CITY OF SOUTH PORTLAND

KATHERINE W. LEWIS
Mayor

SCOTT T. MORELLI
City Manager

EMILY F. SCULLY
City Clerk

SALLY J. DAGGETT
Jensen Baird Gardner & Henry

IN CITY COUNCIL
ORDER #29-20/21

WHEREAS, on August 13, 2019 the City of South Portland adopted an Open Space Plan, henceforth “Open Space Plan,” and on October 15, 2019 amended the Comprehensive Plan to incorporate the Open Space Plan as Appendix Q; and

WHEREAS, the Open Space Plan outlines steps that are required to implement its measures and policies that include revisions to the existing Land Bank fund and specific management measures for the fund; and

WHEREAS, an ad hoc Open Space Land Bank Revision Committee is needed to oversee the preparation of proposed ordinance amendments for City Council consideration to update policies and procedures governing the Land Bank and to implement the Open Space Plan.

NOW, THEREFORE, BE IT ORDERED, that an ad hoc Open Space Land Bank Revision Committee is hereby established; and

BE IT FURTHER ORDERED, that the purpose, membership, outcomes, and timeline for this Committee shall be as follows:

1. PURPOSE
The purpose of the ad hoc Open Space Land Bank Revision Committee (the “Committee”) shall be to present the City Council with proposed ordinance amendments relating to the Land Bank. The Committee should propose ordinance amendments that are designed to ensure that the Land Bank is sufficiently and appropriately funded and that allowable use of funds is in line with the vision and goals identified in the Open Space Plan.

The Committee does not have the authority to commit City resources or to direct the work of City employees.

Unless its charge is extended by the City Council, the Committee shall be considered dissolved after its presentation of the proposed ordinance amendments at a meeting of the City Council.
2. MEMBERSHIP
The Committee shall be comprised of seven (7) members, who shall serve until the Committee is dissolved. A quorum shall consist of four (4) voting members. Members shall include:

Voting Members (5)
- Two members of the Open Space Implementation Committee;
- Two members from the South Portland Land Trust; and
- One South Portland resident.

Non-Voting Members (2)
- One representative from the Finance Department; and
- One representative from the Planning Department.

If, for whatever reason, a voting membership shall become vacant during the course of the Committee’s work, a replacement shall be made as soon as practicable following the process outlined in Article III, Section 2-67 of the City of South Portland Code of Ordinances.

There shall be three officers selected from the Committee’s voting membership: Chair, Vice Chair, and Secretary. The Chair shall preside over the Committee meetings; work with City employees and others outside of the meeting to ensure that action items are completed; and help prepare agendas and ensure that they are provided to the City Clerk’s Office. The Vice Chair shall perform the functions of the Chair upon the Chair’s absence from a meeting. The Secretary shall keep minutes of each Committee meeting and prepare drafts to be voted on and approved by the Committee at the next meeting. Once approved, the Secretary shall file the minutes with the City Clerk’s Office. The Secretary shall also ensure that meeting agendas and attendance records are posted with the City Clerk’s Office. All officers have the same voting rights as the other voting members. Non-voting members shall not serve as Chair or Vice Chair. The Committee shall meet as needed at its sole discretion.

3. OUTCOMES
As part of its duties, the Committee shall:
- Recommend a name change for the Land Bank fund.
- Recommend adjustment of the $1 million funding cap to reflect current best practices.
- Develop a list of definitions specific to the fund (such as “open space,” “improved land,” and “unimproved land”).
- Improve guidance for the use of funds by establishing specific criteria and a system to guide use of funds. The Committee shall consider Chapters 4 and 5 of the Open Space Plan to develop its recommended guidance.
- Review the funding structure of municipal property sale proceeds.
- Review recent Land Bank expenditures and contributions.
- Present proposed ordinance amendments to the City Council for action.

4. TIMELINE
Within six months of the Committee’s first meeting, the Committee shall present the completed proposed ordinance amendments at a meeting of the City Council. The City Council may extend this deadline at the recommendation of the Committee or otherwise. The Committee may also bring recommendations forward to the City Council during this review process if a majority of the Committee members feel the matter(s) cannot wait until the completion of the full ordinance amendment development process.

Fiscal Note: Less than $1,000

Dated: July 28, 2020