

**AGENDA FOR THE CITY COUNCIL BUSINESS MEETING
COUNCIL CHAMBERS
THURSDAY, AUGUST 18, 2016
7:00 P.M.**

PUBLIC COMMENTS ON ITEM LISTED ON THE AGENDA:

CONSENT AGENDA:

16-134 City Manager

ORDERED, That the minutes of the City Council Business Meeting held August 4, 2016, submitted by the City Manager's office be approved.

16-135 Mayor

ORDERED, that Dorean Maines be appointed to the Planning Board, said term to expire March 15, 2018.

NEW BUSINESS

PART 1 – ORDERS

16-136 Mayor and Council

BE IT ORDERED, That (1) Borrowing of a sum not to exceed \$750,000 be and hereby is authorized for the purpose of paying costs of capital expenditures for the reconstruction, renovation, repair and improvement of streets, sidewalks and other public facilities including energy efficiency upgrades in and of the City of Augusta (the "City") more fully described as follows:

Description	Est. Period of Utility	Amount
(A) Repair, renovation improvement and energy efficiency upgrades of City facilities located throughout the City	17	\$750,000
Total:		\$750,000

The estimated period of utility of each of the foregoing permanent improvements is hereby declared to be in excess of the number of years in the column entitled "Est. Period of Utility" following the respective description of the repairs, renovations and improvements in the table above.

(2) To fund and refund such borrowing, the City Manager of the City or his designee, including without limitation the Assistant City Manager for Finance and Administration (any of whom is referred to herein as an Authorized Representative), is hereby authorized and directed under and

pursuant to Section 7 of Article VII of the City Charter and other enabling authority to prepare, issue and sell, at one time or from time to time, as one or more separate issues, general obligation bonds of the City that in aggregate amount produced by such sale, less (a) the City's costs of issuance, including underwriter's compensation, (b) a reasonable amount for interest on the bonds, (c) a reasonable amount for any use of bond proceeds allowable under the City Charter and U.S. Treasury Regulation §1.148-1 and following and (d) a reasonable rounding amount, if any, will not exceed the aggregate amount authorized to be borrowed. The date or dates, denominations, interest rate or rates and all other particulars as to form, issue and sale of each issue of the bonds shall be determined by an Authorized Representative, provided that each of the bonds shall be signed by an Authorized Representative and by the Mayor, whose signature may be by facsimile, shall bear the City seal or an authorized facsimile thereof, and shall mature or be payable in annual principal installments, the first principal installment to be payable on or before December 31 of the year after the year in which the bonds are issued, and the last principal installment to be payable not later than fifteen (15) years after the date for payment of the first principal installment. The bond issues authorized hereby may be consolidated for purposes of sale and issuance with any other authorized bonds, provided that the principal amount of each component of the consolidated bonds shall mature over a term not longer than the term permitted by the City Charter and other applicable law for such component and by the order authorizing such component. The bonds may be subject to call for redemption with or without premium at the election of the City before the date fixed for final payment of the bonds. An Authorized Representative is authorized to sign such agreements, instruments and certificates as are required in connection with the issuance of the bonds.

(3) An amount sufficient for the payment of the annual installments of principal of and interest on the bonds or any notes shall be included in the tax levy for each year during which any of such bonds or notes shall be outstanding until the debt represented by the bonds or notes is extinguished.

(4) An Authorized Representative be and hereby is authorized to borrow at one time or from time to time in anticipation of the bonds to be issued as herein authorized, when and as funds may be required, a sum or sums not exceeding the aggregate principal amount of the bonds as herein authorized, and to prepare, issue and sell at public or private sale, the temporary note or notes of the City therefor and to renew the same as deemed advisable, provided that any such temporary note or renewal note shall be paid within the maximum term permitted by law therefor. An Authorized Representative is hereby authorized and directed, subject to the provisions of this Order and applicable provisions of law, to sign and determine the date or dates of the note or notes (including renewal notes), the interest rate or rates they shall bear and all other details of things necessary and proper to effectuate the issue and sale thereof, provided that each note shall be signed by an Authorized Representative and by the Mayor, whose signature may be by facsimile, and shall bear the City seal or an authorized facsimile thereof. The notes may be subject to call for redemption with or without premium at the election of the City before the date fixed for final payment of the notes. An Authorized Representative is authorized to sign such other agreements, instruments or certificates as are required in connection with the issuance of the notes.

(5) For purposes of U.S. Treasury Regulation §1.150-2, the City reasonably expects (1) to incur debt to reimburse expenditures (including expenditures made within the last sixty (60) days) temporarily advanced from funds of the City, such expenditures to be made to pay the cost, or a portion of the cost, of the foregoing renovation, repair and improvement and (2) that the maximum principal amount of debt to be issued by the City for the foregoing renovation, repair and improvement including for reimbursement purposes is \$750,000 and an Authorized Representative is authorized to advance money of the City for payment of such costs.

16-137 Mayor and Council

BE IT ORDERED, That (1) borrowing of a sum not to exceed \$1,295,000 and hereby is authorized for the purpose of paying costs of capital expenditures for the improvement of City of Augusta (the "City") streets, sidewalks and related facilities throughout the City. The estimated period of utility of the permanent improvements constituting the improved City streets, sidewalks and related facilities is hereby declared to be in excess of twenty two (22) years.

(2) To fund and refund any such borrowing, the City Manager of the City or his designee, including without limitation the Assistant City Manager for Finance and Administration (any of whom is referred to herein as an Authorized Representative), is hereby authorized and directed under and pursuant to Section 7 of Article VII of the City Charter and other enabling authority to prepare, sell, with or without public bidding, and issue, at one time or from time to time, as one or more separate issues, general obligation bonds of the City that in aggregate amount produced by such sale, less (a) the City's costs of issuance, including underwriter's compensation, (b) a reasonable amount for interest on the bonds, (c) a reasonable amount for any use of bond proceeds allowable under the City Charter and U.S. Treasury Regulation §1.148-1 and following and (d) a reasonable rounding amount, if any, will not exceed the aggregate amount authorized to be borrowed. The date or dates, denominations, interest rate or rates, method of sale and all other particulars as to form, sale and issue of each issue of the bonds shall be determined by an Authorized Representative, provided that each of the bonds shall be signed by an Authorized Representative and by the Mayor, whose signature may be by facsimile, shall bear the City seal or an authorized facsimile thereof, and shall mature or be payable in annual installments, the first installment to be payable on or before December 31 of the year after the year in which the bonds are issued, and the last installment with respect to an amount authorized to be payable not later than fifteen (15) years after the date of issue of such bonds. The bond issues authorized hereby may be consolidated for purposes of sale and issuance with any other authorized bonds, provided that the bonds of each component of the consolidated bonds shall mature over a term not longer than the term permitted by the City Charter and other applicable law for such component and by the order authorizing such component. The bonds may be subject to call for redemption with or without premium at the election of the City before the date fixed for final payment of the bonds. An Authorized Representative is authorized to sign such agreements, instruments and certificates as are required in connection with the issuance of the bonds.

(3) An amount sufficient for the payment of the annual installments of principal of and interest on the bonds or any notes shall be included in the tax levy for each year during which any of such bonds or notes shall be outstanding until the debt represented by the bonds or notes is extinguished.

(4) An Authorized Representative be and hereby is authorized to borrow at one time or from time to time in anticipation of the bonds to be issued as herein authorized, when and as funds may be required, a sum or sums not exceeding the aggregate principal amount of the bonds as herein authorized, and to prepare, sell, with or without public bidding, and issue, the temporary note or notes of the City therefor and to renew the same as deemed advisable, provided that any such temporary note or renewal note shall be paid within the maximum term permitted by law therefor. An Authorized Representative is hereby authorized and directed, subject to the provisions of this Order and applicable provisions of law, to sign and determine the date or dates of the note or notes (including renewal notes), the interest rate or rates they shall bear and all other details of things necessary and proper to effectuate the sale and issue thereof, provided that each note shall be signed by an Authorized Representative and by the Mayor, whose signature may be by facsimile, and shall bear the City seal or an authorized facsimile thereof. The notes may be subject to call for redemption with or without premium at the election of the City before the date fixed for final payment of the notes. An Authorized Representative is authorized to sign such other agreements, instruments or certificates as are required in connection with the issuance of the notes.

(5) For purposes of U.S. Treasury Regulation §1.150-2, the City reasonably expects (1) to incur debt to reimburse expenditures (including expenditures made within the last sixty (60) days) temporarily advanced from funds of the City, such expenditures to be made to pay the cost, or a portion of the cost, of the foregoing improvement and (2) that the maximum principal amount of debt to be issued by the City for the foregoing improvement including for reimbursement purposes is \$ 1,295,000 and an Authorized Representative is authorized to advance money of the City for payment of such costs.

(6) Section 5 of this Order takes effect when approved by the City Council. Sections 1, 2, 3 and 4 of this Order take effect when approved by the City Council initially for the purpose of submitting the following question of ratification of the borrowing authorization to the voters of the City at the municipal election to be held on November 8, 2016 in substantially the following form:

“Do you favor borrowing money as authorized by City Council Order No. 15-144 to provide an amount not to exceed \$1,295,000 to pay costs of capital expenditures for the improvement of City streets, sidewalks and related facilities throughout the City? (Voter approval of the borrowed amount will not require an increase in City taxes because the costs of repaying the borrowed amount will be paid from tax increment finance district (TIF) revenues.)”

If such question is answered in the affirmative by a majority of the voters voting thereon at such November 8, 2016 election, then Sections 1, 2, 3 and 4 of this Order take effect for all purposes set forth in this Order.

16-138 City Manager

ORDERED, That the City Council accept a Risk Management Scholarship grant through the Maine Municipal Association for Building Construction for the Street Smart Firefighter training

in the amount of \$2,000.00. This program will cost \$2,200.00 with the local match of \$200 coming from the Fire Department's training budget.

16-139 Mayor and Council

ORDERED, that the City Manager is authorized to accept proceeds from a grant application to the AARP (formally known as American Association of Retired Persons) in the amount of \$8,000.00 to develop an age-friendly action plan. This funding will be used for services for the age-friendly inventory and analysis, to conduct community focus groups and analyze the results, and to write the age friendly action plan. No local matching funds are required.

NEW BUSINESS

PART 2 – FIRST READING

16-140 Mayor and Council

WHEREAS, the City Council finds that the Planning Board held a public hearing and voted unanimously to rezone these parcels; and

WHEREAS, a city council finds that additional housing options for Augusta residents is desirable and consistent with the Augusta Comprehensive Plan;

Now therefore be it ORDAINED by the City Council of the City of Augusta that the Augusta Land Use Ordinance be amended as follows:

Rezone the following parcels from Planned Development 2 (PD2) and Riggs Brook Village (RBV) to Medium Density Residential (RB1):

Map 48, Lot 18B; the portion of Map 48, Lot 18A that is north of Riggs Brook; the portion of Map 48, Lot 19 that is north of Riggs Brook; Map 6, Lot 51; a portion of Map 6, Lot 52; Map 6, Lot 53; all as shown on the attached map.

COMMUNICATIONS

Committee Reports
City Manager's Report

Enter into executive session to discuss:
Pending litigation; 1 M.R.S.A., §405(6) (E)

Respectfully submitted,
Roberta L. Fogg, City Clerk
August 15, 2016