

## **Request for Qualifications – RFQ # 20-14**

### **Committee Facilitation Consulting Services**

Proposals are being requested by the City of South Portland, Maine for Committee Facilitation Consulting Services for a citizen committee process, as specified below.

Complete written proposals shall be submitted in envelopes plainly marked “RFQ # 20-14 Committee Facilitation Consulting Services” to the City Purchasing Agent, Room 102, City Hall, 25 Cottage Rd, South Portland, Maine 04106 not later than 2:00 p.m., January 8, 2014 at which time they will be publicly opened and read aloud.

Proposals received after that time and date shall not be accepted. Proposals will be evaluated in accordance with the specifications detailed in the RFQ. Consultants are requested to submit one original and 2 additional copies of the proposal.

The selected consultant will be required to sign a contract and provide a certificate of insurance for public liability, property damage, professional liability, and worker’s compensation coverage.

Each proposal shall be signed by a person legally authorized to bind the firm/consultant to a contract.

The consultant shall signify in their proposal that all conditions outlined in this Request for Qualification and the attached have been read and understood. The consultant shall rely only on information contained in this Request for Qualification and any written addenda.

Selected sections of the consultant’s response may be incorporated as part of any agreement the City executes with the selected consultant.

Questions regarding this Request for Qualifications may be directed to City Manager James H. Gailey at (207) 767-7606. Questions which may influence consultant responses will be answered in writing with copies being posted to the Purchasing Agent’s webpage.

The City of South Portland reserves the right to negotiate with the selected Consultant to the scope of services and fees, whether or not that proposal is the lowest cost to the City. The City also reserves the right to waive or disregard any informality, irregularity, or deficiency in any proposal received and to reject any or all proposals received for whatever reason it deems appropriate.

Colleen Selberg – Purchasing Agent

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South Portland, ME 04116-9422  
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## **Background**

The City of South Portland (the City), is located on the southern coast of the State of Maine in the southeastern section of the County of Cumberland, the State's most populous county. South Portland is the fourth largest city in Maine and the second largest in the region. Once principally a residential community, the City now enjoys a diversified retail, commercial, industrial and advanced technology aspect to its economy. The city's port is the 2<sup>nd</sup> largest crude oil port on the U.S. East Coast. Six terminals and over 130 tanks handle petroleum cargo ranging from crude oil to jet fuel. There are also two pipelines; one transfers crude oil to a refinery in Montreal, while another carries refined products to the Bangor area.

On June 17, 2013, a citizen initiative petition was submitted to the City Clerk's office requesting amendment of the South Portland Code of Ordinances to include a so-called "waterfront protection ordinance." On July 1, 2013, the City Clerk determined that the petition contained the required number of valid signatures and that each paper had a valid statement of the circulator, and the City Clerk forwarded the petition to the City Council.

The proposed ordinance was placed on the July 1, 2013 agenda for an initial reading. As the proposed ordinance includes proposed amendments of Chapter 27 (the City's Zoning Ordinance), State law required the Planning Board conduct a public hearing on the proposed ordinance. A referral of the proposed ordinance to the Planning Board was made at the July 1st City Council meeting.

The Planning Board conducted its first public hearing on July 23, 2013 and took comment. At the conclusion of the first public hearing, the Planning Board did not act to make a recommendation to the City Council. Instead, the Planning Board scheduled a second public hearing for August 13, 2013.

On August 5, 2013, the City Council acted to correct the Citizen Initiated Ordinance #1-2013/14 to deleting a comma that appeared after the term "other facility" in Section 4(c) of the proposed ordinance (The Planning Board addressed this item through their two meeting review). The proposed ordinance was given second reading on this date, but the City Council recessed the public hearing to August 19, 2013 in order to give the Planning Board time to complete its public hearing process and to make its recommendation to the City Council pursuant to Sec. 27-115(g) of the Zoning Ordinance.

At the conclusion of the Planning Board's second public hearing, the Planning Board, by a vote of 4-2, adopted a finding that the proposed ordinance was inconsistent with the City's Comprehensive Plan.

At the second Council reading on August 19th, the City Council had the option of adopting the ordinance as proposed by the petitioners or not passing the Ordinance. The Council opted not to pass the Ordinance, which automatically moved the petition language to a public vote on the November 5, 2013 ballot.

On November 5, 2013, the citizen-initiated Waterfront Protection Ordinance was defeated by a vote of 4453 against the ordinance to 4261 in favor of the ordinance. The next day, the City Council held a special workshop meeting to consider a proposed moratorium on development proposals involving the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland. The City Council reviewed a second draft of the proposed moratorium ordinance at its November 13, 2013 workshop meeting.

A moratorium is a temporary ban on land use activity or development to give City officials time and the opportunity to plan for accommodating or managing development. Development moratoria are specifically authorized by State statute, 30-A M.R.S.A. § 4356, subject to certain requirements set forth in the statute.

The moratorium ordinance was brought forward to impose a moratorium that, if enacted, would provide the City Council time to review potential development proposals involving the loading of oil/tar sands products onto marine tank vessels docking in South Portland. The moratorium is applicable retroactive to November 6, 2013, the date the item first appeared on a City Council agenda. The moratorium is effective for 180 days from November 6, 2013 (*i.e.*, until May 5, 2014), but could be terminated early if appropriate or extended if necessary.

In a Special Workshop on December 11<sup>th</sup>, the City Council worked through the committee process and the public charge of the committee. The Council decided on the development of a Draft Committee made of three South Portland residents who were versed in interpretation or writing of municipal ordinance. A resource list will be established providing resources to the Draft Committee, allowing the committee to seek professional help for information during the process.

The City Council adopted the Waterfront Moratorium on December 16, 2013 by a vote of 6-1.

## **Introduction**

The City of South Portland proposes to engage the services of a consulting firm or individual to prepare and facilitate a committee based process to explore the development of ordinance language to address development proposals involving oil sands/tar sands products.

The objective of this Request for Qualifications (RFQ) is for the Municipality to receive proposals from qualified firms or individuals capable of carrying out the work herein defined. The proposals will form the basis for evaluation and selection.

## **Scope of Services**

The Committee will be convened by the City of South Portland. Members of the Committee will be limited to three South Portland residents. The City Clerk's Office has developed an application form and is currently accepting applications. The Committee will have "technical resources" for the ability to call in technical expertise when needed. A budget will exist to cover any costs associated with the technical resources.

The purpose of this initiative is to draft an ordinance to address development proposals involving oil sands/tar sands products. The City will rely on the facilitator to propose the type of committee meeting format that would benefit the process and meeting the City Council directed charge. The Committee's Charge is to provide the South Portland City Council recommendation(s) that include(s) proposed ordinance language addressing development proposals involving oil sands/tar sands products in South Portland.

Definition: The Moratorium approved by the City Council on December 16, 2014 defines "oil sands/tar sands products" as: "petroleum products derived from oil sands/tar sands that are still in an unrefined state, included bitumen, diluted bitumen, synthetic crude, sybit and dilsynbit".

Facilitation services will be necessary to begin the process by working in consultation with the City of South Portland to structure a process that is designed to bring the Committee through the process meeting the City Council's Charge within the project timeframe. Specifics around the process include:

- ❖ The Facilitator is expected to prepare for and attend the appropriate number of meetings in carrying out their responsibilities until the successful completion of the scope of work
- ❖ The Facilitator will prepare all materials and make all other preparations for the committee sessions (e.g. invite resources, book facilities, prepare notices, consult with staff).
- ❖ The facilitator will work with City to determine best process to take meeting minutes.
- ❖ The facilitator will determine best platform for the committee to receive public comment.
- ❖ In addition to the committee meetings, the Facilitator shall be responsible for the facilitation of any public sessions, if initiated.
- ❖ Development and presentation of a Committee Recommendations Report to the City Council.

### **Project Deliverables**

Facilitate a series of meetings with the City Council appointed Committee spanning over a number of months, which results in the development of recommendation(s) pertaining to ordinance language in accordance with the scope of services.

### **Qualifications of Consultant**

Consultants shall provide sufficient detail about the qualifications of the firm/consultant and key personnel to enable the City to make an informed selection. The City of South Portland seeks proposals from firms and/or individuals with facilitation expertise who have 1) relevant education and training in facilitation, 2) experience with group facilitation and the coordination of group deliberations, and 3) the resources necessary to provide the services required.

Description of firm/consultant (history, size, areas of expertise).

A resume of each of the key project personnel proposed for this project including degrees, training certificates, and other accredited education focused on, but not limited to, facilitation, consensus building, collaboration, group dynamics, and communication. This should include a list of representative projects of a similar nature that each key person had been involved with and a description of his/her role in those projects. Identify lead staff person for the project. Identify the percent of time each staff member will give to the project.

Detailed description of 3 similar projects undertaken by firm/consultant.

Client list with a very brief description of their project and the name of the contact person with phone numbers and email addresses if available.

Detailed project outline: Alternate proposals or modifications to the work plan would be taken into consideration. Please be clear where your suggestions deviate from the attached work plan. The Council holds the right to accept or deny proposed deviations.

Compensation: For the key and support personnel, provide a list of the hourly rate per person. Provide a list of reimbursable costs.

Other information which proposers feel is relevant to this project. Please submit in a bulleted format with brief and concise descriptions.

**Evaluation of Proposals**

The City of South Portland shall evaluate proposals on the basis of the qualifications, relevant experience and responsiveness of the bidders, as well as the estimated service cost. The City may wish to conduct interviews with the firm/consultants most qualified, but is not obligated to do so.

Qualifications & Related Experience in Facilitation	30%
Understanding of Issues Related to Project	20%
Process Approach/Methodology	20%
Response to Proposal	10%
Compensation	20%

**Contingencies and Charges**

Bids shall be firm and not made contingent with any events that will occur after the contract is awarded. Changes to the bid must be agreed to, in writing, by The City of South Portland.

**Fee Statement**

The fee statement shall provide a schedule of fees on an hourly rate basis for key personnel and support personnel assigned to the project. Include a rate for out of pocket expenses. Fees shall remain the same for the term of the contract. The scope of work may be subject to negotiations.

**Pricing & Term**

Pricing and responses to this RFQ must be guaranteed for a period of ninety (90) days after the award of the bid and should be inclusive of any and all charges to The City of South Portland.

**Subcontractors**

The proposer may utilize the services of subcontractors in the performance of this project, provided the proposer makes clear notation in its response to this RFQ of its intention to do so. All subcontractors will be required to comply with the provisions of this RFQ. Proposer understands that the use of subcontractors does not relieve it of its obligations or duties pursuant to this RFQ.

**Project Timeline**

The project timeline is aggressive with the Committee meeting weekly or bi-weekly (twice a month) from February to April. The Moratorium passed on December 16<sup>th</sup> expires on May 5<sup>th</sup>. The attached timeline is based on a May 5<sup>th</sup> deadline. By State Law, moratoriums can be extended by the City Council as long as the City Council can show forward progress and momentum are being made. The City Council is willing, if need be, to extend the Moratorium.

**Proposal Submittal**

Bids must be submitted to the City of South Portland, Attn: Purchasing Agent, 25 Cottage Rd, PO Box 9422, South Portland, ME 04116-9422 and must be clearly marked "Bid #20-14 Committee Facilitation Consulting Services". One original and 2 copies of the RFQ are required. All submissions must be received no later than 2:00 P.M. Thursday, January 8, 2014 and will be publicly opened at that time in the purchasing office.

Selected consultants may be asked to be available for interviews the week of January 13-17, 2014 and final award is tentatively scheduled for the Council meeting of January 22, 2014.

Failure to meet any condition of the RFQ may result in rejection of the bid. The City of South Portland reserves the right to select a firm/consultant for contract negotiations based on the content of the bid and relevant information obtained concerning past performance. In addition, The City of South Portland reserves the right, without prejudice, to reject any and all bids.

Once received, the RFQ becomes the sole property of The City of South Portland, Maine.

**Attachments**

1. The December 16, 2013 adopted Waterfront Moratorium.
2. Potential list of "Resources" for the outlined process.
3. Process timeline.



CITY OF SOUTH PORTLAND

THOMAS E. BLAKE  
Mayor

JAMES H. GAILEY  
City Manager

SUSAN M. MOONEY  
City Clerk

SALLY J. DAGGETT  
Jensen Baird Gardner & Henry

IN CITY COUNCIL

ORDINANCE #2-13/14

District One  
MICHAEL R. POCK

District Two  
PATRICIA A. SMITH

District Three  
MELISSA E. LINSKOTT

District Four  
LINDA C. COHEN

District Five  
GERARD A. JALBERT

At Large  
ALAN R. LIVINGSTON

At Large  
THOMAS E. BLAKE

**THE COUNCIL** of the City of South Portland hereby ordains that Chapter 27, "Zoning," of the "Code of Ordinances of the City of South Portland, Maine" be and hereby is amended by the enactment of a new Article XVI as follows (deletions are ~~struck through~~; additions are underlined):

CHAPTER 27

ZONING

• • •

**ARTICLE XVI. MORATORIUM ON DEVELOPMENT PROPOSALS INVOLVING THE LOADING OF OIL SANDS/TAR SANDS PRODUCTS ONTO MARINE TANK VESSELS DOCKING IN SOUTH PORTLAND**

**Sec. 27-1601. Moratorium declared.**

**WHEREAS**, the City of South Portland intends to protect the natural resources on which the City depends, including, but not limited to: its land resources; its air quality; source of drinking water at Sebago Lake; and its marine and aquatic resources, including Portland Harbor, Casco Bay, and the rivers and tributaries passing through and adjacent to South Portland; and

**WHEREAS**, in 2007, by Resolve #3-07/08, the City Council authorized the then-Mayor to sign the U.S. Conference of Mayors Climate Protection Agreement that, in part, commits the City to strive to meet or beat the Kyoto Protocol targets for reducing global warming pollution by taking actions in its own operations and community; and

**WHEREAS**, in 2010, by Resolve #1-10/11, the City Council adopted a sustainability resolve to demonstrate the City's commitment to incorporate and embed sustainability principles into the City's operations; and



WHEREAS, oil sands (a/k/a tar sands) are the combination of clay, sand, water and bitumen; and

WHEREAS, bitumen is a semi-solid or solid petroleum deposit that is thick like molasses and, unlike most conventional crude oils, must be heated or diluted with lighter hydrocarbons to flow through a pipeline; and

WHEREAS, diluent is any lighter viscosity petroleum product that is used to dilute bitumen for transportation in pipelines; and

WHEREAS, diluents themselves may be toxic volatile chemicals, such as the known carcinogen benzene; and

WHEREAS, diluted bitumen (a/k/a dilbit) is bitumen combined with any diluent for transport; and

WHEREAS, synthetic crude is a mixture of hydrocarbons, similar to crude oil, derived by upgrading bitumen from oil sands/tar sands into an intermediate product that it is in transportable form but that has not yet been further upgraded into finished products; and

WHEREAS, synbit is bitumen combined with synthetic crude, and dilsynbit is synbit combined with a diluent; and

WHEREAS, the term "oil sands/tar sands products" is used in this Article to describe petroleum products derived from oil sands/tar sands that are still in an unrefined state, including bitumen, diluted bitumen, synthetic crude, synbit and dilsynbit; and

WHEREAS, the term "marine tank vessel" is used in this Article to mean a ship that is constructed or adapted to carry oil in bulk as cargo or cargo residue and the term does not include a vessel carrying oil in drums, barrels or other packages, or a vessel carrying oil as fuel or stores for that vessel, or an oil spill response barge or vessel; and

WHEREAS, oil sands/tar sands are mined and processed to extract the oil-rich bitumen, which is then refined into an extra heavy crude oil; and

WHEREAS, nationwide, in the last three-and-one-half years, there have been two major pipeline ruptures and an unspecified number of minor ruptures of pipelines carrying oil sands/tar sands products; and

WHEREAS, the July 25, 2010 pipeline rupture in Marshall, Michigan spilled an estimated 843,444 gallons (20,082 barrels (bbl)) of dilbit and contaminated 35 miles of the Kalamazoo River and Morrow Lake, which spill has not yet been fully cleaned-up; and

WHEREAS, the total Marshall, Michigan spill clean-up cost reached \$809 million in 2012 and is increasing, more than any non-ocean spill on record; and

WHEREAS, the March 29, 2013 pipeline rupture in Mayflower, Arkansas spilled more than an estimated 157,500 gallons (3,750 barrels (bbl)) of dilbit and the clean-up is still underway, which spill resulted in the evacuation of approximately 22 homes and the clean-up of approximately 28,000 barrels of oily water; and

WHEREAS, the two above-referenced spills occurred on pipelines that had carried non-oil sands/tar sands crude oil for years and that had not been specifically designed to carry oil sands/tar sands products; and

WHEREAS, oil sands/tar sands products alone weigh more than water, but it is diluted with diluent to decrease the viscosity in order to allow it to flow through a pipeline while also decreasing its weight compared to water; and

WHEREAS, while the parent bitumen can be denser than water (meaning it would sink), after diluent addition, the density decreases to less than water (meaning that it would float); and

WHEREAS, the environmental conditions present during a spill such as turbidity, water salinity, and mixing with sediments can all affect the potential for the oil sands/tar sands products to float or sink; and

WHEREAS, responders to the dilbit spill into the Kalamazoo River reported the presence of floating oil, submerged oil and sunken oil, making damage greater and clean-up more expensive than it would have been with other lighter crude oils; and

WHEREAS, responders to the Kalamazoo River and Mayflower, Arkansas spills reported air toxics at levels of concern to public health officials and there is a concern that this same issue may be present in South Portland in the event of a spill in South Portland; and

WHEREAS, techniques for cleaning-up oil sands/tar sands products in marine and aquatic environments are still not fully developed and are experimental or difficult; and

WHEREAS, federal and state guidelines for tracking the chemical composition of pipeline transported fuels so that local governments, citizens, and first responders can better understand, and plan for, the risks associated with the specific type of fuel flowing through or to their communities, do not currently exist; and

WHEREAS, the Portland-Montreal pipeline crosses the Sebago Lake watershed (South Portland's source of drinking water) and terminates at Portland Harbor and Casco Bay, important resources to the economic and recreational well-being of the City, its residents and property owners; and

WHEREAS, in 2009, Portland Pipe Line Corporation (PPLC) sought and obtained site plan approval from the City's Planning Board to reverse the flow of the existing 18-inch Portland-Montreal pipeline to bring crude oil south from Montreal for loading onto marine tank vessels and to install a vapor control system to convey vapors displaced by marine tank vessel loading operations to vapor combustion units, which site plan approval has since lapsed; and

WHEREAS, in 2009, PPLC sought and obtained an air emission license from the Maine Department of Environmental Protection (DEP) to reverse the flow of the existing 18-inch Portland-Montreal pipeline to bring crude oil south from Montreal for loading onto marine tank vessels and to install a vapor control system to convey vapors displaced by marine tank vessel loading operations to vapor combustion units, which air emission license has since been surrendered by PPLC; and

WHEREAS, the Portland-Montreal pipeline could, in the future, be considered for transporting oil sands/tar sands products to Portland Harbor; and

WHEREAS, the transportation of and loading of oil sands/tar sands products onto marine tank vessels docking in South Portland poses risks to South Portland's natural resources and citizens, specifically Casco Bay and Sebago Lake upon which the City depends; and

WHEREAS, the possible effect of the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland has implications for the health, safety and welfare of the City and its citizens; and

WHEREAS, the South Portland Comprehensive Plan may not adequately address the concerns listed above; and

WHEREAS, the South Portland Code of Ordinances does not adequately address the concerns listed above; and

WHEREAS, the City needs time to study its own ordinances to determine the implications of future development proposals involving the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland and to develop reasonable ordinances to address the concerns cited above; and

WHEREAS, the City needs time to study oil sands/tar sands products so it can best plan for potential incident responses if an accident involving oil sands/tar sands products occurs in South Portland; and

WHEREAS, the City needs time to review and study the natural resources at risk in general and in the case of a worst-case spill, the potential behavior and fate of oil sands/tar sands products when spilled in marine or freshwater environments and response options for a spill, including the equipment, expertise and technology needed to

respond to a spill that has an impact on groundwater and/or marine or freshwater environments; and

WHEREAS, the City needs time to review and study the potential effects on and costs to the City in the case of a spill, including a worst-case spill, and the best response options; and

WHEREAS, the City needs time to review federal studies, including any reports by the National Academy of Sciences, scientific studies on spills of oil sands/tar sands products in Mayflower, Arkansas and Marshall, Michigan and any reviews related to the Keystone XL pipeline, as well as any Maine DEP studies on oil sands/tar sands; and

WHEREAS, the City needs time to review and study the potential effects on the City of the vapor discharges in the case of a spill as well as in the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland; and

WHEREAS, the City, under its home rule authority, its police power generally and as otherwise provided by law, has the authority to impose reasonable restrictions, conditions, and limitations on development proposals involving the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland; and

WHEREAS, the City Council, with such professional advice and assistance as it deems necessary and appropriate, shall study the Code of Ordinances to determine the land use, environmental and other regulatory implications of future proposed development proposals involving the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland and consider what regulations might be appropriate for such activity; and

WHEREAS, the existing Code of Ordinances and other applicable laws, if any, are not adequate to prevent serious public harm possibly to be caused by future proposed development proposals involving the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland; and

WHEREAS, a moratorium is necessary to prevent an overburdening of public facilities that is reasonably foreseeable as the result of future proposed development proposals involving the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland; and

WHEREAS, it is anticipated that such a study, review, and development of recommended ordinance changes will take at least one hundred and eighty (180) days from the date the City first considers this moratorium on development proposals involving the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland;

NOW, THEREFORE, the City of South Portland, acting through its elected City Council, does hereby ordain that the following Article be, and hereby is, enacted, and, in

furtherance thereof, the City does hereby declare a moratorium on development proposals involving the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland. This Article shall take effect in accordance with the provisions of the City Charter, but shall be applicable as of November 6, 2013, as expressly provided below. The moratorium shall remain in effect for one hundred and eighty (180) days from the date of applicability of this Article, unless extended, repealed, or modified by the City Council, for the express purpose of drafting an amendment or amendments to the South Portland Code of Ordinances to protect the public from health and safety risks including, but not limited to, the potential adverse environmental, public health and public safety effects of an oil sands/tar sands product discharge and air emissions related to both an oil sands/tar sands product discharge and the loading of oil sands/tar sands products onto marine tank vessels if not properly regulated; and

BE IT FURTHER ORDAINED, that this Article shall apply to any new development proposals involving the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland after the November 6, 2013 applicability date of this Article; and

BE IT FURTHER ORDAINED, that notwithstanding the provisions of 1 M.R.S.A. § 302 or any other law to the contrary, this Article, when enacted, shall govern any new development proposal involving the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland for which an application for a license, building permit, certificate of occupancy, special exception review, site plan review and/or any other required approval has not been submitted and acted on by the Code Enforcement Officer, Planning Board or other City official or administrative board or agency prior to November 6, 2013, the applicability date of this Article; and

BE IT FURTHER ORDAINED, that no person or organization shall start or engage in the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland on or after the November 6, 2013 applicability date of this Article without complying with whatever ordinance amendment or amendments the City Council may enact as a result of this Article; and

BE IT FURTHER ORDAINED, that during the time this moratorium is in effect, no officer, official, employee, office, administrative board or agency of the City shall accept, process, approve, deny, or in any other way act upon any application for a license, building permit, certificate of occupancy, special exception review, site plan review and/or any other permits, licenses or approvals related to the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland; and

BE IT FURTHER ORDAINED, that those provisions of the Code of Ordinances that are inconsistent or conflicting with the provisions of this Article, are hereby repealed to the extent that they are applicable for the duration of the moratorium hereby ordained, and as it may be extended as permitted by law, but not otherwise; and

**BE IT FURTHER ORDAINED, that if the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland is established in violation of this Article, each day of any continuing violation shall constitute a separate violation of this Article, and the City shall be entitled to all rights available to it in law and equity, including, but not limited to, fines and penalties, injunctive relief, and its reasonable attorney's fees and costs in prosecuting any such violations; and**

**BE IT FURTHER ORDAINED, that should any section or provision of this Article be declared by any court of competent jurisdiction to be invalid, such a declaration shall not invalidate any other section or provision.**

**Sec. 27-1602. Applicability date.**

**The applicability date of this Article is November 6, 2013, the date it first appeared on a City Council agenda.**

Dated: November 18, 2013

## **Non-Inclusive Resource List**

### **\*\*Have not Confirmed Participation\*\***

- Maine Department of Environmental Protection
- Federal Department of Commerce
- Cumberland County Soil and Water
- Casco Bay Estuary Program
- Friends of Casco Bay
- Harbor Commission
- Maine Marine Patrol
- Natural Resource Council of Maine
- Maine Energy Marketers Association
- Sierra Club
- Academia - field experts
- Scientist/Chemists
- Petroleum Industry Experts
- Other...

## Tentative Timeline of Events

### Facilitator On-Boarding

Tuesday, December 18th	RFQ Sent Out
Wednesday, January 8th	RFQ's Opened
Monday, January 13th	Council Workshop
Wednesday, January 22th	Council Award

### Committee Establishment

Tuesday, December 17th	Request for Committee Interest
Wednesday, January 8th	Respond Back Deadline
Monday, January 13th	Workshop Committee Selection
Wednesday, January 22nd	Council Appt. of Committee

### Committee Schedule - Once a Week

Thursday, February 6th	Committee Meeting
Thursday, February 13th	Committee Meeting
Thursday, February 20th	Committee Meeting
Thursday, February 27th	Committee Meeting
Thursday, March 6th	Committee Meeting
Thursday, March 13th	Committee Meeting
Thursday, March 20th	Committee Meeting
Monday, March 24th	Joint CC & PB Meeting
Tuesday, March 25th	PB Review Advertise
Monday, April 7th	Council First Reading
Tuesday, April 8th	Planning Board Review
Wednesday, April 23rd	Council Second Reading

### Committee Schedule - Every Two Weeks

Thursday, February 6th	Committee Meeting
Thursday, February 20th	Committee Meeting
Thursday, March 6th	Committee Meeting
Thursday, March 20th	Committee Meeting
Monday, March 24th	Joint CC & PB Meeting
Tuesday, March 25th	PB Review Advertise
Monday, April 7th	Council First Reading
Tuesday, April 8th	Planning Board Review
Wednesday, April 23rd	Council Second Reading

**Potential - If Moratorium Needs To Be Extended**

Monday, April 7th	City Council First Reading
Tuesday, April 8th	Planning Board Recommend
Wednesday, April 23rd	City Council Second Reading

Note: Thursday meetings were used for the timeline. Meetings do not need to be held on Thursdays if schedule doesn't allow.

Note: Advertising for Planning Board Review needs to be done 13 days prior to a Planning Board hearing.