

**TOWN OF BRUNSWICK, MAINE
TOWN COUNCIL**

A Resolution Appropriating State and Local Fiscal Recovery Funds (SFLRF) for the Purpose of Funding Predevelopment Costs for the Midcoast Athletic and Recreation Complex (MARC) project and entering into a contract with CHA for design services.

WHEREAS, the Town of Brunswick (the "Town") has recently been given constructive possession and site control of Parcels REC-6 and REC-11 (the "Property") through a Quit Claim Deed from the National Park Service signed on April 9, 2021; and

WHEREAS, a condition of the conveyance and according to the Deed, the Town must assure the Property be used and maintained exclusively for public park or public recreation purposes for which it was conveyed in perpetuity; and

WHEREAS, this parkland was acquired through the FEDERAL LANDS TO PARKS PROGRAM of the United State Department of the Interior, National Park Service, for recreational use by the general public; and

WHEREAS, in January of 2020, the Town entered into a MOU with the LC3 Group to facilitate the transfer of the Property from the U.S. Department of the Interior, assist with development of a master plan for the Property, conduct a feasibility of a development program, hire predevelopment consultants as needed, and conduct fundraising efforts; and

WHEREAS, the LC3 Group has identified elements to be developed for recreational uses promoting health and wellness, and recommended the Town proceed with the predevelopment phase for the outdoor recreation municipal complex (the "Project"); and

WHEREAS, the Recreation Commission, the Director of Parks and Recreation, and the Town Manager determined predevelopment costs for the MARC project as an appropriate use of Recreation Impact Fees, and the Recreation Commission voted to recommend approval to the Town Council on March 31, 2021; and

WHEREAS, on May 3, 2021, the Town Council voted to appropriate \$50,000 of Recreation Impact Fees to hire project consultants to facilitate the community engagement process and provide environmental consulting services, while also voting to sunset LC3 in favor of a new 19 member Advisory Committee representing a more comprehensive list of stakeholders from within the Community (later named LC4); and

WHEREAS, the Town Manager received authorization to enter into a contract with the CHA/GreenPlay consultant team to conduct a community engagement process on the recommendation of the LC4 Advisory Committee and

WHEREAS, CHA/GreenPlay and the LC4 Advisory Committee conducted an extensive community engagement process that informed the concept Master Plan; and

WHEREAS, the LC4 Advisory Committee recommends that upon approval of the Master Plan, the MARC project be advanced into design development; and

WHEREAS, LC4 is seeking authorization from the Town Council for the Town Manager to enter into a contract with CHA for design services for the MARC project; and

WHEREAS, the Finance Committee has reviewed the allocation strategy for the use of the State & Local Fiscal Recovery Funds (SLFRF) which includes this eligible use; and

WHEREAS, the LC4 is requesting appropriation of \$200,000 from SLFRF for the CHA Design Services Contract.

NOW THEREFORE, BE IT RESOLVED:

Section 1. Appropriation and Expenditure Authorization. The Town appropriates \$200,000 from the State and Local Fiscal Recovery Funds (SLFRF), and authorizes the expenditure of that amount to hire CHA for design development and permitting services to advance the MARC project;

Section 2. Authorization to Execute Agreements and other Documents. The Town Manager is authorized to negotiate, execute, and deliver, in the name of and on behalf of the Town, such contracts, agreements, and other documents and certificates as the Town Manager may determine to be necessary or appropriate in connection with the predevelopment phase of the Project. Such approval shall be conclusively evidenced by the Town Manager's execution thereof, provided however, that the Town Manager may delegate the authority granted hereunder as the Town Manager deems appropriate.

Section 3. Project Costs Defined. The term "cost" or "costs" as used herein and applied to the Project, or any portion thereof, are costs defined under generally accepted accounting principles ("GAAP") as determined by the Town's Finance Director.

Section 4. Other Actions Authorized. Any actions taken to date by the Town Manager, Parks and Recreation Director, and the Economic Development Director in connection with the Project are hereby ratified, confirmed, and approved.

Proposed to Town Council – March 21,
2022

Adopted by Town Council – March 21,
2022

A TRUE RECORD
ATTEST: 
TOWN CLERK, BRUNSWICK, ME