

**City of Portland, Maine
Agenda
Land Bank Commission**

**June 19, 2014
Room 24, City Hall Basement**

1. Approval Of April 2, 2014 Minutes

Documents: [4-2-14 MINUTES.PDF](#)

2. Update Of Improvement To The Web Page - Doug Roncarati / Breana Behrens

Documents: [PORTLAND LAND BANK COMMISSION WEBPAGE CONSIDERATIONS \(2\)_1.PDF](#)

3. Update And Discussion Of Ballot Initiative And New Role Of Land Bank

Documents: [CONGRESS SQUARE ORDINANCE.PDF](#)

4. Adjournment

5. Next Meeting Date

LAND BANK COMMISSION MEETING

THURSDAY, APRIL 2, 2014

ROOM 24 – CITY HALL BASEMENT

ATTENDANCE: Colin Apse, Breana Behrens, Tom Jewell (Co-Chair), Cheryl Leeman (Co-Chair), Meri Lowry, William Mann, Dick Perry, Colleen Tucker, Bryan Wentzell (secretary)

CITY STAFF: Mike Bobinsky, Doug Roncarati, Larry Walden

ROLL CALL AND DECLARATION OF A QUORUM

The meeting called to order by Co-Chair Tom Jewell at 5:04 PM. Colin moved to approve the February 6, 2014 meeting minutes, seconded by Brianna, passed unanimously.

Review of draft Land Bank Annual Report - Cheryl

Cheryl recommended adding the Murray Street/Canco Road parcel (next to The Birches facility) to be added as a recommendation for inclusion in Land Bank in the Annual Report. It is currently a city-owned parcel.

Motion by Bill to approve and forward annual report to city council. Second by Colleen Tucker.

Tom Jewell offered an amendment, second by Colin Apse to add recommendation of the Murray Street/Canco city land into Land Bank. Motion with amendment Passed Unanimously

Motion by Colin, second by Colleen on amendment to edit annual report to say that the three parcels recommended for addition to LB are already city-owned parcels. Motion Passed Unanimously

University Park: Motion by Colin, second by Breana to amend annual report to reflect history of parcel around previous effort to include in the Lands Bank. Passed Unanimously.

Motion to accept land bank commission annual report and forward to City Council. Passed Unanimously.

Review Land Bank Parcels for re-zoning and/or Additions (Cheryl)

Discussion of zoning of current Land Bank parcels and requiring 7 votes (instead of 6) to remove Land Bank status. Ensure that LB parcels are zoned RPZ (Resource Protection) ROS (Recreation-Open Space).

Motion: If a Land Bank holding is not currently zoned RPZ or ROS that it be rezoned ROS unless specifically noted for RPZ . Moved by Bill, second by Dick. (see list dated 3/26/14). Passed as amended unanimously.

Amendment: Presumpscot River Preserve (Parcel E-10) to be zoned RPZ in its entirety. Passed unanimously.

Amendment: PATHS Wooded area to be zoned RPZ: Breana moved, Bill second. Passed Unanimously.

Amendment: Motion to Designate E-1, E-16, E-17, E-19 for RPZ. Bill moved, Meri Second. Passed Unanimously

Amendment: Bill motion, Colleen second. Make E-7 all RPZ. Pass Unanimously

Amendment: Motion by Bill, second Colleen. Land Bank concurs with action underway to designate E-25 as ROS by City Council. Passed Unanimously.

Website Development

Breana expressed interest in helping Doug on the website. This item will be on the next agenda for review.

Motion to adjourn by Cheryl, second by Dick.

Adjourned 6:35 PM

NEXT MEETING

The next meeting of the land Bank Commission will be on Thursday, June 19, 2014 at 5:00 p.m. in Room 24, City Hall basement.

Respectfully submitted

Bryan Wentzell, Secretary

Portland Land Bank Commission Webpage Considerations (2nd Ed.)

Webpage:

- Add scrolling pictures of properties?
 - o Include some photos of commission members in the great outdoors
- Additional Information?
 - o About the Land Bank Commission
 - Mission
 - We need to review the mission
 - Objectives
 - o What is a Land Bank
 - I.e. what kind of properties are included and what does it mean for those properties to be included in the land bank
 - o Techniques for Preserving Open Space
 - In light of recent interpretations of the LB ordinance, is preservation through easement or deed restriction an option?
 - o History
 - o Council Order Establishing Land Bank Commission
- Land Bank Properties
 - o Description of Properties Significance
 - o How to Visit (maybe describe where to access/view the property or a trail map- if applicable)
 - o Land Bank Holdings Map
- Add Annual Reports
 - o Archive of old reports
- Commission Members
 - o Include district and end of term
- Meeting Schedule
 - o Agenda and Meeting Materials
 - o Could this be in a calendar like format?
 - o How to help?

Additional Comments:

1. The LBC should make this webpage interesting and informative and give the public a reason to go to it frequently for updates
2. A “what’s new” link or section could feature news about LBC activities and partnerships with other conservation groups such as PTs, the Parks Commission, etc.
 - a. Specific properties/parcels can be featured on the main page when they have been acquired, placed in the Land Bank or have some other interesting activity happening on them such as a new trail

- b. Consider placing upcoming meeting agenda and most recently approved minutes on the main page as many committees do; This would increase the visibility of the LBC and possibly generate more public interest in what you do
- c. Consider announcing field trips and opening them up to the public or create special outings specifically for the public to show them what you do

For the Submission to the People of the Question

Shall the proposed "An Ordinance to Strengthen the Land Bank Commission," a copy and summary of which is printed hereon, be adopted?

SUMMARY

OVERVIEW OF LAND BANK LAW. The Land Bank Commission has been in place since 1999. The current purpose of the Land Bank Commission is to protect natural and undeveloped properties owned by the City from sale or development. The key way in which these parcels are protected is by requiring the approval by both the Land Bank Commission and at least 6 members of the City Council. Currently, there are 25 City properties in the Land Bank.

The proposed ordinance amends the Land Bank Commission in three different ways.

NEW CATEGORY OF LAND BANK PROPERTY. First, it establishes a new category for Land Bank eligibility, called "urban open public spaces." Examples of urban open public spaces are plazas and squares where people have the opportunity to recreate and hold events.

NEW LAND BANK PROPERTIES. Second, it designates 35 properties as Land Bank properties, in addition to those 25 Land Bank properties that already exist. The new properties to be designated are:

- | | |
|--------------------------------------|---|
| 1) Back Cove Park and Trail | 19) Heseltine Park |
| 2) Barrow's Park/Baxter Sundial | 20) Lincoln Park |
| 3) Bayside/Stone Street Park | 21) Lobsterman Park |
| 4) Baxter Pines | 22) Longfellow Square |
| 5) Baxter Woods | 23) Monument Square |
| 6) Bell Buoy Park | 24) Munjoy South Playground |
| 7) Belmeade Park | 25) Payson Park |
| 8) Capisic Pond Park | 26) Peppermint Park |
| 9) Clark Street Park | 27) Pleasant Street Park |
| 10) Congress Square Park | 28) Post Office Park |
| 11) Deering Oaks Park | 29) Riverside Golf Course (except parking |
| 12) Dougherty Field | lot and existing buildings) |
| 13) Eastern Promenade Park, East End | 30) Riverton Park |
| Beach, Fort Allen Park | 31) Stroudwater Park |
| 14) Fessenden Park | 32) Taylor Street Park |
| 15) Fort Gorges | 33) Tommy's Park |
| 16) Fort Sumner Park | 34) University Park |
| 17) Fox Field/Kennedy Park | 35) Western Promenade Park |
| 18) Harbor View and Tate-Tyng Park | |

STRONGER PROTECTION FOR LAND BANK PROPERTIES. Third, the proposed ordinance would strengthen the protections for all Land Bank properties. Any conveyance of a Land Bank property would require Land Bank Commission approval, and either a 6-member

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CITY CLERK

vote by the City Council and voter approval in a municipal election, or an 8-member vote by the City Council. In addition, voter approval would not be required for conveyances to conservation organizations or transactions in which there is no net loss to the area of that particular Land Bank property. Similarly, any use by the City of a Land Bank property for non-Land Bank public purposes would require Land Bank Commission approval, and either a 6-member City Council vote and voter approval in a municipal election, or an 8-member council vote. However, if the City's non-Land Bank use was of a small area (less than 5,000 square feet or less than 10% of the Land Bank property, whichever is less), no voter approval would be required.

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CITY CLERK

An Ordinance to Strengthen the Portland Land Bank Commission

I. BE IT ORDAINED BY THE CITIZENS OF PORTLAND AS FOLLOWS:

That Chapter 2, Article III-A of the Portland City Code is hereby amended to read as follows:

ARTICLE III-A. PORTLAND LAND BANK COMMISSION; FUND

Sec. 2-41. Definitions.

As used in this article, unless the context indicates otherwise, the following terms have the following meanings:

Commission means the Portland land bank commission established pursuant to section 2-42.

Land bank means property interests of the types provided in section 2-43(a) which are purchased, acquired or dedicated for the conservation and open space purposes hereunder.

Land bank fund means the fund established hereunder for the purchase of property interests for the conservation and open space purposes hereunder or for making grants or loans for such purposes.

Property interest means any fee simple interest in real property and any lesser interest therein, including without limitation, conservation restrictions and easements.

(Substitute Ord. No. 233, § 1, 4-5-99)

Sec. 2-42. Commission Established.

a) *Findings*. The City Council hereby finds that:

1. There is a need to balance development within the municipality with conservation of open space important for wildlife, ecological, environmental, scenic or outdoor recreational values;
2. there are insufficient financial resources currently in place to plan for, and acquire significant open space lands or easements which are or may become available within the municipality or in adjoining buffer areas; and
3. there is a need to supplement the city's open space conservation efforts, without duplicating the efforts of other public and private groups including the Portland Planning Board,

Portland Trails and the ~~Friends of the Portland Parks~~
Commission. Therefore, in order to ensure the conservation and
preservation of limited open space with important wildlife,
ecological, environmental, scenic or outdoor recreational
values, there is hereby established a Portland Land Bank
Commission, Portland Land Bank and a Portland Land Bank Fund.

(b) *Purposes*. It shall be the purpose of the commission to:

1. work for the acquisition and conservation of open space
within the City, as defined in §2-43(a) below;
2. cooperate with other agencies and parties on wetlands
mitigation projects;
3. recommend on a priority basis the acquisition of various
interests in real estate in order to effectuate the goals of
this article;
4. accept gifts and funds from both private and public sources
and to disburse such funds in accordance with the commission's
approved budget for the purposes hereunder;
5. act as a liaison to other public and private nonprofit
agencies involved in planning, acquisition, disposition, and
management of conservation and open space land within the
municipality; and
6. recommend an annual budget to the City Manager and City
Council to carry out its purposes.

(c) *Appointment of commission*. The Portland Land Bank Commission
shall consist of and be administered by nine (9) persons
appointed by the City Council for staggered three-year terms.
Except as provided below for non-voting members, the members
must be legal residents of the municipality and shall serve
without compensation. One member of the commission shall be
appointed from the City Council. Neither a municipal employee
nor member of the Planning Board or Board of Appeals may be a
member of the commission. To the extent feasible, representation
on the board shall be diversified, including without limitation,
members representing environmental or conservation interests,
economic development, business and financial interests, and
the public generally. There shall be a resident from each of the
City Council districts on the commission.

(d) *Non-voting members*. In addition to the nine voting members,
the Board of Directors of Portland Trails and of Maine Audubon

Society shall each appoint one person from each of their memberships to serve as non-voting members of the commission for three (3) year terms. The only eligibility requirement for appointment to the non-voting positions shall be membership in the respective group which they represent. Such non-voting members shall serve at the pleasure of their appointing Board of Directors.

(e) *Vacancies.* In the event of a permanent vacancy in the voting members, the City Council shall, within 120 days of its occurrence, appoint a person to serve for the unexpired term.

(f) *Removal.* Voting members of the commission may be removed by the City Council for cause, after notice and hearing. Without limiting the foregoing, excessive absences from regularly scheduled meetings shall be considered cause for removal.

(g) *Organization of commission.* The commission shall annually elect a chair, a secretary and a treasurer from among its voting members and shall adopt reasonable rules for the conduct of its meetings, which rules shall include provisions for public comment substantially the same as those provided by City Council rules for standing council committees. The decisions of the commission shall be by majority vote of those present and voting and no business may be transacted without a majority of the voting members present; provided, however, five (5) votes shall always be required to authorize a grant or loan for acquisition of, or to recommend to the council the disposition of, any property interest acquired or disposed of hereunder. The Commission shall keep accurate records of its meetings and actions and shall file an annual report with the City Manager.

(h) *Powers and duties of commission.* The Commission:

1. Shall file annually with the City Council a registry of all open space of the types in section 2-43(a), publicly or privately owned, located within the city or abutting the City as potential buffer areas, for the purpose of providing information pertinent to property utilization, protection, development or use of such open space. The registry must show all property interests then currently held by the city, including a description of the use of those interests and all acquisitions, improvements or dispositions of all property interests held by the city at any time during the year preceding each filing. The commission shall determine and list in the registry the open space lands which meet the criteria in section 2-43(a) and which have significant value for preservation

through the land bank, and those which are of lesser or no value for preservation and those which are more appropriate for other uses. The foregoing determinations shall include a prioritized list of any recommended acquisitions for the Land Bank, as well as the commission's rationale for its determinations. The commission shall actively seek comments on the proposed registry from the Planning Board, Friends of the Parks, city departments, and the general public at a public hearing prior to adopting the registry or revision to the registry and forwarding it to the council for review. Said registry or revision thereto shall be subject to the approval of the City Council;

2. May solicit and recommend to the City Council the acceptance of gifts of any real property interests or of funds to further the conservation and open space goals of this article;

3. May recommend to the City Council the disposition of all or any portion of the property interests listed in the registry and held by the city; may review any proposed disposition of city tax-acquired property interests and make its own recommendations thereon to the City's tax acquired property committee, council committees and/or the City Council;

4. May obtain such professional services as are necessary in order to perform its duties, including development and updating of the Commission's registry, provided, however, to the extent possible, City staff shall assist the Commission;

5. May act as a liaison for the activities of public and private conservation bodies organized for similar purposes;

6. May make recommendations to, and participate with, the city and other agencies and parties in regard to wetlands mitigation plans and projects;

7. May apply for federal, state and local funds for which it may be eligible, subject to the approval of the City Council;

8. May advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary; and

9. Shall submit to the City Manager annually an operating and capital budget for all expenses and projects of the Commission, which shall include a separate budget for expenditures from the Land Bank fund, which expenditures will be limited to the purposes for which this fund is dedicated.

Commission expenditures shall not exceed its annual operating and capital budget, unless otherwise amended by the City Council.

(Substitute Ord. No. 233-99, §1, 4-5-99)

Sec. 2-43. Establishment of Land Bank.

(a) *Acquisition of property interests.* Property interests acquired and held for the purposes hereunder shall be considered as the land bank and may consist of any of the following types of land and interests in land:

1. Ocean, harbor, river, stream, or pond frontage and adjoining back lands;
2. Fresh or saltwater marshes, estuaries, flood plains and adjoining uplands;
3. Islands;
4. Land for future passive public outdoor recreational use, including hiking trails, bicycle paths, green belts and high elevations with a view;
5. Aquifers, aquifer recharge areas and other ecologically fragile or significant property;
6. Properties with unique historical or geological characteristics or otherwise important to the community's cultural welfare;
7. Woods or forest land;
8. Farmland or wildlife habitat;
9. Open spaces which help to shape the settlement pattern of the community by promoting the neighborhood concept and discouraging sprawl;
10. Vacant parcels of land, vacant buildings and properties or buildings and properties in significant disrepair which may be reclaimed for the purpose of establishing natural areas for conservation and open space land; ~~or~~
11. Conservation or trail easements and other similar interests in land; or

12. "Urban open public spaces" such as parks, plazas and squares where people have the opportunity to recreate and hold events.

Said Land Bank property interests may be held in the name of the city or in the name of a private nonprofit organization when acquired from the City or with the assistance of a grant or loan from the land bank fund. All acquisitions of property interests under this article shall be subject to the approval of the City Council, unless previously approved through adoption of the Commission's annual budget.

(b) Maintenance of land. The Commission and the City government shall retain any land

bank property interest acquired pursuant to this article and maintained in the land bank predominantly in its natural, scenic or open condition, except as otherwise provided in this article. Except upon the approval, in accordance with section 2-43(c), of the commission, the City Council, and, where applicable, the voters in a municipal election, or where required by state or federal law, and where appropriate, subject to the Constitution of Maine or state law, the commission or the City government shall not allow:

1. Construction or placing of buildings; roads, other than paths for recreational use; signs; billboards; other advertising, utilities or other structures on or above the surface, except in furtherance of the conservation, and open space, and recreation purposes of this article. Notwithstanding the foregoing, this provision shall not prohibit any of the following within any predominantly improved or non-forested areas of a Land Bank property interest: recreational structures, outdoor restaurant seating, outdoor markets, outdoor performance spaces, signs, and other advertising. Furthermore, predominantly unimproved or forested Land Bank property interests, or portions thereof, shall remain in their existing unimproved and forested condition. For the purposes of this subsection, a golf course shall be deemed a predominantly improved and non-forested area;

2. Dumping or placing of trash, waste or unsightly or offensive material;

3. Removal or destruction of trees, shrubs or other vegetation, except where necessary for management purposes and to enhance natural systems or open-space uses;

4. Excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance in such manner as to affect the surface, except limited grading to enhance the open-space uses of the land;

5. Surface use except for purposes permitting the land or water area to remain predominantly in its natural, scenic or open condition; or to permit the land to continue to support the cultural or recreational values for which it was acquired;

6. Activities detrimental to drainage, flood control, water conservation, erosion control or soil conservation, except as may be necessary or convenient in urban open public spaces described in section 2-43(a)(12); or

7. Other acts or uses detrimental to the cultural, natural, scenic or open condition of the land or water areas.

(c) Disposition of property interests.

- (1) Except as set forth in section 2-43(c)(2), Any request to use, improve, sell or otherwise dispose of, or the City's lease, use or improvement in a manner otherwise prohibited by this article, of any property interest in the Land Bank, in a manner otherwise prohibited by this article, or the removal of any property interest from Land Bank designation or dedication, shall become effective only after review and recommendation thereon by the commission, and and approval of either (i) the approval of six (6) members of the City Council and the approval of the majority of votes cast in a municipal election through the process set forth for an ordinance initiated by the City Council in section 9-45; or (ii) the approval of eight (8) members of the City Council; provided, however, such use, improvement or disposition must be legally consistent with the terms of any gift or grant of funds or property which was used for the acquisition of that property interest. Nothing herein is intended, nor shall it be deemed, to prevent or prohibit the sale or development of all or a portion of any property interest purchased with land bank funds to the extent legally consistent with the terms of its acquisition and approved by six (6) members of the City Council; provided, however, that the fund shall be reimbursed all of its costs and expenses for such purchase from such sale or development, including without limitation the purchase price, or pro rata share thereof,

of the property interest. Further provided, however, that no voter approval in a municipal election shall be required in the event of a sale or disposition to a nonprofit corporation having a primary purpose of land conservation, or for a transaction in which there is no net loss of land to the entire contiguous area of the Land Bank Property interest.

(Substitute Ord. No. 233-99, §1, 4-5-99)

- (2) Notwithstanding the requirements set forth in section 2-43(c)(1), for any request to lease, use or improve a Land Bank property interest, in a manner otherwise prohibited by this article, which, in isolation or when aggregated with other such actions within the previous five (5) years, comprises less than five thousand (5,000) square feet or less than ten percent (10%) of the total area of the Land Bank property interest, whichever is smaller, shall become effective only after review and recommendation thereon by the commission and the approval of six (6) members of the City Council, and shall not require voter approval in a municipal election. For the purpose of this subsection, the total area of the property interest shall be the entire contiguous area of that Land Bank Property interest, as measured by the City's tax assessor office.

Sec. 2-44. ~~Reserved.~~ Specific Properties Dedicated as Land Bank Property Interests.

In addition to those properties currently designated or dedicated as Land Bank property interests, the following properties are hereby dedicated as Land Bank property interests:

- a) Back Cove Park and Trail (429 K001, 166 X001, 165 X001, 158 X001, 157 X001, 139 X001, 128 X001, 440 A001, 442 B001, 442 X001, 441 X001, 009 X001, 008 X001, 440 X001)
- b) Barrow's Park/Baxter Sundial (128 F001)
- c) Bayside Park (026 H001, 026 H002, 026 H008)
- d) Baxter Pines (133 A001-A017, 133 B001-B013, 133 B016-B020)
- e) Baxter Woods (137 E012, 136 D004, 135 A005)
- f) Bell Buoy Park (444 A001) (including only the existing brick and grass area around bell buoy) (urban open public space)
- g) Belmeade Park (111 A001)
- h) Capisic Pond Park (224A X001, 224A E016, 224 X001, 192 C001 192 H018, 192 H019, 192 H020, 192 H029, 223 A002, 223 A003)
- i) Clark Street Park (057 K010)
- j) Congress Square Park (037 E001) (urban open public space)

- k) Deering Oaks Park (050 A001, 049 B001, 035 I001, 035 G001, 035 F001)
- l) Dougherty Field (080 L001, 079 B001, 066 A002)
- m) Eastern Promenade Park, East End Beach, Fort Allen Park (008 A003, 008 A007, 010 B006, 015 G001, 006 A001, 006 A002, 006 A006, 006 B003, 005 E004, 005 E001, 005 E002, 006 B001, 005 E008, 004 C002, 004 C001, 004 A001, 001 A001, 001 A003, 001 C007, 001 C006, 001 C005, 001 C004, 001 C001, 002 A014)
- n) Fessenden Park (081 C006)
- o) Fort Gorges (110 A010)
- p) Fort Sumner Park (012 Q015, 013 K015)
- q) Fox Field/Kennedy Park (023 B001)
- r) Harbor View Park and Tate-Tyng Park (043 A001, 043 A002, 043 A003, 043 A004, 043 A005, 043 A006, 043 A007, 043 A008, 043 A009, 043 A010, 043 A011, 043 A013, 044 D001)
- s) Heseltine Park (129 C001)
- t) Lincoln Park (028 B001) (urban open public space)
- u) Lobsterman Park (032 X002 - only including land south of the entrance to parking garage) (urban open public space)
- v) Longfellow Square (no separate tax parcel) (only including statue and circular grassy area immediately surrounding statue) (urban open public space)
- w) Monument Square (027 G001) (urban open public space)
- x) Munjoy South Playground (017 G008)
- y) Payson Park (159 G001, 163 L006, 164 A001, 165 A001, 166 A001, 166 A009, 167 B009, 167 B010)
- z) Peppermint Park (021 F002)
- aa) Pleasant Street Park (039 F025)
- bb) Post Office Park (032 D005) (urban open public space)
- cc) Riverside Golf Course (but excluding land on or within three hundred (300) feet of the parking lots and land on and within three hundred (300) feet of the existing clubhouse (building 1158) and three other buildings (buildings 1140, 1200, and 1260) and excluding any land on or within three hundred (300) feet of the Riverside Recycling Facility) (361 A002, 360 A001, 362 A001, 363 A001, 359 A001, 358, A001, 364 A001, 357 A001, 365 A001, 366 A001, 367 A001)
- dd) Riverton Park (325 C008, 361 A001)
- ee) Stroudwater Park (213 E003, 213 E004)
- ff) Taylor Street Park (057 A006, 057 A009, 057 A010, 057 A018)
- gg) Tommy's Park (032 H009) (urban open public space)
- hh) University Park (436 B001, 438 B001) and
- ii) Western Promenade Park (064 E024, 068 E001, 070 C001, 071 A011, 071 A002, 071 A007).

Dedication of the above-listed properties as Land Bank property interests shall not affect any rights and interests of record held by third parties existing on the effective date of this ordinance. The above-listed properties may be removed from such dedication by the same process set forth in section 2-43(c).

Sec. 2-45. Land Bank Fund.

(a) *Establishment of fund.* The City shall establish a municipal land bank fund to be set up as a separate account within the city to be used to carry out the purposes of this article pursuant to the commission's approved annual budget. Deposits into the fund shall include:

1. Funds appropriated to be deposited into the fund by vote of the City Council;
2. Voluntary contributions of money or other liquid assets to the fund;
3. Any federal, state or private grant or loan funds provided to the land bank fund;
4. Interest from fund deposits and investments;
5. Repayments of loans authorized by the commission and reimbursement upon the sale of property interests from the land bank or acquired with land bank funds; and
6. An annual appropriation of .5% of the total annual capital improvement program.
7. The City Council must approve any expenditure from this fund for the acquisition of property, including but not limited to the cost of options to purchase.

(b) *Authority to grant or loan funds.* In addition to any other authority granted hereunder and subject to its annual budget, the Commission shall have the authority to make grants and loans to private nonprofit groups for the purpose of acquiring property interests in accordance with the purposes of this article. Such grants or loans shall be on such terms as provided by rules of the commission.

(c) *Land bank property management.* The Commission may expend land bank funds for administration, maintenance, management and limited capital improvement of land bank property, provided,

however, such expenditures shall not exceed 10% of the commission's budget without a 2/3 vote of the commission and approval by the City Council.

(d) *Payments; records.* All expenses lawfully incurred carrying out this article must be evidenced by proper vouchers and shall be paid by the City only upon submission of records duly approved by the commission and in a form satisfactory to the City's Finance Director. The City shall prudently invest available assets of the fund and all income from any investment or repayment of any loans shall accrue to the fund. Records of all meetings and transactions under this article shall be kept in accordance with City policies and procedures.

(Substitute Ord. No. 233-99, §1, 4-5-99; Ord. No. 19 03/04, 7-21-03)

II. This Ordinance shall apply and have an effective date, notwithstanding the provisions of 1 M.R.S.A. § 302 and in accordance with section 9-42 hereof, as of September 6, 2013.