Order 132-07/08
Tab 18 1-23-08

EDWARD J. SUSLOVIC (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
DANIEL S. SKOLNIK (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JAMES I. COHEN (5)
JOHN M. ANTON (A/L)
JILL C. DUSON (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

CITY OF PORTLAND, MAINE
ORDER AMENDING PRIOR ORDERS
AND REAPPROPRIATING EXCESS BOND PROCEEDS

WHEREAS, the Portland City Council (a) adopted Order No. 246-01/02 on May 20, 2002, which appropriated $850,000 of Bond proceeds to be used to provide funds to plan, design and construct the following CSO project: **Somerset St Bayside CSO**, and (b) adopted Order No. 74-02/03 on October 21, 2002, which appropriated $990,000 of Bond proceeds to be used to provide funds to plan, design and construct the following CSO project: **Montrose Ave./Belfield** (referred to collectively as the "2002 Orders" and the "2002 Projects"); and

WHEREAS, the Portland City Council adopted Order No. 13-03/04 on July 21, 2003, which (a) appropriated $1,160,000 of Bond proceeds to be used to provide funds to plan, design and construct the following CSO projects: **Ocean/Rosedale-Wellwood** (which Order was amended by Order No. 52-04/05 reducing the amount appropriated to such project to $160,000), and (b) appropriated $650,000 of Bond proceeds to be used to provide funds to plan, design and construct the following CSO projects: **Woodford Marlow Stevens** (referred to collectively as the "2003 Orders" and the "2003 Projects"); and

WHEREAS, the Portland City Council adopted Order No. 106-05/06 on November 21, 2005, which appropriated $210,000 of Bond proceeds to be used to provide funds to plan, design and construct the following CSO project: **Detention Ponds Preliminary Engineering** (referred to as the "2005 Order" and the "2005 Project" and collectively with the other Orders and Projects identified above, the "Prior Orders" and the "Prior Projects"); and

WHEREAS, on February 27, 2003, the City issued its 2003 General Obligation Bonds dated February 1, 2003 in the aggregate principal amount of $18,450,000 (the "2003 Bonds"), $1,840,000 of which was issued to finance the 2002 Projects, in the respective amounts indicated above; and

WHEREAS, on April 1, 2004, the City issued its 2004 Series A General Obligation Bonds dated April 1, 2004 in the aggregate principal amount of $18,700,000 (the "2004 Bonds"), $1,810,000 of which was issued to finance the 2003 Projects, in the respective amounts indicated above; and

WHEREAS, on April 20, 2006, the City issued its 2006 General Obligation Bonds dated April 1, 2006 in the aggregate principal amount of $15,770,000 (the "2006 Bonds"), $210,000 of which was issued to finance the 2005 Project; and

WHEREAS, due to changing needs in the City's CSO program, the City Council desires to deappropriate $340,661 appropriated by the Prior Orders for the Prior Projects and reappropriate such amount (the "Reappropriated Proceeds") to other CSO projects as set forth below (referred to as the "New CSO Projects");

Given first reading on 1/23/08
Passage 2-4-08 8-0 (Mavodones absent)

NOW, THEREFORE, by the City Council of the City of Portland, be and it hereby is:

ORDERED, THAT the Reappropriated Proceeds in the sum of $340,661 are hereby deappropriated from the Prior Projects and are hereby reappropriated to fund the New CSO Projects (listed below) as follows:

Bond Proceeds Deappropriated from the Prior Projects:

Projects	**Original Bond Proceeds Appropriated**	**Bond Amount Reappropriated to New CSO Projects**
Somerset St Bayside CSO	$850,000	$25,479
Montrose Ave./Belfield	$990,000	$187,698
Ocean/Rosedale – Wellwood	$160,000 (as previously reduced)	$74,573
Woodford Marlow Stevens	$650,000	$14,505
Detention Ponds Preliminary Engineering	$210,000	$38,406
Total:	$2,860,000	$340,661

The $340,661 of Bond Proceeds is Reappropriated to the Following New CSO Projects:

New CSO Projects

Park Ave./Mellon St.

Clifton St.

Burnham St./Marston St.

Forest Ave. at Avalon St.

BE IT FURTHER ORDERED THAT, in all other respects, the Prior Orders are hereby ratified and confirmed.