade, ME 04917 (“Grantor”), as a gift, grants to the **CITY OF AUBURN**, a municipal corporation existing under the laws of the State of Maine and located at 60 Court Street, Auburn, Maine 04210 (“Grantee”), its successors and assigns forever, with QUITCLAIM COVENANT, a certain parcel of land located in the City of Auburn, Androscoggin County, Maine, more particularly bounded and described as follows:

A certain lot or parcel of land located in the City of Auburn, County of Androscoggin and State of Maine, bounded and described as follows:

Beginning at a point on the Southeasterly line of the Riverside Drive, said point being the Northerly corner of land now or formerly owned by Albert and Lorette Belanger: thence (1) in a Northeasterly direction along the Southeasterly line of said Riverside Drive two hundred seventy-four feet (274') to PT Station 56+62.78 as shown on a plan of MSHC Federal Aid Project No. S-0150 and recorded in the Androscoggin County Registry of Deeds; thence (2) in a Northeasterly direction along said Riverside Drive one thousand five hundred seven and fifty-six hundredths feet (1,507.56') to PC Station 71+70.34; thence (3) in a Northeasterly direction along a curve in said Riverside Drive four hundred forty-nine and eleven hundredths (449.11') to PT Station 76+23.40; thence (4) in a Northeasterly direction along said Riverside Drive four hundred forty-one and three hundredths feet (441.03') to PC Station 80+64.43; thence (5) in a Northeasterly direction along a curve in said Riverside Drive two hundred forty-nine feet more or less (249'+) to land now or formerly owned by Albert and Alice Turgeon; thence (6) in a Southeasterly direction along land of said Turgeon twenty-eight feet more or less (28'+/-) to the Androscoggin River; thence (7) in a Southwesterly direction along said Androscoggin River two thousand nine hundred twenty-five

feet more or less (2,925'+/-) to land of said Belanger; thence (8) in a Southwesterly direction along land of said Belanger ninety feet more or less (90'+/-) to the point of beginning.

Being those same premises conveyed to Grantor by deed of Gagne & Son Holding Co., Inc. dated December 30, 2021 and recorded in the Androscoggin County Registry of Deeds in Book 11000, Page 16.

Also hereby conveying all rights, easements, privileges, and appurtenances, belonging to the premises hereinabove described.

IN WITNESS WHEREOF, Gagne Realty Holdings, LLC caused this deed to be signed by Albert P. Gagne, its Member, as duly authorized.

Dated: \_\_\_\_\_, 2023

GAGNE REALTY HOLDINGS, LLC

\_\_\_\_\_  
By: Albert P. Gagne  
Its: Member

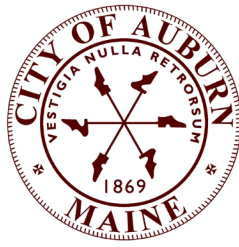
STATE OF MAINE  
CUMBERLAND, ss. \_\_\_\_\_, 2023

Personally appeared before me the above named Albert P. Gagne and acknowledged the foregoing to be his free act and deed in his said capacity as Member of Gagne Realty Holdings, LLC and the free act and deed of Gagne Realty Holdings, LLC.

Before me,

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print Name



**ORDER 47-04032023**

# City Council Order

## IN CITY COUNCIL

**ORDERED**, that the City Manager be, and hereby is, authorized to accept delivery on behalf of the City of the attached deed from Gagne Realty Holdings, LLC conveying, as a gift, real property approximately 2.8 acres in size located on the generally southeasterly side of Riverside Drive and currently shown as Assessor's Map 184, Lot 30; and

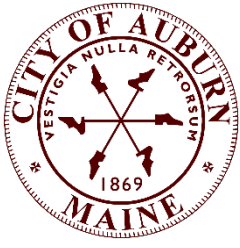
**BE IT FURTHER ORDERED**, that the City Manager be, and hereby is, authorized to execute any necessary paperwork reasonably incident to Gagne Realty Holdings, LLC's gift to the City.

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**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Dana Staples**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 3, 2023

**Order#** 48-04032023

**Author:** Phil Crowell, City Manager

**Subject:** Drummond Street Park Naming Rights

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**Information:** A request as been made by Tizz Crowley to name the Drummond Street Playground Park the “Edna Hadakin Crowley Mothers' Park” which will be commonly referred to as “Mothers’ Park”. To receive this naming right, the applicant will donate \$10,000 to the City of Auburn for park improvements. \$5,000 will be received upon approval of the naming and \$1,000 will be paid annually for an additional five years. The naming will remain each year upon receiving \$1,000 annually.

The applicant desires to unveil the naming and plans for the park improvements on Mother’s Day, May 14, 2023.

The adopted policy for naming facilities and infrastructure is attached. The request is based on a monetary donation and not a permanent naming so the application form is not being used and a public hearing will not be required to consider other nominations. The naming rights agreement will be the document used.

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**City Budgetary Impacts:** None. Any costs will be spent from the funds received.

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**Staff Recommended Action:** Consider the request and if in agreement, direct the city manager to enter into a naming rights agreement with Tizz Crowley.

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**Previous Meetings and History:** None

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**City Manager Comments:**

I concur with the recommendation. Signature:

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**Attachments:** Naming of Facilities and Infrastructure Policy and Naming Rights Agreement

## **POLICY FOR NAMING OF FACILITIES AND INFRASTRUCTURE**

Any naming or renaming of public places in Auburn should help to better define and build a sense of community, while also serving to honor the contributions of worthy individuals. The City of Auburn strives to have a process that serves these goals in a way that allows public participation.

The City Council will be the official naming body for all municipally owned facilities and infrastructure. The Council will make recommendations and work collaboratively with other governmental entities in the naming of facilities and infrastructure not solely owned by the City of Auburn.

Although the Council reserves the right to use whatever process they deem most appropriate for the circumstances, in general, the Council will use the following process.

Nominations will be accepted for names to any public facility, park, building, or infrastructure. Nominations should include the name and contact information from the person submitting the name as well as the reasons for their nomination.

The criteria for naming a city facility or infrastructure should reflect one or more of the following:

1. reflect City services provided in or at facility;
2. reflect geographical location;
3. reflect significant natural features; or
4. honor a significant individual (see below)

Criteria for naming a facility after an individual:

May be named after an individual living or dead;

- a. made a unique contribution to the area being named;
- b. substantially improved or contributed to the quality of life in Auburn;
- c. gave significant civic contribution(s) to Auburn or the region;
- d. brought recognition to Auburn for their achievements;

e. donated land or significant resources to the facility.

Once the nomination deadline has passed the Council will review all suggestions by using the above criteria. At its discretion, the Council may choose to appoint a subcommittee to review the nominations and forward their recommendation to the City Council.

The City Council shall hold a public hearing at a City Council meeting to solicit feedback on the final list of naming nominations. The Council will then take final action.



Naming Rights Agreement

This Naming Rights Agreement ("Agreement"), effective as of **MONTH DAY, YEAR** ("Effective Date"), is made and entered into by and between \_\_\_\_\_ (hereinafter, "Donor"), whose address is \_\_\_\_\_, and the City of Auburn, Maine (hereinafter the "City"), (each a "Party" and collectively, the "Parties").

RECITALS

WHEREAS, the City owns certain parcel of land ( \_\_\_\_\_ ) located at \_\_\_\_\_, and commonly known as \_\_\_\_\_ (the " \_\_\_\_\_ "); and

WHEREAS, the Parties desire to enter into a naming rights agreement pursuant to which the City will grant Donor temporary exclusive naming rights for the \_\_\_\_\_ referenced above in return for certain benefits set forth below.

NOW THEREFORE, in consideration of the following mutual promises, and all other good and valuable consideration, the receipt and adequacy of which are acknowledged, the Parties agree as follows:

AGREEMENT

1. Term. The Initial term of this Agreement shall be for \_\_\_\_\_ years, commencing on \_\_\_\_\_, and ending on \_\_\_\_\_, unless otherwise terminated earlier in accordance with the terms and conditions contained herein. The Parties by mutual written agreement may extend the term of this Agreement.

2. Naming Rights Fee. In consideration of the naming rights and ancillary benefits granted by the City hereunder, the Donor agrees to pay a naming rights fee in the amount of \_\_\_\_\_ (" \$ \_\_\_\_\_ ") dollars, in the manner and amounts set forth below ("Naming Rights Fee").

3. Naming Rights Payment Schedule. Donor has the option to pay the Naming Rights Fee to the City over a period of \_\_\_\_\_ ( ) years. The initial payment of \_\_\_\_\_ ( \$ \_\_\_\_\_ ) dollars shall be paid no later than \_\_\_\_\_, and then the \_\_\_\_\_ remaining payments shall be paid annually in accordance with the following schedule:

Naming Rights Fee Amount	Due Date
\$	
\$	
\$	

\$	
\$	
Total: \$	

Donor may accelerate the payment of any or all of these payments at any time, at Donors discretion, as long as the cumulative total of all payments meets the total amount of \$ \_\_\_\_\_ as agreed by the Parties. Payments shall be paid by Donor to the City via check or electronic funds transfer acceptable to Donor and the City.

4 Use of Payments. The payments shall be used exclusively for the \_\_\_\_\_ Development Project.

5 Acknowledgment. In consideration for the payment of the consideration and ancillary benefits granted hereunder, the City agrees to acknowledge Donors naming rights during the term of this Agreement by naming the \_\_\_\_\_. Subject to the terms of this Agreement, Donor naming rights will continue for the ten-year term of this Agreement. Any additional benefits or rights granted to Donor beyond those specified in this section must be mutually agreed to by the Parties and are subject to the payment of additional consideration in an amount agreed to by the Parties.

6. Promotion. During the term of this Agreement, the City, in consideration of the naming rights and benefits conferred hereunder, shall have the right, without charge, to photograph, use the names, likenesses, and images of Donors' \_\_\_\_\_ in photographic, audiovisual, digital or any other form of media (the "Media Materials") and to use, reproduce, distribute, exhibit, and publish the Media Materials in any manner, and in whole or in part, in City brochures, website postings, informational and marketing materials, and reports and publications.

7. Ownership. Donor acknowledges that the ownership of the park remains with the City.

8. Assignment. This Agreement and the rights and benefits hereunder may not be assigned by either Party without the prior written consent of the other Party, which consent shall be in the sole and absolute discretion of the non-assigning Party.

9. Notices. Any notice required or permitted to be given hereunder shall be deemed to be delivered, whether or not actually received, when deposited in the United States Postal Service, postage prepaid, registered or certified mail, return receipt requested, addressed to a Party, and the addresses set forth below:

Donor	City of Auburn
Address	Attn: City Manager
Address	60 Court St
	Auburn, ME 04210

10 Termination of Naming. In addition to any rights and remedies available in law, the City may terminate this Agreement and all rights and benefits of Donor hereunder, including



termination of naming rights and affixation of the logoed plaques or signs upon the occurrence of the following:

- a. In the event Donor fails to make any payment due under this Agreement; and such default is not cured within thirty ("30") calendar days following the date of written notice of default by the City; or
- b. In the City's reasonable opinion, at any time during the term of this Agreement, Donor or the chosen name of the \_\_\_\_\_ have developed or acquired a negative connotation for any reason such that the reputation of the City is or might be at risk.

If termination is due to failure of payment, as of the effective date of termination, the City shall have no further obligation or liability to Donor and shall not be required to return any portion of the Naming Rights Payment already received; and the City may immediately cease to use or display the name. The City may in its sole and absolute discretion determine an alternative recognition for the portion of the payment already received.

If termination is due to a change in circumstances such that the City determines Donor or the \_\_\_\_\_ name have developed or acquired a negative connotation that may or does put the reputation of the \_\_\_\_\_ and/or the City at risk, Donor shall not be entitled to a refund of any portion of the payment made.

Should Donor decide to end affiliation with the City during the timeframe outlined in this agreement, Donor will be responsible for the payment to remove the name of the room.

11. Counterparts. This Agreement may be executed in two or more counterparts, which together shall constitute one and the same agreement among the parties.

13. Entire Agreement. This Agreement constitutes the entire agreement of the Parties with regard to the matters referenced herein, and supersedes all prior oral and written agreements, if any, of the Parties in respect hereto. This Agreement may not be modified or amended except by written agreement executed by both Parties hereto. The captions inserted in this Agreement are for convenience only and in no way define, limit, or otherwise describe the scope or intent of this Agreement, or any provision hereof, or in any way affect the interpretation of this Agreement.

14. Governing Law and Venue. This Agreement will be governed by and construed in accordance with the laws of the State of Maine and the City of Auburn, without regard to any conflict of law. Any legal proceeding brought in connection with disputes relating to or arising out of this Agreement shall be filed and heard in the courts of Androscoggin County.

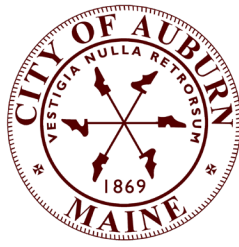
IN WITNESS WHEREOF, this Agreement is executed by the Parties as of the day and year indicated above.

CITY OF AUBURN, ME

Donor

\_\_\_\_\_  
City Manager

\_\_\_\_\_



**ORDER 48-04032023**

# City Council Order

## IN CITY COUNCIL

**ORDERED**, that the City Manager be, and hereby is, authorized to enter into a naming rights agreement with Tizz Crowley to name the Drummond Street Playground Park the “Edna Hadakin Crowley Mothers’ Park.” The request is based on a monetary donation.

**BE IT FURTHER ORDERED**, that the City Manager be, and hereby is, authorized to accept delivery on behalf of the City a monetary donation of \$10,000 for park improvements. \$5,000 will be received upon approval of the naming and \$1,000 annually for an additional five years. The naming will remain each year upon receiving \$1,000 annually.

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**Richard Whiting**, Ward One  
**Joseph Morin**, Ward Four  
**Belinda A. Gerry**, At Large

**Ryan Hawes**, Ward Two  
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