HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

DATE: **March 26, 2014 (Wednesday)**
TIME: **5:30-7:30 p.m.**
LOCATION: **Room 209, Second Floor**
Portland City Hall

A G E N D A

1. Review and accept Minutes of previous meeting held on March 12, 2014.

2. **The PACE Center Project in Bayside** – Tom Blackburn, Project Manager/Creative Space; Jennifer Hutchins, Executive Director/Creative Portland
   Review and Discussion (Public Comment will be accepted as time allows)

   NOTE Pursuant to 1 M.R.S.A. 405(6)(C) and (F) and 5 M.R.S.A. 13119-A, to provide City staff direction, the Committee will go into executive session to discuss disposition of City property occupied by Public Services Department in Bayside.

3. **Proposed Amendments to the B2 Zones** – Alex Jaegerman, Jeff Levine
   Review and Discussion (Public Comment will be accepted as time allows)

4. **Proposed Affordable Housing Development RFP** – Mary Davis
   Review and Discussion (Public Comment will be accepted as time allows)

5. **Update on Discussion of City Sites for Residential Development** – Mary Davis
   Review and Discussion (Public Comment will be accepted as time allows)

6. **Spring Street Garage Space Leases** – Greg Mitchell

   NOTE Pursuant to 1 M.R.S.A. 405(6)(C) and (F) and 5 M.R.S.A. 13119-A, to provide City staff direction, the Committee will go into executive session to discuss lease negotiations.

7. **CDBG Funding Recommendations** – Mary Davis
   Communication Item (Public Comment will be accepted as time allows)

8. **2014 HCDC Work Plan** – Mary Davis, Jeff Levine, Greg Mitchell
   Review and Discussion (Public Comment will be accepted as time allows.)

Next Meeting: April 9, 2014 Councilor Kevin Donoghue, Chair

Housing & Community Development Committee

March 12, 2014

A meeting of Portland City Council's Housing and Community Development Committee (HCDC) was held on Wednesday, March 12, 2014 at 5:30 p.m. in Room 209 on the second floor of Portland City Hall. Present from the HCDC was its Chair Councilor Kevin Donoghue, and member Councilors John Coyne, Jon Hinck, and Nicholas Mavodones. City staff present included Public Buildings Manager Kathy Alves, Housing & Community Development Division Director Mary Davis, Planning and Urban Development Director Jeff Levine, Economic Development Director Greg Mitchell, and Senior Executive Assistant Lori Paulette.

Item 1: Review and accept Minutes from previous meeting held on February 12, 2014.

On motion made and seconded, the Committee voted unanimously to accept the minutes as published.

Item 2: Updated Citizen Participation Plan

Ms. Davis said that the Updated Citizen Participation Plan does not significantly alter the City's current processes and procedures for the allocation of CDBG and other HUD program funds. Rather, it updates access to all residents regardless of physical ability or English proficiency. Staff looked at the way of noticing based on Assessor's listing of property owners. Now, staff will also use some outside resources for contacting residents.

Chair Donoghue asked if there was any public comment. There being none, the public comment session was closed.

On motion made and seconded, the Committee voted 3-0 (Councilor Mavodones had to leave the meeting for a few minutes so not available to vote) to forward the updated Citizen Participation Plan to the City Council with a recommendation that it be adopted.

Item #3: Renewal of Cumberland County HOME Consortium

Ms. Davis said that this Consortium begin in 2009, joining the City of Portland, County of Cumberland, and Town of Brunswick and leveraging resources. HUD requires three-year renewals, and the current expiration is now at June 30, 2015. In order to submit consortium renewal request to HUD by June 30 as required, she is requesting a recommendation from this Committee to the Council to renew its participation in the Cumberland County HOME Consortium, which would be for the period of July 1, 2015 through June 30, 2018. The other members of the consortium are requesting the same from their Boards.

Chair Donoghue asked about the voucher program in Cumberland County, and Ms. Davis said that is funded through social services offices. Ms. Davis indicated that a person would need to be a shelter resident to be eligible, adding that the voucher program targets homelessness.

Chair Donoghue asked if there was public comment. There being none, the public comment session was closed.

On motion made and seconded the Committee voted unanimously to forward this item to the City Council with a recommendation that it authorize renewal of the Cumberland County HOME Consortium.

Item #5: Nova Star Cruises Limited Lease at Ocean Gateway

Consensus of the Committee was to take this item next.

Mr. Mitchell indicated that Public Buildings Manager Kathy Alves was here for this item as well as Mark Admundsen, CEO of Nova Star Cruises (NS).

Mr. Mitchell said that the Nova Scotia service season runs from May 1 to October 31 seven days a week, docking daily at 7:00 p.m. In addition to passengers and vehicles, there will be commercial truck use. He then described the areas for seasonal exclusive use by NS during certain times of the day, including departure building, queuing area, berthing, and terminal building ground floor. NS will have non-exclusive use of the receiving building.

Mr. Mitchell said that the lease terms start with a 2-year lease, with 2, 2-year renewal options. He noted that there is now a request for an amendment to the term to include one additional one-year renewal, after the two options, to match NS agreement requirement with the Province of Nova Scotia. Options to renew would be upon mutual agreement of the parties.

Mr. Mitchell then referred to Exhibit B of the lease listing fees to be paid to the City by NS, noting a second amendment being requested for the last two items listed, i.e., commercial trucks and commercial 'trailer trucks'. It notes that the second year would be $30, and this being requested to be amended to $25 for each of those two items.

Mr. Mitchell then indicated that NS is requesting a loan from the Portland Development Corporation, at its meeting tomorrow, for facility modifications at Ocean Gateway in the amount of $225,000. These modifications are needed to accommodate new Custom Border and Protection (CBP) requirements.

Councilor Mavodones said that should the PDC not extend the loan, what would be an alternative for funding, and Mr. Mitchell indicated that the City would look to Mr. Admundsen to provide an alternative source. The lease requires those improvements to be made by NS.

Councilor Mavodones said that he has heard from islanders about parking on Commercial Street, asking about any impacts that this may have on islander parking. Ms. Alves said that she did not expect impacts due to the timing of NS coming in and leaving approximately 2 hours

later. Should issues arise, there has been preliminary discussion of issuing residential parking stickers to islanders.

Chair Donoghue asked about competition for use of OG by cruise ships, and Ms. Alves said that with the 7:00 p.m. arrival/9:00 p.m. departure of NS, this would work well with cruise ship schedules.

Councilor Mavodones asked about queuing, noting that three Casco Bay Lines ferries leave between 5:30 and 5:45 p.m. daily, and the light at Commercial Street and Franklin Street may need adjusting. Ms. Alves brought up a map to the Committee and identified areas for inbound/outbound queuing and timing, noting that there will be adjustments to the timing of the light during arrivals and departures. NS will provide staff to assist with vehicle traffic management and queuing on the premises. City staff will assist with managing off premises vehicle traffic and queuing.

Councilor Hinck asked about Item #11 in the lease, "Signage", particularly "Tenant shall restore all such space to its original condition at the termination or expiration of the Lease." He suggested that there be flexibility for the City to retain changes, all changes, even with compensation if necessary.

Mr. Mitchell said that new facility improvements do not need to go back to their original state as they will be needed long-term, i.e., fencing and lighting improvements will stay with the property. He noted that the lease indicates that the City would own these improvements.

Chair Donoghue asked about timing for this to go to City Council, and Mr. Mitchell said this has been fast-tracked to meet the May 1 opening date. This is being proposed to be on the Council's April 7th Agenda. It is a one reading item.

Chair Donoghue asked if there was public comment.

Mr. Amundsen thanked the Committee for their time. He has been working diligently on this project for the past two years. The ferry will be leaving Singapore on Friday. It will then be tested in Yarmouth Nova Scotia, followed by testing in Portland around mid-April, and service starting May 1st.

Councilor Mavodones asked if the Coast Guard has seen it, and Mr. Amundsen said that most inspections have now been completed.

Councilor Coyne asked about Ocean Gateway events and would this service cause any interruptions for its use, and Ms. Alves indicated the City is committed to the events it has on its schedule already, so there will be no conflicts.

Chair Donoghue asked if there were further questions/comments. There being none, a motion was made and seconded to forward the lease to the City Council with a recommendation that it be approved, with two amendments: to add an additional one-year lease renewal – in addition to the renewals already in the lease, and to amend Exhibit B for the commercial truck and commercial "trailer trucks" charges in the second year from $30 to $25. A vote was then taken on the motion and it passed unanimously.

Item #4: Downtown/Transit-Oriented Development Tax Increment Financing District

Mr. Mitchell said that since the last meeting, he has met with staff from Planning regarding geographical boundaries for this proposed Downtown/Transit-Oriented Tax Increment Financing (DT/TOD TIF) District. Staff is proposing geographical boundaries from State Street to Washington Avenue/Marginal Way to Commercial Street, and have the lines marry-up to existing TIF Districts, keeping those existing TIF Districts as they are. Adjustments may be

needed due to the possible Bay House TIF District near-term termination, and the inactive Fore Middle India Street TIF District.

Mr. Mitchell said that staff is recommending this geographic area as it makes sense for the DT/TOD TIF district, where there are needs for increased TOD services and infrastructure. Forest Avenue is included as a TOD corridor.

Staff is also recommending retaining the existing three area TIF districts as they are due to existing obligations associated with each district. Mr. Mitchell noted that staff has included a possible expansion of the Waterfront TIF to go further to the west in consideration of that growth area.

Mr. Mitchell continued saying that these boundaries also marry up to residential districts on Munjoy Hill and the West End, not including those area. He also noted that Affordable Housing TIF (AHTIF) districts cannot go into a DT/TOD TIF District, which is another reason for excluding this residential area from the DT/TOD TIF District. Should there be an AHTIF proposal in a DT/TOD TIF District, an amendment could be made to take that real estate out of the DT/TOD TIF to make the AHTIF work.

Mr. Mitchell closed saying that staff considered a small, medium, and large DT/TOD TIF District and is recommending this geographic area as most conducive to the needs of the downtown area. After staff receives feedback, it will then move forward with financial analyses related to the dedication of TIF revenue.

Councilor Donoghue questioned whether East Bayside and/or Park Side should be included.

Mr. Levine said that these were not initially included, but thought that Park Side could be looked at. As discussed, mostly residential areas were not included.

Councilor Donoghue said that for the three existing area TIF districts, he would like to see them operating optimally, taking another look at them for TIF projects both in out of their boundaries.

Mr. Mitchell said that staff did discuss boundaries for this DT/TOD TIF, and felt that this geographic area does meet the infrastructure/TOD needs. Mr. Mitchell added that if there were no existing TIFs, that entire area would be included. With the existing TIFs and their respective development programs and credit enhancement agreements, it is recommended that they remain as they are, noting that they could always be reviewed and refined.

Councilor Mavodones said that he is okay with marrying up the lines to the existing TIF districts; it is a good start. As he previously stated at the prior Committee meeting, he needs to know the financial ramifications, suggesting a joint Finance Committee meeting to occur at some point during this process. He noted he would like to know the impacts on operating and CIP budgets, and how TIF dollars free up money elsewhere in the budget, together with, if any, impacts on areas not in the district.

Chair Donoghue asked if there was any public comment on this item.

Tony Donovan, Portland resident, said that for this to be TOD TIF District, the value capture would need to be specific to transit costs. Forest Avenue is not a transit corridor. Casco Bay Lines is a transit center, as well as the Thompson's Point area. A TOD TIF should be at a transit center.

Joan Fortin, Portland resident and TIF attorney, said that the City would be better off retaining the existing area wide TIF districts and marrying up to those districts as Mr. Mitchell has suggested. Several projects can be funded by multiple TIFs. The City needs to be thoughtful of what it would like to have for TIF projects, suggesting that it start a list of projects to be

funded by TIF funds, as well as perhaps taking a look at the current projects for the existing area wide TIF districts to see if they need amending.

Greg Jordan of Metro said that he has been working with Jeff Levine on the Hub Link Transit Study to connect the Downtown, Jetport, and Thompson's Point. A proposal for bus service is estimated at $600,000 to $700,000 per year, and the Thompson's Point TOD TIF funds are estimated at $400,000 to $500,000 yearly, so there may need to be additional funding found, perhaps through the DT/TOD TIF District.

Jennifer Hutchins of Creative Portland said that she will continue to monitor this discussion to get her arms around it. As the Committee knows, the Arts TIF District provides annual funding to Creative Portland, which has been in operation now for five years and continues to invest in Portland.

Seeing no further public comment, Chair Donoghue closed the public comment session.

Chair Donoghue asked Mr. Mitchell what the Committee will discuss next for this DT/TOD TIF creation.

Mr. Mitchell said that the Committee would like staff to revisit boundaries to possibly include Parkside and East Bayside. It also wants to be sure the existing area wide TIFs are operating at the optimum levels. Financial projects can be begin, based on the geography presented, and then an overall financial impact can begin to be analyzed. This would include a list of uses for TIF funds – capital improvements, infrastructure, salaries, transit, etc.

Chair Donoghue agreed that transit infrastructure projects would be on the list, suggesting to also look at transit for the eastern waterfront. Future development of the former Portland Company site, and its proximity to the Franklin/Commercial transit area may warrant transit infrastructure investment.

Mr. Levine also added that MDECD requires a Downtown Redevelopment Plan for any downtown TIF district, so this will add to the work load of his staff. Priorities may need to be relooked at to get the Downtown Redevelopment Plan done, which can take several months.

Chair Donoghue asked if there were any further questions/comments. There being none, he thanked the Committee members and staff for their time and effort.

Respectfully,

Lori Paulette

Portland Arts and Creative Enterprise (PACE): A Center for Innovation and Design

Concept Development Work Plan

Creative Portland was founded in 2008 by Portland City Council as a quasi-municipal agency and nonprofit to grow and support the City's creative economy. Creative Space is an initiative of Creative Portland to explore the need for affordable space for artists and other creative activities in Portland, provide a resource for those in need of space, and to pursue opportunities that could increase access to space for artists and other creative pursuits.

A specific proposal for adaptive reuse is the City-owned Department of Public Services site located in Portland's Bayside neighborhood, which is scheduled for decommissioning starting in 2014. Over the past several months, the Creative Space committee has explored the possibility of a partnership between the City of Portland, the University of Southern Maine, Maine College of Art, the University of New England and the Southern Maine Community College to establish an arts and technology center that could potentially meet several mutually beneficial goals: expand academic offerings; attract skilled workers and entrepreneurs; provide community access to a "makerspace;" and increase affordable work/studio space; among others.

Over the next few months, the Creative Space committee will work with a team of community members to develop this proposal further, providing a detailed business plan for long-term sustainability, and demonstrating how this project represents the "highest and best use" of the property for the City of Portland and the potential partners. The members of the Creative Space committee and concept development team are provided below.

PURPOSE: Specifically, the **Purpose** of this concept development phase is to:

a. Evaluate the "highest and best use" options for this property;
b. Propose a detailed business plan that outlines partners, ownership, governance, legal structure, advisors, funding, revenue model, etc.
c. Solicit input from potential partners to evaluate programming possibilities and determine how to accommodate new resources and procedures
d. Work with parties to keep individual interests aligned, and integrate various contributions (staffing, programming, resources)
e. Create Memoranda of Understanding that codify agreements from each partner, if the project is pursued beyond the concept development phase.

TIMELINE: Timeline for this work is approximately five months, running from the presentation of the PACE Center concept to the City's Housing and Community Development committee on January 22, 2014 (5:30 PM, Room 209, City Hall) to June 30, 2014.

DRAFT WORK PLAN: The Concept Development team will meet approximately 6-7 times over 5 months. The proposed work plan is provided below and can be revised as needed.

Meetings #1-2: Establish formal structures and overall process; Begin addressing the following questions:

a. Does the PACE Center have potential to be the "highest and best use" for this property and how so?
b. What information is necessary for this decision to be made? Needs assessment? Competitive analysis? Is it feasibly financially?
c. If it is the PACE Center, who needs to be involved in this process?
d. What other issues and questions need to be addressed in this proposal?

Meetings #2-3: Further concept development, including but not limited to:

a. What is the legal structure? A private enterprise? Advisory board?

Meeting #4:

a. Review draft of proposal that outlines partners and their roles and responsibilities

Meeting #5:

b. Meet with potential partners, as needed, to discuss proposal

Meetings #6-7:

a. Finalize plan and review outstanding issues
b. Determine process for obtaining official endorsement from partners
c. Develop and execute a Memorandum of Understanding among partners

OUTCOME: The Concept Development team will complete a proposal for presentation to the City, the academic partners and others that:

1. Addresses the question of "highest and best use" for the property;
2. (If appropriate) formalizes the PACE Center concept, including partners, legal and governance structure;
3. Includes executed Memoranda of Understanding among the various partners;
4. Demonstrates community involvement in the concept development process;
5. Outlines administrative and operating details agreed upon by the various partners; and
6. Formalizes an agreement on the strategy, structure, and timeline of funding to establish the PACE Center and capitalize construction.

TEAM:

- Tom Blackburn, Creative Space consultant and project manager of PACE proposal
- Kathleen McKeen, Creative Space Committee Chair, Creative Portland VP
- Patrick Costin, Creative Space member, Creative Portland board member
- Michael Shaughessy, Creative Space member, USM Professor
- Jessica Lauren Lipton, Creative Space member, Creative Portland program assistant
- Ronald Spinella, Creative Space member, Bayside Community Development Corporation president
- Deborah Van Hoewyk, Creative Space member, Bayside Neighborhood Association
- Jennifer Hutchins, Creative Portland Executive Director
  Potential Community members

PACE work plan 1/14/14

UNIVERSITY OF
SOUTHERN MAINE
Office of the President

November 25, 2013

Creative Space
P.O Box 4675
Portland, Maine 04112

Attention: Kathleen McKeen, Chair

Dear Kathleen:

I am delighted to hear that Portland Arts and Creative Enterprise: A Center for Innovation and Design has been developing over the summer and fall. As I expressed in my earlier letter (July 13, 2013), the University of Southern Maine has long been interested in the concept presented by The PACE Center, as have others across the University of Maine System. It is gratifying to find Creative Portland and its Creative Space initiative working to bring together the City, local educational institutions, and secondary partners from the creative economy.

As University of Southern Maine plans its future, an arts and technology center where students and members of the creative community can interact while developing the skills necessary to succeed in today's environment is both vital and strategic. From USM's vantage point, The PACE Center would be a forum for community-based learning initiatives, a focal point for university-community partnerships, and a mechanism for supporting student success through working alongside practicing professionals across the spectrum of Portland's creative industries.

I support the idea of USM engaging in further exploration of a partnership with the City of Portland to plan and develop The PACE Center. There are many roles that USM could play in such a center, given our resources in the arts, technology, innovation, and enterprise development. Such discussions could be immensely useful in determining the ways in which participation in The PACE Center could assist USM in reaching its goals of increased exposure of the USM community to the world of innovation and entrepreneurship and capitalize on the tremendous creative opportunities Portland has to offer.

Sincerely yours,

Theodora J. Kalikow
President

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PORTLAND
PUBLIC LIBRARY

ENRICHING OUR COMMUNITY, EXPANDING OUR WORLD.

November 15, 2013

To whom it may concern:

It is with pleasure and enthusiasm that Portland Public Library (PPL) expresses support for the *Portland Arts and Creative Enterprise, A Center for Innovation and Design, The PACE Center*. Since the completion of Phase I of the renovation of PPL's Main Library in April 2010, we have been conceiving and planning a "Makerspace" that would reflect the library's role as a founding member of Portland ConnectED and supporter of Growing Portland in encouraging creative, economic, technological and entrepreneurial activity. The development of the PACE concept is, for us, a welcomed development that opens additional and immediate collaborative options to address PPL's mission.

In relation to the PACE Center, the Library believes that a public computing function is a core component. PPL has had preliminary conversations with University of Southern Maine's Glickman Library to consider establishing a public computing center utilizing existing resources. This collaborative effort would provide the Pace Center with two core partners who can contribute staff, equipment and software annually to sustain public computing activity. The community impact would be substantial as the Main Library offers public computing only 51 hours weekly which hopefully would increase greatly through a partnership with Glickman Library.

Sincerely,

Stephen J. Podgajny
Executive Director

Copy: David Nutty, University Librarian
University of Southern Maine

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December 9, 2013

Kathleen McKeen,
Creative Space
POB 4675
Portland, ME 04112

Dear Ms. McKeen:

Thomas Blackburn recently shared with me the concept and plans for the PACE Center being proposed for Portland. The University of New England would like to continue to explore the possibilities that this initiative might offer – for UNE as well as entrepreneurs in the creative economy.

UNE is acutely aware of the challenges many college graduates face when transitioning from the classroom to the working world – whatever their profession – and creativity is not exclusive to any age or station in life. Finding a way – and the means – to test ideas and transition them to practical or commercial enterprises is often such a barrier that many cannot even visualize opportunities. The PACE Center as envisioned will help establish a bridge to the future that is crucial to the success of any student artist or maker. Regardless of any direct institutional involvement with UNE, our students and the fellow members of our community can only benefit from the personal and economic advancement that such an enterprise makes possible.

As a private non-profit that is always interested in exploring new ways to create opportunity, the University of New England is interested in working with the PACE Center as it develops. UNE programs in the arts and business would be the obvious ones to connect with, but the kind of creative thinking represented by the PACE initiative might inspire other ways of enhancing educational and career development programs.

We look forward to hearing more and being part of the dialogue.

Respectfully,

William Chance, Vice President
Government and Foundation Relations

The General Store at The PACE Center

Portland Arts and Creative Enterprise: A Catalyst for Innovation, Growth, and Success

VALUE FOR THE CITY OF PORTLAND

As Portland explores new ways to expand its economy, interest is growing in an exciting new center in Bayside where artists, artisans, and entrepreneurs can join together to move their ideas from concept to reality.

For generations, Portland has turned its greatest assets—historic buildings and neighborhoods---into vibrant spaces that have become engines for economic growth. As the Bayside neighborhood transitions to a gateway to Portland, we have another opportunity, this time to convert the Public Services site, especially the 19th century livery stables known as the General Store, into a campus of creative energy, and to connect the University of Southern Maine to the Portland peninsula.

Think of it: Five years from now the General Store's 36,000 square feet will be buzzing with activity—a work space for a wide array of people who are connected by their passion for painting and pottery, for adapting traditional crafts to modern uses, and for harnessing advanced technologies to develop new products and services for a rapidly changing community.

Few leaders are more excited about The PACE Center than USM President Theo Kalikow. She sees the Center as a unique partnership that will create a bridge between her campus and the peninsula, "becoming a forum for community-based learning initiatives" that will "help increase the exposure of the USM community to the world of innovation and entrepreneurship." Like others, Kalikow sees the Center connecting the dots between Mayor Brennan's Growing Portland and Portland ConnectED initiatives, creating further synergy between economic development and higher education to position Portland for its next phase of growth.

The PACE Center will

- Accelerate the revitalization of Bayside through the renovation of a historic complex that will become a hub of new energy and activity, contributing to the city's attractive new gateway;
- Create new jobs and plant the seeds for innovative new businesses;
- Serve as a focal point for collaboration between Portland and USM—a connector between Portland's arts and entrepreneurial community and USM's students, faculty and staff
- Attract businesses and residents who will see new opportunities in a neglected neighborhood

Today, we look back with admiration at the visionaries who saw, in a maze of worn-out warehouses, the Old Port we know today. The visionaries who looked beyond a blighted Congress Street and imagined an Arts District crowded with visitors. The visionaries who saw Ocean Gateway replacing rotting wharves. The relocation of Department of Public Services presents a rare and inviting opportunity to repeat these successes, catalyzing ever greater innovation, growth, and success for the City of Portland.

The General Store at The PACE Center

Portland Arts and Creative Enterprise:
A Center for Innovation

VALUE FOR THE UNIVERSITY OF SOUTHERN MAINE

The University of Southern Maine, as an active and engaged founding partner in The PACE Center/General Store, has much to gain. As a premier hands-on makerspace and incubator for those in the creative fields, The General Store enhances USM's identity and impact, and offers USM students a supportive pathway to sustainable careers in the creative economy.

- **The founding partnership between USM and the City offers major program opportunities and reach for USM capitalizing on the advantages of Portland's robust creative arts and enterprise community. It would ensure USM to have a central place in the hub of the region's rapidly changing creative economy.**

- **The PACE Center/General Store founding partnership provides an example of innovative leadership to universities across the country in community, civic, and university engagement and collaboration. Located in and with a community that is desirous rather than oblivious to its creative, art and entrepreneurial presence.**

- **The PACE Center/General Store collaboration creates opportunity conditions, with few opportunity costs, for USM to develop new strategic system-wide signature programs.**

- **As a physical hub in Maine's creative center, the General Store broadens opportunities for active and engaged learning for USM students including such things as internships, enterprise development, exhibitions, work space, and service learning opportunities in Portland's most vibrant creative community,**

- **The General Store would offer community and student learning opportunities through access to space and equipment for materials processing, classroom activities, and lectures/presentations.**

- **The General Store provides a Portland location where programmatic synergies of art, technology, and creative enterprise development can occur, enhanced by the potential for cross-fertilization and collaboration with Portland's civic, economic, and cultural life**.

- **The General Store offers USM the efficiencies of a shared facility, and a model for how education might evolve in a time of scarce resources all the while being more, rather than less attractive to existing and perspective students.**

The General Store would offer USM an innovative collaborative opportunity, a highly public presence, increased student access to career enhancement and a broadening and strategic reach for community, student and faculty collaborations in the creative center of Maine.

The PACE Center

Portland Arts and Creative Enterprise: A Center for Innovation

Repurposing a public asset for public benefit

Portland Public Works Garage

Artisan's Asylum (Somerville, MA)

The PACE Center: A Project of Creative Portland

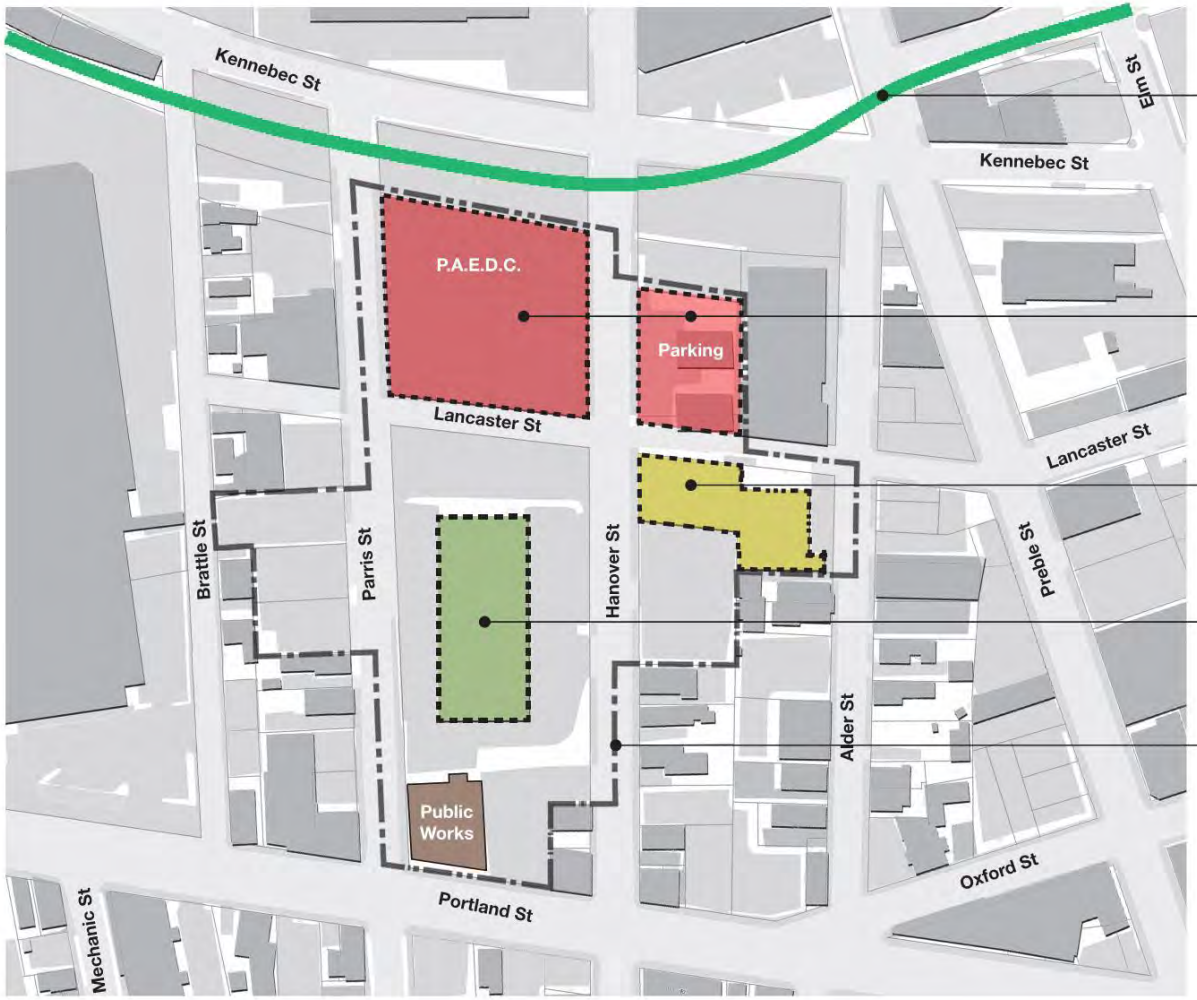
- Creative Portland, quasi-municipal nonprofit agency that promotes, grows, and sustains Portland's creative economy
  - First Friday Art Walk
  - 2 Degrees Portland, "connector" program for creative people who want to relocate in Portland
  - Live-Work website highlighting City's creative opportunities
- Creative Space, committee of Creative Portland that identifies and develops infrastructure for the creative economy
  - Inventory of properties available for creative (re)use
  - Artist relocation guide and services
  - Consulting and development services, e.g., new public assembly venue at Community Television Network

The PACE Center:
Pivotal Location in Bayside

CANAL 5 STUDIO

Portland Art and Creative Enterprise
A Center for Innovation
Portland, Maine

The PACE Center:
Phased Redevelopment of Public Services Site



Bayside Trail

General Store (Garage)

CI 2 Lab (Traffic)

Phase 2, future use

Public Services property boundary

Phase I—The General Store and CI2 Lab

- Public Services garage and Traffic Operations to be vacated

- General Store "maker-space" goes in garage
- USM's CI2 Lab could go in traffic operations
- Core facilities for redeveloping entire site

The General Store: Repurposing Concept

09.24.2015

Where has this already happened?

Torpedo Factory in Alexandria, VA

- 82 artist studios
- 6 galleries
- Alexandria Archaeology Museum

- Art League School
- Cafes and retail space
- Headquarters for Second Thursday in Old Town
- Special event rentals

How Will Phase I Happen?

All Hands Active
Ann Arbor, MI

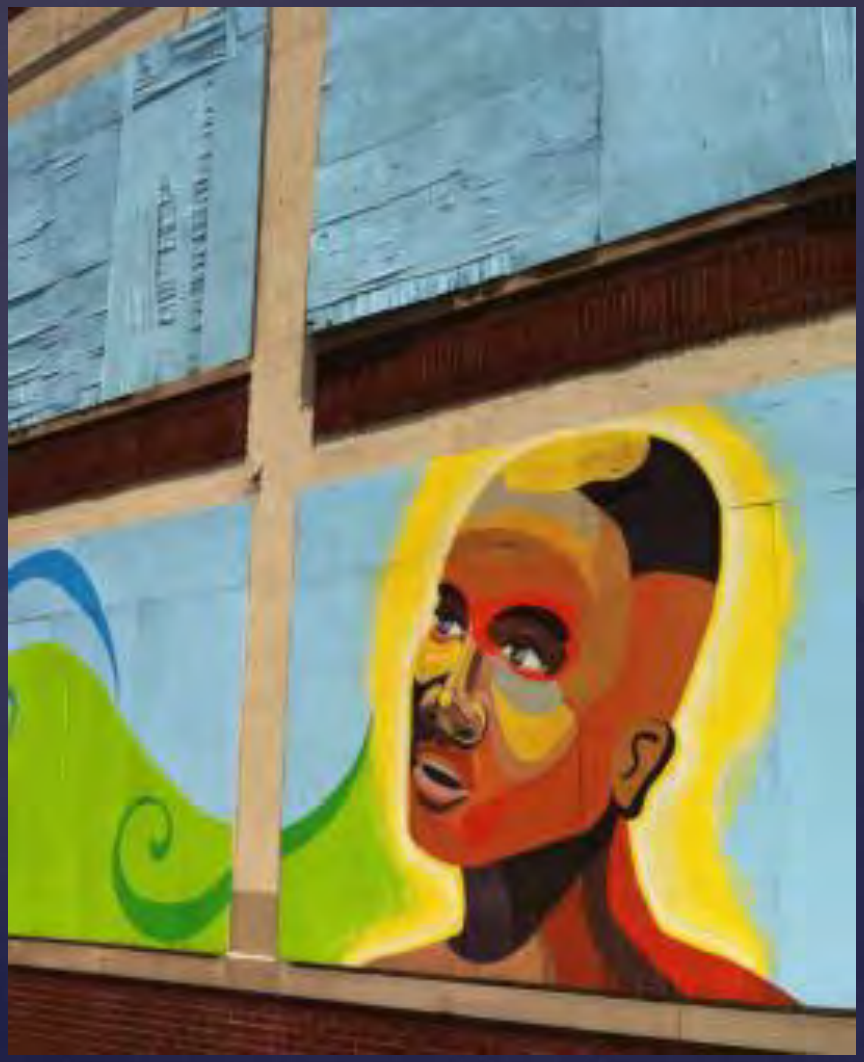
- Creative Portland manages the partnerships
- Creative Space is the developer
- Equity partners contribute:
  - City of Portland: Land and building
  - USM: CI2 lab, instructional and maintenance staff, programming
- Non-Equity partners contribute:
  - Programming
  - Advisory board
  - Fundraising

How Long Will It Take? Phase I

Ocelot Print Shop
Single-focus makerspace
Detroit, MI

- Planning - 16 months
  - Establish partnerships, obtain commitments
  - Create advisory board
  - Plan administrative, operational procedures
  - Develop designs and specs for repurposing
  - Conduct capital campaign
  - Voter referendum
- Construction - 12 months

How Will It Be Paid For?



Detroit Fab Lab, Detroit, MI

- Planning phase
  - Foundations and private donors
  - Creative Placemaking grants
- Construction phase
  - Capital campaign
  - Corporate contributions
- Operations
  - Foundations and private donors
  - Corporate contributions
  - Revenue streams (increase over time)

What's In It for Portland?

- Supports Portland's development goals for creative economy
- Attracts and retains skilled workforce, artists, technologists, creative entrepreneurs
- Provides an anchor for revitalization of Bayside, the gateway to Portland
- Complements current housing and education initiatives

7 Hills Makerspace
Rome, GA

What's In It for USM?

- Establishes national leadership in university/community partnerships
- Increases efficient and effective delivery of educational resources
- Raises institutional profile by connecting students, programs, and people working in Maine's creative center
- Supports student success by providing hands-on, real-world opportunities to work with practicing professionals
- Encourages community engagement with those who seek the creative capacities of USM

(R)ed(U)x Lab
Ryerson University

DSPACE
Stanford University

Your support will make this happen!

- A place where art, technology, enterprise, and education converge in creative ways
- Inclusive revitalization of a socially and economically distressed neighborhood
- Major multiplier of city-wide vibrancy and innovation

Assemble
Pittsburgh, PA

Portland, Maine Yes. Life's good here.

Jeff Levine, AICP
Director, Planning & Urban Development Department

Memorandum

To: Housing and Community Development Committee

From: Jeff Levine, Director

Date: March 21,2014

Re: B-2 Zoning Draft Amendments

Attached is a set of draft amendments designed to encourage appropriately scaled and designed housing in the B-2 zoning districts. As drafted, these changes would apply to all B-2 districts.

Currently, you can develop housing consistent with the density allowed in the nearest residential zoning district, or you can develop housing at a density of one unit per 1,000 square feet of lot *if* the ground level is used for commercial purposes. The justification of this allowance is, I suspect, to encourage active street frontage in these business districts. However, we have found that the additional density is not sufficient to encourage housing development. In addition, we have realized that an active street presence is not only determined by commercial uses on the ground floor. In fact, the largest impediment to lively streetscapes is parking in the front of buildings.

For these reasons, we are recommending two primary changes in these amendments. The first is to lower the 1,000 square feet per unit requirement to 435 square feet per unit. This number is consistent with the requirement in the R-7 zoning district. The second is to change the requirement for street-level commercial space to a requirement that the front of the building not be used for parking. That change will provide more flexibility on the use of the ground levels of buildings, while also providing for an active street frontage on these buildings.

Sec. 14-182. Permitted uses.

The following uses are permitted in the B-2, B-2b and B-2c zones except that any use involving a drive-through is prohibited in these zones unless otherwise provided in section 14-183:

(a) *Residential*:

1. Attached single-family and two-family dwellings;

2. Multi-family dwellings ~~are permitted when the nearest residential zone is R-4, R-5, R-6 or R-7. Multi-family dwellings are permitted in any structure with non-parking uses occurring within the first 20 feet of building depth on all street frontage commercial uses in the first floor regardless of the nearest residential zone;~~

3. Handicapped family units;

...

5. *Maximum residential density:*

a. *On-peninsula locations, as defined in section 14-47:* ~~Four hundred and thirty-five (~~435~~)~~ square feet of land area per dwelling unit.

b. *Off-peninsula locations, as defined in section 14-47:*

~~i.~~ Residential density requirements of the nearest adjacent residential zone shall apply except ~~for multi-family dwellings above the first floor of non-parking commercial uses~~ as provided in ~~(ii)~~c. below.

~~ii. *Multi-family dwellings above first floor non-parking commercial uses:* One thousand (1,000) Four hundred and thirty-five (435) square feet of land area per dwelling unit is required.~~

c. *Exception for off-peninsula locations with active street fronts:* For developments where

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the primary building face is within 10 feet of the property line fronting the largest abutting street, and for which there is no parking in the first 25 feet of depth of that street frontage, 435 square feet. Such developments will be subject to design review by the Planning Board to determine that the intent of this section c. is met.

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6. *Maximum structure height:*

a. *B-2 and B-2c zones:* Forty-five (45) feet.

b. *B-2b zone:* Forty-five (45) feet, except in the case of a building with a non-parking ~~commercial~~ first floor and residential upper floors, where fifty (50) feet is allowed, and except for the portion of a building located within sixty-five (65) feet of Franklin Street, where sixty-five (65) feet is allowed.

...

(d) *Front yard parking*:

1. B-2, B-2b, and B-2c zones: There shall be no off-street parking in the front yard between the street line and the required minimum setback line in the B-2 and B-2c. Where existing buildings exceed the minimum front yard setback, a maximum of ten (10) percent of the total parking provided on the site may be located between the principal structure and the street.

~~2. B-2b zone (On-peninsula): There shall be no parking in the front yard between the street line and the required maximum setback line in the B-2b. Where existing buildings exceed the maximum front yard setback, a maximum of ten (10) percent of the total parking provided on the site may be located between the principal structure and the street.~~

~~3. B-2b zone (Off-peninsula): Parking in the front yard between the street line and the required maximum setback line in the B-2b is discouraged.~~

~~However, where parking in the front yard is permitted pursuant to §14-185I(1)I, a maximum of fifty percent (50%) of the total parking on the site may be located between the principal structure and the street.~~

Portland, Maine Yes. Life's good here.

Mary Davis
Division Director, Housing & Community Development Division

AGENDA ITEM #4

TO: Councilor Donoghue, Chair
Members of the Housing and Community Development Committee

FROM: Mary Davis, Division Director
Housing and Community Development Division

DATE: March 21. 2014

SUBJECT: Annual Affordable Housing Development RFP

SUMMARY

A Housing Investment Policy was approved by the City Council in November 2012. The policy calls for an annual RFP process for the allocation of city resources for the development of affordable housing. A draft RFP is attached for your review. Eligible developments include:

1. Rental housing;
2. Home ownership housing;
3. Senior housing;
4. Multi-family housing;
5. Single-family housing;
6. SRO units;
7. New construction;
8. Conversion of non-residential property to housing;
9. Rehabilitation of existing rental units that creates or maintains affordable units.

Developments should promote the efficient use of land, a location proximate to shopping, work places and community facilities and incorporate high standards of energy efficiency and "green" design criteria. This year the RFP also includes a stipulation that development proposals should not require a contract or conditional zone.

Affordability restrictions for rental housing include units affordable to households at or below 60% of the area median income for a minimum period of 90 years. Home ownership restrictions include units affordable to households at or below 80% of the area median income. HOME regulations require that affordability in ownership units be secured with either a subsidy recapture or resale restriction.

Mary Davis
Division Director, Housing & Community Development Division

Recommendations, along with all proposals and scoring information, will be forwarded to the Housing and Community Development Committee for review and recommendation to the full City Council for final approval.

COMMITTEE GOAL/COUNCIL GOAL ADDRESSED

Provide increased availability in all segments of the housing market while insuring that there is a suitable balance of housing opportunities among those sectors.

FINANCIAL IMPACT

The proposed FY 2014-2015 Housing Program Budget set-aside up to $378,903 in HUD HOME funds for affordable housing and CHDO development.

STAFF RECOMMENDATION

Staff is seeking guidance on the following:

(1) Move forward with the proposed RFP only allocating $250,000 of the available $378,903.
(2) At a future date, combine the remaining $128,903 with a city-owned parcel in a separate RFP for a housing development.
(3) Use of Housing Trust Funds moving forward.

ATTACHMENTS

Draft RFP for the Development of Affordable Housing

City of Portland

Development of Affordable Housing

Request for Proposals

RFP # XXXX

Notice and Specifications

Sealed proposals for furnishing the City of Portland with the Development of Affordable Housing, as specified herein, will be received by the Purchasing Office, Room 103, City Hall, 389 Congress Street, Portland, Maine 04101, until XXXday, XXXX, 2014 at 3:00 p.m. at which time they will be publicly opened. Proposals shall be submitted with the attached forms, and returned in sealed envelopes plainly marked on the outside "**HOUSING DEVELOPMENT PROPOSAL**." Proposals that are late and/or submitted via fax or electronic communication will not be accepted. All proposals shall be held open to acceptance for sixty days from opening.

All questions must be submitted in writing to the Purchasing Office. These may be mailed; hand delivered, faxed to (207) 874-8652 or e-mailed to mff@portlandmaine.gov and be received no later than five (5) business days prior to the opening date. Questions received after this time will not be addressed. Any interpretation, correction, or change of this document will be made only by written addenda. Changes in any other manner will not be binding on the City of Portland.

Proposals from vendors not registered with the Purchasing Office may be rejected; receipt of this document directly from the City of Portland indicates registration. Should a vendor receive this Request from a source other than the City of Portland, please contact (207) 874-8654 to ensure that your firm is listed as a vendor for this RFP.

GENERAL INFORMATION

Availability of Funding for Qualified Housing First Developers and Proposals

The City of Portland is soliciting proposals for use of a portion of its HOME program allocation for the development of affordable rental or ownership housing, or to maintain affordability in existing units through rehabilitation of the units.

Summary of Request

The City of Portland has made the development of affordable rental and ownership housing a priority for the use of its federal housing funds, as is identified in the City of Portland's 2010 HUD 5-year Consolidated Plan.

To accomplish this priority, the City of Portland will accept proposals ~~and grant or loan up to $XXXXXXXX in HUD Home Investment Partnership Program (HOME) funds~~ for the development of affordable housing. **The proposed housing developments must be located in the City of Portland.**

Certified Community Housing Development Organizations (CHDO's) or organizations eligible for CHDO certification are strongly encouraged to apply for these funds. The HUD definition of a CHDO organization is attached as Exhibit #1 entitled Definition of a Community Housing Development Organization (CHDO). The City of Portland's Division of Housing and Community Development uses the RFP process to ensure that public funds are utilized for maximum public benefit while accomplishing specific objectives and providing fair access to all applicants.

The City of Portland has up to $250,000 in HUD Home Investment Partnership Program (HOME) funds (including up to $71,709 which is available to CHDO organizations or organizations eligible for CHDO certification).

General Guidelines

Rental developments shall provide units to households earning up to 60% of area median income, or meet the income and rent restrictions of the HUD HOME program, whichever is more restrictive. Ownership developments shall provide units to households earning up to 80% of area median income. Mixed income projects serving households that are very low, low to moderate, and middle income are eligible. Projects with mixed unit types including efficiencies, one, two and three bedroom units are also eligible. The minimum term of affordability is 90 years, to be secured by a land use restriction covenant in the deed.

The minimum requirements of this RFP meet or exceed the minimum program requirements for HOME funding.

The proposed use of funds, leveraging of other public and private resources, terms of affordability, design compatibility, readiness, financial feasibility, development experience, management capacity, and unit mix are among the scoring factors to be used in the review process.

This RFP outlines the selection criteria which all projects applying for these funds must meet, as well as scoring factors which will be used by the City of Portland to evaluate the proposals.

I. Background

As a Federal Entitlement Community, the City of Portland receives HUD HOME Program funds. The City of Portland sets aside a portion of its HOME Program Funds for Affordable Housing Development. In addition HUD HOME Program guidelines require that a portion of HOME funds must be expended on activities owned, developed, or sponsored by a certified CHDO organization.

II. Goals for This RFP

The goal for the distribution of HOME funds is to promote and finance the development of affordable housing in the City of Portland. This housing may be rental or ownership housing designed for senior, multi-family, single-family, SRO units, or small apartment or cottage units as deemed appropriate for the City of Portland and with location consistent with the City of Portland's Comprehensive Plan. The City of Portland seeks development projects with a high standard of quality, design, and livability and would not require a contract or conditional zone (although other rezoning consistent with the City's Comprehensive Plan may be considered). Developments should promote efficient use of land, locations proximate to shopping, work places and community facilities. They should also incorporate high standards of energy efficiency and "green" design criteria.

SCOPE OF SERVICES

General Specifications

All proposals submitted for this funding must meet the following selection criteria to be considered further in the review process.

A. Eligible Projects

1) Projects must create rental or ownership housing units. New construction or conversion of non-residential property to housing is eligible.

2) All projects must provide rental units to households earning up to 60% of area median income, or meet the income and rent restrictions of the funding source used, whichever is more restrictive. Ownership projects must provide homeownership opportunities to households earning up to 80% of area median income.

3) Single Room Occupancy (SRO) and other supportive housing projects specifically for special needs populations are eligible under this RFP.

4) Rehabilitation of existing rental units that creates or maintains unit affordability are eligible under this RFP.

5) Projects must create housing options which promote economic diversity in the neighborhood in which the development is located.

6) Projects receiving funding through this RFP must include a written occupancy policy that prohibits smoking in the units and the interior common areas of the project in addition to including a non-smoking clause in the lease for every household and making educational materials on tobacco treatment programs available to residents through the resident service coordinator, occupancy specialist, or property manager, such as the phone number for the statewide Maine Tobacco HelpLine.

B. Site Information and Criteria

1) Site Control: Proposals under this RFP require site control by the proposer. Land or buildings proposed as part of a project under this RFP must have site control at the time the proposal is submitted in the form of title, purchase and sale agreement, option, long-term lease for a minimum of 90 years, or other acceptable method. At a minimum, site control must extend through January 1, 2014.

2) Local Approvals: Local land use approval is not required prior to submittal of the proposal. A letter from the City of Portland's code/zoning/planning administrator outlining the steps to achieving full permitting is required.

3) The applicant must submit an analysis of the project in relation to local land use regulations and site feasibility.

~~3)~~4) Proposals must not require a contract or conditional zone (although other rezoning consistent with the City's Comprehensive Plan may be considered.

C. Financial Feasibility

1) Financial Projections: Financial proposals must be developed in accordance with the underwriting guidelines of the primary funding source, including adequate cash flow and debt coverage ratio.

2) Use of HOME Funds: All projects will be reviewed for the proposed use of HOME funds compared to other resources. Applicants must describe the proposed mortgage and security position for the City of Portland's funding.

D. Market Demand

Proposers will provide an analysis and discussion of market demand justifying the need for the proposed project.

E. Applicant Capacity

All applicants must demonstrate capacity to develop, own and manage the proposed project. In the case of a proposal for home ownership housing, applicants must demonstrate capacity to market the units for the sale. All proposals must provide evidence of a development team with the capacity to successfully complete the project including;

1) Key staff members assigned to the project with the abilities and experience to successfully complete the project within the proposed timeframe.

2) An architect, general contractor and professionals on the team with the experience and capacity to complete the project.

3) A management team with qualified personnel and the capacity and experience to operate, manage and maintain the affordable rental property of size and mix of the proposed project and/or effectively market affordable home ownership housing.

4) Qualified staff with the capacity to perform ongoing property ownership requirements such as budgeting, tax accounting and oversight of management and maintenance.

5) A portfolio of current affordable housing projects that are financially sound and meeting their established goals.

6) Support Services: Proposals containing rental units targeted to special needs populations must include commitments for support services to be provided to the residents.

F. Term of Affordability

All rental housing projects must have a minimum affordability period of 90 years, secured by a land use restriction covenant in the deed. All home ownership projects must have a plan for long-term affordability that meets HOME Program recapture or resale regulations.

G. Design Compatibility

Projects must be designed to contribute to the character of their neighborhood and adhere to the following general guidelines.

Project designs should:

1) Comply with the City's Green Building Code.

2) Set a standard for quality design, through architecture and use of finishes and materials that are appropriate for the surrounding neighborhood and will be a visible and permanent expression of the character of the neighborhood.

3) Wherever appropriate the design should reinforce the public realm of open space, sidewalks and streets through appropriately scaled entries, porches, fenestration, landscaping, and architectural details.

4) Wherever appropriate primary ground floor entries to multifamily buildings must orient to street, not to interior blocks or parking lots. This may not be possible in some settings.

5) Meet the accessibility requirements of the Fair Housing Act and Section 504 of the Rehabilitation Act of 1973.

6) Provide visual and acoustical privacy between units.
7) Maximize natural light and ventilation within units.

H. Timeframe

The applicant must describe projected dates by which commitments will be obtained; the closing will take place, construction start-up, substantial completion, final completion and occupancy. Timeframes must be realistic and achievable. All funded projects must be able to start construction within 12 months of notice of award.

PROPOSAL REQUIREMENTS

Complete responses to this RFP, should include eight (8) complete copies of each proposal including one original bearing the hand written signature of an officer or employee having authority to bind the organization and the following, in the order outlined below.

Note: All respondents should investigate legal and zoning requirements for proposed projects prior to submission of proposal.

i. Project Summary

A brief description of the project, no longer than two pages, to include the number and type of units, tenants or owners to be served, special features, the impact on the neighborhood and other ways the proposal meets the selection criteria and preference guidelines.

Photographs and maps of the site and area are required.

ii. All Proposals Must Provide The Following:

1) Evidence of site control

2) Conceptual architectural and site plans

3) A project schedule showing critical path events and their timeframe for completion;

4) Map showing location of site

5) Corporation/partnership articles and by-laws

6) Most recent audit or federal tax returns for the last three years, and financial statements for the last two years

7) Documentation demonstrating certification or eligibility to obtain certification as a CHDO

~~7)~~8) A brief development team summary, including:

- The type of organization/ownership structure
- The names of Board of Directors, Corporate Officers, or Owners, as appropriate
- Name, title and relevant experience of individuals involved in managing the business entity and this proposed project. A copy of the 501(3)(c) exemption certification
- Brief description of similar projects completed
- A list of all projects currently in development with status and projected timeframe

~~8)~~9) A sources and uses funding statement

~~9)~~10) Preliminary operating budget identifying rents and expenses for the first year

~~10)~~11) A 15-year operating pro forma for the project

~~11)~~12) Evidence of financial commitments, or explanation of the ability and timing to secure those commitments. A statement describing the applicant's capacity for and experience in raising the type of capital needed to finance projects of this size and type.

~~12)~~13) Projects serving special needs populations must provide evidence of commitments of support services, and a description of the service provider and funding cycle for those services.

~~13)~~14) Applicant must include a management plan for the long-term management of the project including manager’s experience and capacity.

~~14)~~15) Applicant must include a marketing plan for the sale of home ownership units.

~~15)~~16) An analysis and discussion of market demand justifying the need for the proposed project.

SELECTION PROCESS

Selection criteria will be used in reviewing and scoring the proposals.

I. Point System for Evaluating and Scoring Proposals (Maximum Points 100)

1. Proposed use of funds to achieve the City of Portland's goals and address demonstrated need. **30 points**

Maximum points will be awarded for those proposals that demonstrate sufficient market demand, create housing options which promote economic diversity in the neighborhood in which the development is located, and include a policy prohibiting smoking.

2. Financial feasibility, including cost, development budget, operating pro forma and the provision of secured and leverage funds. **25 points**

   Maximum points will be awarded for those proposals that include a complete set of financial documents to support the financing request, contain a realistic set of sources and uses development budgets and a pro forma operating budget, include sufficient reserves for operations and maintenance, including pre-funded reserves, and long-term financial sustainability of the project is highly likely.

3. Applicant's ability to complete project, including development team, experience, capacity, project readiness and timeframe for completion. **25 points**

   Maximum points will be awarded for those proposals that demonstrate a development team with a successful track record in projects of similar size, scale, type and complexity to the proposed project and capacity to fulfill their responsibilities and the readiness of the project to proceed.

4. Impact on surrounding neighborhood, including design compatibility and environmental issues. **20 points**

   Maximum points will be awarded for those proposals where site selection is appropriate for use, the design is consistent with neighborhood design characteristics, amenities and unit design are well thought out and appropriate, where no environmental issues have been identified and meet the requirements of the City of Portland's Green Building Code.

II. RFP Evaluation and Selection Process and Timeframe

Proposals will be reviewed by an evaluation team that will include City of Portland staff. The following process will be used:

1) Upon closing of the RFP application period, all proposals will be reviewed for completeness.

2) Complete proposals will be reviewed under the scoring factors in order to recommend the most qualified proposals based on the information submitted. The proposal review team may confer with the applicants and/or third parties to clarify or verify information and request additional information.

3) Recommendations, along with all proposals and scoring information, will be forwarded to the Portland City Council's Housing and Community Development Committee for review and approval. Their recommendations will be forwarded to the Portland City Council for final review and approval.

4) Applicants will be kept informed throughout the review process, specifically in regard to recommendations and funding levels.

5) The evaluation and review process should be substantially complete by July 15, 2013. Applicants will be notified of their proposal status as soon as possible.

6) Based on Portland City Council approval, successful applicants will receive a letter of funds reservation. A letter of funds reservation is not a commitment letter but an agreement to set aside budgeted funds for up to six months, to allow the project sponsor to proceed with securing other commitments.

Instructions and Other Information

A. The City of Portland reserves the right, at its sole discretion, to award all, a portion, or none of the available funding from this RFP, as well as reject any and all proposals for city funding, based on the quality and merits of the proposals received, or when it is determined to be in the public interest to do so. Furthermore, the City of Portland may extend deadlines and timeframes, as needed.

B. Confidentiality: Proposals received by the City of Portland shall become a matter of public record subject to public inspection, except to the extent, which an applicant designates in writing, proprietary data to be confidential and submits that data under separate cover, such information may be held from public inspection, as provided in Maine law: 5 MRSA Sections 13119-A and 13119-B

C. Compliance with Federal Law: The selected applicant will be required to certify that the development and management of the proposed housing will be in compliance with all applicable laws, executive orders, OMB Circulars and federal regulations, including but not limited to: Fair Housing Act, Equal Opportunity and Non-discrimination, National Environmental Policy Act (NEPA), the Uniform Relocation Assistance and Real Property Acquisition Policies Act, the Davis-Bacon Act, the Lead Based Paint Poisoning Prevention Act, Flood Disaster Protection Act, Conflict of Interest, Contractor Debarment and Cost Principles.

D. All applications must meet the rules and regulations of the HOME Program as noted in 24 CFR Part 92 and the requirements of the Consolidated and Further Continuing Appropriations Act of 2012 (PL 112-55).

Equal Employment Opportunities

Vendor shall comply fully with the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998, as amended (WIA, 29 CFR part 37); the Nontraditional Employment for Women Act of 1991; title VI of the Civil Rights Act of 1964, as amended; section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended; title IX of the Education Amendments of 1972, as amended; and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR part 37.

Reservation of Rights

The City of Portland reserve the right, at its sole discretion, to award all, a portion, or none of the available funding from this RFP, as well as reject any and all proposals based on the quality and merits of the proposals received, or when it is determined to be in the public interest to do so. Furthermore, the City of Portland may extend deadlines and timeframes, as needed.

The City of Portland reserves the right to substantiate any proposers' qualifications, capability to perform, availability, past performance records and to verify that the bidder is current in its financial obligations to the City of Portland.

All materials and equipment used as well as all methods of installation shall comply at a minimum with any and all Federal, OSHA, State and/or local codes, including applicable municipal ordinances and regulations.

The successful bidder shall agree to defend, indemnify and save the City of Portland harmless from all losses, costs or damages caused by its acts or those of its agents, and, before signing the contract, will produce evidence satisfactory to the City of Portland's Corporation Counsel of coverage for General Public and Automobile Liability insurance in amounts not less than $400,000 per person, for bodily injury, death and property damage, protecting the contractor and the City of Portland, and naming the City of Portland as an additional insured from such claims, and shall also procure Workers' Compensation insurance.

Pursuant to City of Portland procurement policy and ordinance, the City of Portland is unable to contract with businesses or individuals who are delinquent in their financial obligations to the City of Portland. These obligations may include but are not limited to real estate and personal property taxes and sewer user fees. Bidders who are delinquent in their financial obligations to the City of Portland must do one of the following: bring the obligation current, negotiate a payment plan with the City of Portland's Treasury office, or agree to an offset which shall be established by the contract which shall be issued to the successful bidder.

The City of Portland, Maine, reserves the right to waive any informalities in proposals, to accept any proposal or portion thereof, and, to reject any and all proposals, should it be in the best in the best interest of the City of Portland to do so.

It is the custom of the City of Portland, Maine to pay its bills 30 days following equipment delivery and acceptance, and following the receipt of correct invoices for all items covered by the purchase order. In submitting bids under these specifications, bidders should take into account all discounts, both trade and time allowed in accordance with this payment policy and quote a net price. The City of Portland is exempt from the State's sales and use tax as well as all Federal excise taxes.

XXXXX, 2014

Matthew F. Fitzgerald
Purchasing Manager

Appendices

Exhibit #1. HUD definition of a Community Housing Development Organization (CHDO)

PROPOSAL

THIS PAGE MUST BE INCLUDED

The UNDERSIGNED hereby declares that he/she or they are the only person(s), firm or corporation interested in this proposal as principal, that it is made without any connection with any other person(s), firm or corporation submitting a proposal for the same.

The UNDERSIGNED hereby declares that they have read and understand all conditions as outlined in the invitation for bids, and that their proposal is made in accordance with same.

The UNDERSIGNED hereby declares that any person(s) employed by the City of Portland, Maine, who has direct or indirect personal or financial interest in this proposal or in any portion of the profits that may be derived there from, has been identified and the interest disclosed by separate attachment. (Please include in your disclosure any interest which you know of. An example of a direct interest would be a City of Portland employee who would be paid to perform services under this proposal. An example of indirect interest would be a City of Portland employee who is related to any officers, employees, principal or shareholders of your firm or to you. If in doubt as to status or interest, please disclose to the extent known).

The proposer acknowledges the receipt of Addenda numbered _____
If Applicable

COMPANY NAME: _____
(Individual, Partnership, Corporation, Joint Venture)

AUTHORIZED SIGNATURE: _____ DATE: _____
(Officer, Authorized Individual or Owner)

PRINT NAME & TITLE: _____

ADDRESS: _____

_____

TELEPHONE: _____ FAX: _____

E-MAIL: _____FEDERAL TAX ID NUMBER: _____

NOTE: All bids must bear the handwritten signature of a duly authorized member or employee of the organization making the bid. This sheet must be signed and returned with the proposal package.

EXHIBIT #1 – DEFINITION OF A COMMUNITY HOUSING DEVELOPMENT ORGANIZATION

1. Is a private nonprofit organization under State or local laws;

2. Has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual;

3. Is neither controlled by, nor under the direction of, individuals or entities seeking to derive profit or gain from the organization. A community housing development organization may be sponsored or created by a for-profit entity, but:

    i. The for-profit entity may not be an entity whose primary purpose is the development or management of housing, such as a builder, developer, or real estate management firm.
    ii. The for-profit entity may not have the right to appoint more than one-third of the membership of the organization's governing body. Board members appointed by the for profit entity may not appoint the remaining two-thirds of the board members; and
    iii. The community housing development organization must be free to contract for goods and services from vendors of its own choosing;

4. Has a tax exemption ruling from the Internal Revenue Service under section 501(c)(3) or (4) of the Internal Revenue Code of 1986;

5. Does not include a public body (including the participating jurisdiction). An organization that is State or locally chartered may qualify as a community housing development organization; however, the State or local government may not have the right to appoint more than one-third of the membership of the organization's governing body and no more than one-third of the board members may be public officials or employees of the participating jurisdiction or State recipient. Board members appointed by the State or local government may not appoint the remaining two thirds of the board members;

6. Has standards of financial accountability that conform to 24 CFR 84.21, "Standards for Financial Management Systems;"

7. Has among its purposes the provision of decent housing that is affordable to low-income and moderate-income persons, as evidenced in its charter, articles of incorporation, resolutions or bylaws;

8. Maintains accountability to low-income community residents by:

    i. Maintaining at least one-third of its governing board's membership for residents of low-income neighborhoods, other low-income community residents, or elected representative of low-income neighborhood organizations. For urban areas, "community" may be a neighborhood or neighborhoods, city, county or metropolitan area; for rural areas, it may be a neighborhood or neighborhoods, town, village, county, or multi-county area (but not the entire State); and

ii. Providing a formal process for low-income program beneficiaries to advise the organization in its decisions regarding the design, siting, development, and management of affordable housing;

9. Has a demonstrated capacity for carrying out activities assisted with HOME funds. An organization may satisfy this requirement by hiring experienced key staff members who have successfully completed similar projects, or a consultant with the same type of experience and a plan to train appropriate key staff members of the organization; and

10. Has a history of serving the community within which housing to be assisted with HOME funds is to be located. In general, an organization must be able to show one year of serving the community before HOME funds are reserved for the organization. However, a newly created organization formed by local churches, service organizations or neighborhood organizations may meet this requirement by demonstrating that its parent organization has at least a year of serving the community.

Portland, Maine Yes. Life's good here.

Mary Davis
Division Director, Housing & Community Development Division

AGENDA ITEM #5

TO: Councilor Donoghue, Chair
Members of the Housing and Community Development Committee

FROM: Mary Davis, Division Director
Housing and Community Development Division

DATE: March 21, 2014

SUBJECT: UPDATE - City Sites for Residential Development
Remaining portion of former Adams School parcel & 98 High Street

1. Remaining portion of former Adams School site

Environmental Issues:

As part of the Avesta/Adams School project, the City received a VRAP No Action Assurance Letter for the parcels on the attached map hatched in pink. The section outlined in yellow, was not included in this VRAP.

After speaking with the environmental consultant who assisted the City and Avesta with the previous development on the site, the following are recommendations to move forward:

(a). Extend the VRAP to include the parking lot site so that requirements for future development will be made known to potential developers.
(b). Update the Phase I report previously completed.
(c). Complete the Phase II assessment to collect soil data.

Completing the above three steps prior to issuing a development RFP will encourage stronger development proposals. If the committee agrees with these recommendations, staff will move forward.

2. 98 High Street:

Deed Restriction:

As mentioned in a memo to this committee dated February 26, 2014, the State of Maine Department of Transportation conveyed this parcel to the City of Portland with the restriction that the parcel be used for parking or "some other public purpose".

Mary Davis
Division Director, Housing & Community Development Division

I spoke with a staff person at the State of Maine Department of Transportation who indicated that the property was acquired with federal funds. Therefore, in order to change the use of the property, the MaineDOT would need to:

(1) Receive today's fair market value for the property in order to release the restriction;

Staff comments: One of the largest benefits of using city-owned property as an incentive for housing development is that it gives the City another tool for housing development by removing or subsidizing the cost of land from the development equation. While this option, if approved by the State and Federal government, would remove the restrictive clause from the property, it would come at a financial cost to the City.

(2) Show that an exception is in the overall public interest for social, environmental or economic purposes.

Staff comments: Under this option, the City would need to show that the proposed new development served a public purpose. MaineDOT would need to obtain approval from the Federal Highway Department and NEPA. In order to develop the land, the City would need to continue to hold title to the property and establish a long term lease-hold relationship with a developer. Staff is researching other legal options and hopes to have additional information available at the March 26th meeting.

Portland, Maine Yes. Life's good here.

Mary Davis
Division Director, Housing & Community Development Division

AGENDA ITEM #7

TO: **Councilor Donoghue, Chair**
Members of the Housing and Community Development Committee

FROM: **Amy Grommes Pulaski, Housing & Community Development Program Manager**

DATE: **March 21, 2014**

SUBJECT: **2014-15 HUD Consolidated Annual Action Plan**

The Consolidated Annual Action Plan includes budgets for the Community Development Block Grant, HOME Program and the Emergency Solutions Grant. Below are both the expected allocations and the actual allocations from HUD. Attached is the funding information that was provided in your 3/17/14 Council Packet, using the expected numbers. We expect to provide you with updated allocation information at the March 26th meeting.

1. CDBG

Expected CDBG (as appeared in 3/17/14 Council Packet)

$ 1,826,492	Expected HUD Allocation 2014-2015
$ 119,000	CDBG Program Income 2013-2014
$ 275,000	CDBG Reprogrammed Funds
$ 2,220,492	Total Expected CDBG funds to Allocate for 2014-2015

CDBG Funds by Category

$411,698	Administration and Planning
$536,961	Social Services
$871,833	Development Activity
$400,000	Employment Dev. Prgm. ($300,000 in DA and $100,000 in SS)
$2,220,492	

Actual CDBG (as allocated by HUD 3/19/14)

$ 1,815,577	Actual HUD Allocation 2014-2015
$ 119,000	CDBG Program Income 2013-2014
$ 275,000	CDBG Reprogrammed Funds
$ 2,209,577	Total CDBG Funds to Allocate for 2014-2015

Mary Davis
Division Director, Housing & Community Development Division

CDBG Funds by Category

$ 409,515	Administration and Planning
$ 533,359	Social Services
$ 866,703	Development Activities
$ 400,000	Employment Dev. Program ($300,00 in DA & $100,000 in SS)
$2,209,577	

2. HOME

$ 866,153	Expected HUD Allocation 2014-2015
$ 210,000	HOME Program Income 2013-2014
$1,076,153	Total Expected HOME funds to Allocate for 2014-2015

$ 913,178	**Actual HUD Allocation 2014-2015**
$ 210,000	HOME Program Income 2013-2014
$1,123,178	**Total HOME funds to Allocate for 2014-2015**

3. Emergency Solutions Grant:

$143,208	Expected HUD Allocation 2014-2015
$150,336	**Actual HUD Allocation 2014-2015**

Portland, Maine Yes. Life's good here.

Planning & Urban Development Department

March 14, 2014

Mayor Brennan and Members of the Portland City Council:

I am pleased to submit to you my recommendations for the Community Development Block Grant (CDBG) Program for the fiscal year beginning July 1, 2014 to June 30, 2015.

I have reviewed the recommendations from the CDBG Scoring Committee. I commend them for the time and effort they have put toward this program, and thank them for their hard work. The letter from the CDBG Scoring Committee is attached. *[Committee Letter A1]*

In my own deliberations, I recognized the challenge that the Committee faced this year regarding bonus points for the applicants. It is my understanding that three bonus points were awarded to *all applicants* who indicated in their application that their program met a basic need. Effectively, if the applicant checked the right box (for Basic Needs) they automatically received three additional points and there was no objective evaluation of each application to determine whether it should or should not receive the bonus points. In the application, Basic Needs is defined as "programs that respond to an acute need where no other options exist and such a response is temporary in nature."

I have also reviewed the recommendations from the CDBG Designated Hearing Officer on CDBG Appeals. Two appeals were filed this year: one from Amistad, Inc. and one from Wayside Food Programs. Both indicated that they had been advised in the past to apply under the Priority Impact Initiative of Safe Neighborhoods and therefore did not check the box for Basic Needs even though their narrative explains that they also address basic needs for the clients they serve. Please see the attached letter from Mike Murray summarizing the appeals and his recommendations. *[Appeals Memo A2]*

For this reason, I asked the Committee to go back and evaluate each application to determine whether an applicant should or should not have received the additional bonus points for both Basic Needs and Child Care in the categories of Social Service and Development Activity Applications. The Committee graciously accepted, and I utilized this additional evaluation of bonus points in making my own funding recommendations.

Regardless of the change in bonus points for some applications, you will notice that my recommendations mostly align with the recommendations of the CDBG Scoring Committee. I have deviated from their recommendations in the items outlined below and reflected on the attached spreadsheet. *[City Manager Recomm A3]*

1) *Development Activities.* In light of recent funding changes for Healthcare for the Homeless Program and expectations that the Clinic will close before the end of this fiscal year, the Committee recommended not funding the Healthcare for the Homeless floor renovation proposal submitted by Preble Street. Staff and I support this recommendation. If a final use for the space is determined in the future, Preble Street can re-apply for this project. For this reason, I have reduced the allocation I am recommending to fund Preble Street's "HCH Clinic Floor Replacement and Preble Street Resource Center Rehab" from $173,000 to $64,493 which is the amount of the request for the Preble Street Resource Center Rehab project.

Based on our recent HUD audit we have been directed to reduce the amount of funds we have in contingency each year, holding a minimum balance for emergency uses. We have determined that the appropriate minimum balance should be $125,000. Any additional savings from past projects will be taken from contingency at this time and applied to the amount of funding currently available to be allocated. The amount of contingency funding available this year to be allocated to applicants is $275,000. Due to the HUD imposed funding caps, this contingency money can only be applied to Development activity applications; it cannot go to Social Services or Administration and Planning. I have recommended distributing the funding according to the Committee's scores, allowing us to fund additional projects.

The CDBG Committee is required to recommend full funding of applicants according to scores, which often results in the lowest funded applicant receiving partial funding. The project that would have received partial funding this year is the West Commercial Street Trail, Beach Street to Harborview Park. The project requested $171,060 and the funds remaining were $61,327. Due to the discrepancy between the amount of funds available and the amount of funds requested, I decided not to fund this project and use the remaining $61,327 to fund the next project that could utilize the funds in a timely manner, which was Big Belly Solar Compactor Deployment. This project was funded last year and efficiently used the funds available and installed all solar trash cans in eligible neighborhoods within three months of being awarded funds.

2) *Social Services.* I made some very difficult decisions regarding social services. When the committee re-evaluated the applications based on whether they should or should not receive basic needs or child care bonus points, three projects were awarded points that did not benefit from bonus points originally. Those projects included: Homeless Healthcare, Amistad and Wayside. As you know, the Healthcare for the Homeless clinic is planned to close half way through the next funding year. For that reason I am recommending partial funding for that project of $55,129. This provides

enough money to fully fund Wayside Food Programs and Amistad Inc. Unfortunately two programs that were recommended by the Committee will not receive funding as a result, including Preble Street Florence House and the City of Portland's After Hours Emergency Assistance Program. Due to the fact the After Hours program is a City Program and is required to continue by State law, I will be looking to utilize General Fund dollars to continue this program.

3) *Employment Development Program*. This is a competitive Community Development Block Grant (CDBG) Program developed by the City of Portland and funded by the federal Department of Housing and Urban Development through a set aside of $400,000 ($300,000 in Development Funds and $100,000 in Social Service funds). The goal of the Program is to fund projects that create employment opportunities that move Portland residents out of poverty into sustained employment and financial stability. There were two proposal tracks: Job Creation and Microenterprise Assistance. The City solicited a Lead Agency to partner with to execute the Program and received two proposals from Coastal Enterprises Inc., one for job creation ($340,000) and a second for Microenterprise Assistance ($60,000). I am supporting the Employment Development Review Committee's recommendation to fully fund both projects. A memo from staff and a summary of the Employment Development Program is attached.

4) *Administration and Planning*. The Planning and Urban Development Department is required to submit a non-competitive summary of services to the CDBG Scoring Committee at the time all applications are due in November. The budget submitted requested $393,910 to both administer the CDBG program and fund long range planning. At the time of submittal, staff did not have an accurate estimate of program income available for the coming year and underestimated the amount of funds available for the Administration and Planning cap. Staff now has an accurate number; therefore, I am recommending full funding to administer the program at $411,698.

Thank you for the opportunity to share my recommendations with you. All of the projects that requested funds are worthy of funding, unfortunately there are not enough funds to support all the good work that is being done in the City. Please contact me with any questions.

Sincerely,

Mark H. Rees
City Manager

Portland, Maine Yes. Life's good here.

Planning & Urban Development Department

February 14, 2014

Mark H. Rees, City Manager
City Hall
389 Congress Street
Portland, Maine 04101

Dear Mr. Rees,

We are pleased to submit the CDBG Annual Allocation Committee's recommended budget allocations for Year 40 of the Community Development Block Grant (CDBG).

On a national level, funding for the Community Development Block Grant has decreased by approximately 1.3% this year. The budget listed below is based upon an estimated 1.3% cut in funding from Year 39 (2013-2014). HUD has already received their allocations and we are expecting to receive final budget numbers soon.

CDBG ALLOCATION	**Year 39 FY 13-14**	**Year 40 FY 14-15**	**Difference in Dollars**
Planning and Administration Cap	$394,110	$411,698	$17,588
Social Service Cap	$639,277	$636,961	($2,316)
Development Activities	$1,037,162*	$896,833	($140,329)
TOTAL Allocation	**$2,070,549**	**$1,945,492**	**($125,057)**

**The Development Activities amount for Year 39 includes $100,000 of funds reallocated from contingency.*

Based on Council approval, a portion of this year's Social Service and Development Activities funding will go toward a new initiative, the Employment Development Program. The amount of funding available for our annual CDBG process is in the far right column. Funding recommendations for the Employment Development Program will be presented through a separate venue.

CDBG ALLOCATION	**Year 40 FY 14-15**	**Employment Development Program Funds**	**Amount of CDBG Funds Available for Annual Requests**
Planning and Administration Cap	$411,698	$0	$411,698
Social Service Cap	$636,961	$100,000	$536,961
Development Activities	$896,833	$300,000	$596,833
TOTAL Allocation	**$1,945,492**	**$400,000**	**$1,545,492**

As in past years, the need for CDBG funding continues to exceed the amount of funds available. The total dollars requested is $3,950,044 resulting in a gap of $2,404,552 between CDBG funds available for annual requests and the total amount of annual requests. As in prior years, we were faced with difficult choices in this year's recommendation process and struggled with which applications to recommend for funding. The Committee stayed focused on the scoring criteria in order to be fair to all applicants.

The following sections of this letter outline our funding recommendations. The first section explains the history and progress Portland's CDBG Program has undergone over the last four years. The second section provides a description of this year's process, how the applications were reviewed and scored, and finally our recommendations for funding.

HISTORY AND CURRENT STATUS OF THE CDBG PROGRAM

Over the last six years, the CDBG program has undergone significant review. This review resulted in changes to the allocation process as summarized below.

In 2008 the following steps were implemented:

Council Order 70-7/08 (HCD Task Force Ten Point Plan)

- Creation of the CDBG Priority Task Force
- Creation of the CDBG Annual Allocation Committee
- Funded projects are to be completed within two years of award

In 2009 the following steps were implemented:

Council Order 70-7/08 (HCD Task Force Ten Point Plan)

- CDBG Application process is to comply with the City's Purchasing Ordinance

Council Order 91-08/09 (CDBG Priority Task Force Recommendations)

- Application and scoring reflect the goal of building strong, self sustaining neighborhoods by having applications address the priority impact areas and guiding principles.

In 2010 the final recommendations by the CDBG Priority Task Force were implemented, including:

Council Order 91-08/09 (CDBG Priority Task Force Recommendations)

- $20,000 minimum request.
- Small grants in the amount of $7,500 are available to social services for capacity building and to small businesses micro-enterprises for technical assistance
- Social service basic needs set aside for up to 10% of the HUD allocated CDBG grant
- Social service multi-year initiatives requests guidelines defined and encouraged
- Economic development job creation request guidelines defined
- The administration and planning request would be presented to and reviewed by the Committee, but would not be voted upon in a competitive environment

In 2011, the Council further reviewed the program and the implementation of all of the recommendations. Based on this review, the City Council implemented the following changes:

- *Eliminate* the small grants award of $7,500 made available to social services for capacity building and to small businesses micro-enterprises for technical assistance
- *Eliminate* the social service basic needs set aside, previously set to be up to 10% of the HUD CDBG allocation
- *Lower* the minimum grant request from $20,000 to $10,000

- *Create* a maximum grant request per applicant:
  - $150,000 for Social Service applicants
  - $250,000 for Development Activities applicants
- *Create* a Maximum Cumulative Grant Allocation for City Applications
  - 45% of funding available for Social Services
  - 85% of funding available for Development Activities
- *Create* an economic development set aside/ cap for job creation for $100,000
- *Create* a Priority Focus for Program Year 2011-2012:
  - For Social Services additional points can be allocated for applications meeting the Work and Shop priority criteria
  - For Development Activities additional points can be allocated for projects located in Libbytown, Census Tract 20.02

2012 Minor adjustments

- Based on pressure and direction from HUD we will be paying our grantees based on a cost per unit of service. Each applicant has provided a cost per unit of service. Funded applicants will be submitting funding requisitions and be paid based on the number of units provided and persons served. This does not apply to construction projects.
- Staff will be administering bonus and penalty points on the applications.
- Priority for Social Service applications is child care. Priorities for Development Activities are job creation and projects located in Libbytown or Census Tract 20.02.

2012 Priority Task Force focused priorities even further:

- To create Sustainable Workforce Development Program(s) that move Portland residents out of poverty into sustained employment and financial stability.

  1) Invest in businesses with Portland locations to enable them to expand and create jobs, as eligible by HUD regulations.

  2) Provide a continuum of services to increase a Program Participant's professional capacity, financial stability, and ability to maintain employment, through: career advancement services, financial stability and job retention support services.

- Place Program Participant's in newly created sustainable Portland-based jobs.

2013 Working Group determined how to implement the Priorities of the 2012 Task Force:

- Invest 1) in businesses to create net new jobs or 2) to create microenterprise businesses (businesses with less than 5 employees where the owner is LMI Portland)
- Fill 66% of the net new jobs with low to moderate income (LMI) Portland residents.
- Priority will be given to applicants that will hire or serve more LMI Portland residents, homeless persons, New Americans, or single-parent head of households will be given preference.
- Set aside $400,000 ($300,000 in Development Funds and $100,000 in Social Service Funds) for the new Workforce Development Initiative now renamed the Employment Development Program.
- Fund at least two applicants
- Funding requests can be for two years

- Tracking of jobs will be for two years after job creation or microenterprise creation
- Success will be evaluated based on return on investment (CDBG investment vs. increase of income of new employees/ business owners)
- The first round of funding will begin in 2014.

2014 Minor adjustments

- Priority for ALL Social Service and Development Activity applications is child care and basic needs. These applications will all receive an additional three bonus points.
- There is a set aside of $150,000 for Community Policing
- Penalty points were reduced: errors are only 0.25 points, and blanks are not penalized.
- The Employment Development Program received a $400,000 set aside, including $300,000 from Development Activities and $100,000 from Social Services

THE PROCESS AND REVIEW

CDBG Applications were available on October 15, 2013. The mandatory applicant's meeting was held on October 16, 2013 at 7:00pm in Merrill Rehearsal Hall. All applications were due on Tuesday November 19, 2013 at 10:00am.

We received twenty-one (21) Development Activities applications and fifteen (15) Social Service Applications, along with an Administration and Planning request of $393,910, for a total of $3,950,044 in funding requests.

There was a total of $2,369,027 of Development Activity requests with $596,833 available, and $827,097 of Social Service requests with $536,961 available.

The Allocation Committee Review and Funding Methods

Our Committee first met for this funding year on December 19, 2013. The Committee met seven (7) times to discuss Administration and Planning, Development Activities and Social Service applications.

The Committee read each application individually prior to the meeting. At the meeting the Committee would discuss each proposal. If questions arose, staff forwarded them to the applicant to answer. The answers were then forwarded back to the Committee.

Applications were organized by score from the highest to the lowest within each category. The City Council has directed the Committee to recommend full funding based on request for all applications; therefore each applicant was awarded full funding, until the funding was exhausted.

RECOMMENDATIONS

Administration and Planning Funding

The Committee reviews information regarding Administration and Planning, but does not score the application competitively. Administration funding is essential for operating the CDBG program and

reporting to HUD. The Planning & Urban Development Department submitted a budget of $393,910 and the Committee is recommending full funding.

Organization	Program	Request	Points	Comm. Recomm
Planning & Urban Development Department	Administration	$393,910	NA	$393,910

Development Activities Funding

The Committee received twenty-one (21) Development Activities applications, requesting a total of $2,369,027 and $596,833 was available. The City Council's *85% Rule for Development Activities* is still in place, which specifies that a maximum of 85% of the Development Activity funding can go to fund City applicants, the remaining 15% must go to outside requests. This rule did not affect the Committee's recommendations this year. The following table outlines the highest scoring applications, their requests and the recommended allocation from the Committee.

Organization	Program	Request	Points	Comm. Recomm.
Living with Peace *Application # 21*	Portland Micros	$15,000	89.9	$15,000
Learning Works *Application #20*	Renovation of Historic Property at 181 Brackett Street	$70,700	88.94	$70,700
Portland Food Co-Op *Application #22*	Portland Food Co-Op Grocery Store, Job Creation	$60,000	88.65	$60,000
Preble Street* *Application #3*	Preble Street Resource Center Rehabilitation and Healthcare for the Homeless Clinic Floor Replacement***	$173,060	87.48	$64,493/ $108,567**
COP Public Services *Application #10*	North Boyd Street Multiuse Trail Phase II	$110,000	85.98	$110,000
COP Public Services *Application #13*	St John. Valley Streetscape Phase III Final	$210,504	84.05	$183,073

* These applications received a three (3) point bonus for addressing a Basic Need.

In light of recent funding changes for the Healthcare for the Homeless Program, the Committee feels strongly that if *the decision to close* the Healthcare for the Homeless Clinic is made *before* the start of the fiscal year (July 1, 2014), funding ***should not be awarded* to Preble Street for renovation and floor replacement in the building located at 20 Portland Street, the space for the Healthcare for the Homeless Clinic. If this closure occurs, the Committee recommends funding ***only*** the Preble Street Resource Center Rehabilitation portion of the project at $64,493. This leaves $108,567, the portion for the Healthcare for the Homeless Floor Replacement project, unallocated. Therefore the

Committee recommends funding the next two highest scoring applications: Milestone Shelter Bathroom Renovation for $21,778 and Public Services Oxford Street Crossing and Elm Street Crossing project with the remaining $86,789 (of $248,375 requested). If either project cannot go forward at this amount the Committee recommends funding the next highest scoring project that can begin and be completed in a timely manner.

If additional funds are available through contingency the Committee recommends funding the next projects in order, based on their score.

The City puts a ten year mortgage on all non-profit renovation projects to ensure that the space continues to be used for eligible purposes.

Social Service Funding

The Committee received fifteen (15) Social Service applications, including a multi-year request from Milestone Foundation for the H.O.M.E. Team and a $150,000 request from Community Policing which will be funded through a set-aside. There is $827,097 of Social Service requests with $536,961 available. The City Council's *45% Rule for Social Services* is still in place, which specifies that a maximum of 45% of the Social Service funding can go to fund City applicants, the remaining 65% must go to outside requests. This rule did not affect the Committee's recommendations this year. The following table outlines the highest scoring applications, their requests and the recommend allocation from the Committee.

Organization	Program	Request	Points	Comm. Recomm
COP Police Development	Community Policing	$150,000	Set-aside	$150,000
Preble Street*	Resource Center	$45,000	97.54	$45,000
Preble Street*	Food Programs	$50,000	96.13	$50,000
Opportunity Alliance*	Access to Basic Needs: Winter Heat and Summer Food	$62,400	95.51	$62,400
Preble Street*	Teen Center	$30,000	95.42	$30,000
Catherine Morrill/ Youth and Family Outreach***	Childcare Assistance Program	$89,432	95.1	$89,432
Preble Street*	Florence House	$30,000	92.98	$30,000
COP Social Service Division*	After Hours Emergency Assistance Program	$34,000	92.39	$34,000
COP Healthcare for the Homeless	Behavioral Health Program	$111,149	90.99	$46,129

* These applications received a three (3) point bonus for addressing a Basic Need.
*** These applications received a three (3) point bonus for providing Child Care.

If the Healthcare for the Homeless Clinic closes prior to the start of the fiscal year (July 1, 2014), the committee recommends this funding, in the amount of $46,129, be directed to the next highest scoring applicants identified on the scorecard attached who are able to deliver the services outlined in their application.

BONUS POINTS

Social Services

The Committee discussed the bonus points that were awarded this year to both Childcare and Basic Needs. According to the application Basic Needs is defined as "programs that respond to an acute need where no other options exist and such a response is temporary in nature." The Committee feels that this definition is so broad that it removes the Committee's discretion to effectively score applications. Nine (9) of the fourteen (14) social service applications qualified to receive an additional three (3) bonus points (8 for basic needs and 1 for childcare). Three bonus points makes a significant impact on the resulting scores when the difference between receiving funding and not receiving funding falls to a tenth or one-hundredth of a point. If Basic Needs, or any Priority Impact Area, receives three (3) additional bonus points it effectively ensures that those applications have a high likelihood of being funded, while other highly needed applications are at a significant disadvantage. Seven (7) of the eight (8) applications being recommended for funding by the committee (based on score) received Basic Needs or Childcare bonus points. Only one applicant who received the bonus points did not receive a recommendation for funding.

The Committee recommends that there be NO bonus points for social service applications for next year.

Development Activities

This is the first year that Development Activity applications received the same bonus points as Social Service applicants, for Basic Needs and Childcare. Five applicants received additional bonus points. The Committee feels strongly that these types of bonus points should not apply to Development Activity applications.

The Committee recommends limiting bonus points to location only for Development Activity applications, where the location compliments a larger City initiative.

SUMMARY

All projects that requested funding would be beneficial to our City, however due to limited dollars, not all were recommended for funding through this program. This is a competitive process; each applicant competed against all other applicants. The projects that are not being recommended for funding scored lower in the each of the evaluation categories, and therefore in total points. A spread sheet is attached which provides all scores for each application. A summary book has also been provided to you, and staff can provide full applications if requested. Please refer to the spreadsheet and Summary Book for more information.

As always, the Committee will continue to look for ways to improve the efficiency, effectiveness and transparency of the program. We welcome comments, suggestions, and feedback both from the Council and the public.

We thank you for your commitment to this program and your patience through its transition. We hope you are satisfied with the results.

We are especially grateful for our appointments to the Annual Allocation Committee, providing us with the opportunity to participate in this program, and offer our recommendations for your consideration. We look forward to seeing you on March 10 and 17 and hearing your response.

Sincerely,

The CDBG Annual Allocation Committee for Program Year 2013-2014
Funding Year 2014-2015

Karma Crawford, Chair
Jeremy Gabrielson, Vice Chair
Maxwell Chikuta
Wendy Harmon
Rhonda Juneau
Jeff Schwartz
Victoria Szatkowski
Jackie Wiegleb

Attachments: CDBG Allocation Committee Funding Recommendations 2014-2015 (spreadsheet)

CDBG Applicants, Requests, and Funding Recommendations
Program Year 2014-2015

Committee Letter A1

SUMMARY OF APPLICANTS 2014-2015

	Cat.	PII	Applicant	Program/Project	Request	Priority Impact / Goal 20 pts	Guiding Principles 35 pts	Partner/ Collab 15 pts	Capacity to Deliver 30 pts	Focus Area Bonus 3 pts	Penalty	Total	Committee Recomm Funding	City Manager's Recomm	Council Allocation
1	AP	ALL	COP Planning & Urban Dev Dept	CDBG Administration and Planning	$393,910								$393,910		
				Total Administration Request	**$393,910**										
												Total Administration Total	**$393,910**	**$0**	
						20 pts	35 pts	15 pts	30 pts						
21	DA	WS	Living with Peace	Portland Micros	$15,000	17.25	31.64	14.13	26.88	0.00	0.00	89.90	$15,000		
20	DA	WS	Learning Works	Renovation of Historic Property at 181 Brackett St.	$70,700	16.63	30.63	14.25	27.43	0.00	0.00	88.94	$70,700		
22	DA	WS	Portland Food Co-Op	Portland Food Co-Op Grocery Store	$60,000	16.85	31.01	14.57	26.22	0.00	0.00	88.65	$60,000		
3	DA	BN	Preble Street	HCH Clinic Floor Replacement & Preble Street Resource Center Rehab	$173,060	17.39	30.96	13.13	23.25	3.00	0.25	87.48	$173,060		
10	DA	MA	COP Public Services	North Boyd Street Multiuse Trail Phase II	$110,000	16.89	30.89	11.25	26.95	0.00	0.00	85.98	$110,000		
13	DA	MA	COP Public Services	St John/Valley Streetscape Phase III	$210,504	17.76	30.77	11.63	23.89	0.00	0.00	84.05	$183,073		
5	DA	BN/SN	Milestone, Inc.	Shelter Bathroom Renovation	$21,778	17.63	30.77	6.00	26.40	3.00	0.00	83.80			
11	DA	MA	COP Public Services	Oxford Street Crossing & Elm Street Sidewalk	$248,375	17.76	31.26	11.50	23.00	0.00	0.00	83.52			
4	DA	BN/SN	Milestone, Inc.	Air Quality Improvement	$9,656	16.37	29.77	6.56	26.95	3.00	0.25	82.40			
14	DA	MA	COP Public Services	West Commercial Street Trail, Beach St. to Harborview Park	$171,050	16.38	28.39	11.00	25.64	0.00	0.00	81.41			
8	DA	MA	COP Public Services	Libbytown-Park Avenue Pedestrian Accessibility	$238,325	17.26	29.01	11.50	22.89	0.00	0.00	80.66			
16	DA	SN	COP Public Services	Big Belly Solar Compactor Deployment	$50,000	16.88	30.02	7.25	26.42	0.00	0.00	80.57			
12	DA	MA	COP Public Services	Portland St. Streetscape, Forest to Brattle	$245,000	17.01	30.38	10.88	22.14	0.00	0.00	80.41			
19	DA	WS	Catherine Morrill Day Nursery	Frontage Restoration Project	$85,389	15.07	27.14	8.25	26.35	3.00	0.00	79.81			
7	DA	MA	COP Public Services	ADA Curb Ramps	$48,000	17.76	29.39	11.13	20.26	0.00	1.00	77.54			
9	DA	MA	COP Public Services	Monument Square ADA Accessibility Improvements	$64,000	17.26	29.76	11.25	20.02	0.00	1.00	77.29			
15	DA	SN	COP Public Services	Congress Street Lighting & Bike Climbing Lane	$210,000	15.13	26.39	11.38	22.51	0.00	2.00	73.41			
17	DA	SN	COP Public Services	CDBG Tree Planting	$15,000	15.00	28.51	7.38	22.14	0.00	1.00	72.03			
18	DA	SN	Committee to Restore the Abyssinian Meeting House	Abyssinian Meeting House	$250,000	13.32	24.89	8.75	22.38	0.00	0.00	69.34			
2	DA	BN	Park Medical Bldg Owner's Assn	Improvement of Entry and Windows	$43,200	13.00	26.19	8.63	19.89	3.00	2.00	68.71			
6	DA	HS	Machigonne Community Land Trust	Machigonne 1	$30,000	14.13	21.76	10.75	15.51	0.00	0.00	62.15			
				Total Development Request	**$2,369,037**										
				Total Development Available	**$596,833**							**Total Allocated Development**	**$596,833**	**$0**	**$0**

CDBG Applicants, Requests, and Funding Recommendations
Program Year 2014-2015

Committee Letter A1

SUMMARY OF APPLICANTS 2014-15

	Cat.	PII	Applicant	Program/Project	Request	Priority Impact / Goal 20 pts	Guiding Principles 35 pts	Partner/ Collab 15 pts	Capacity to Deliver 30 pts	Focus Area Bonus 3 pts	Penalty	Total	Committee Recomm Funding	City Manager's Recomm	Council Allocation
23	SET	SN	COP Police Dept	Community Policing	$150,000								$150,000		
				Total set-aside	**$150,000**										
						20 pts	35 pts	15 pts	30 pts						
30	SS	BN	Preble Street	Resource Center	$45,000	19.76	33.88	13.63	27.27	3.0	0.00	97.54	$45,000		
27	SS	BN	Preble Street	Food Programs	$50,000	19.00	32.45	14.38	27.30	3.0	0.00	96.13	$50,000		
26	SS	BN	Opportunity Alliance	Access to Basic Needs: Winter Heat & Summer Food	$62,400	18.38	32.00	13.75	28.38	3.0	0.00	95.51	$62,400		
29	SS	BN	Preble Street	Joe Kreisler Teen Center	$30,000	18.88	31.63	14.38	27.53	3.0	0.00	95.42	$30,000		
36	SS	WS	Catherine Morrill/Youth & Family Outreach	Childcare Assistance Program	$89,432	18.88	31.01	14.25	27.96	3.0	0.00	95.10	$89,432		
28	SS	BN	Preble Street	Florence House	$30,000	17.51	31.13	13.88	27.46	3.0	0.00	92.98	$30,000		
25	SS	BN	COP Social Services Division	After Hours Emergency Assistance Program	$34,000	18.75	32.38	11.38	27.13	3.0	0.25	92.39	$34,000		
34	SS	SN	COP Healthcare for the Homeless	Behavioral Health Program-Healthcare for the Homeless	$111,149	18.19	32.63	13.38	26.79	0.0	0.00	90.99	$46,129		
35	SS	SN	Wayside Food Programs	Direct Service Program	$25,000	18.01	33.19	11.50	28.13	0.0	0.00	90.83			
31	SS-M	BN/SN	Milestone, Inc.	HOME Team - 2 year application	$75,000	17.50	31.39	11.75	27.06	3.0	0.00	90.70			
33	SS	SN	Amistad	Amistad Peer Support & Recovery Center	$30,000	18.26	32.19	11.50	28.13	0.0	0.00	90.08			
24	SS	BN	Frannie Peabody Center	HIV Client Services	$40,000	16.25	28.76	13.13	26.88	3.0	0.00	88.02			
32	SS	HS	Southern ME Agency on Aging	Social Service Support for Elderly & Disabled	$20,116	17.14	30.01	13.50	26.82	0.0	0.25	87.22			
37	SS	WS	Community Financial Literacy	Financial Education for Refugees & Immigrants	$35,000	16.13	29.26	13.13	25.44	0.0	0.25	83.71			
				Total Social Service Request	**$827,097**							**Total Allocated Social Services**	**$536,961**	**$0**	**$0**
				Total Social Services Available	**$536,961**										
				Total Requests	**$3,590,044**										

CITY OF PORTLAND
MEMORANDUM

TO: Mark Rees, City Manager

FROM: Michael Murray, CDBG Appeals Officer

CC: Jennifer Thompson, Corporation Counsel
Mary Davis, Housing and Community Development Director
Amy Grommes Pulaski, HCD Program Manager

DATE: March 10, 2014

RE: CDBG Appeals

The rules of the CDBG appeals process are summarized and attached. The Hearing Officer is not authorized or allowed to substitute his or her judgment for that of any particular scorer. This year all eight of the Committee members were able to fully participate in the scoring process. The City's Community Development Staff is given the discretion to assess penalties for applications that are not typed, missing sections or required attachments, have sections that exceed the prescribed page limit, and other inconsistencies. Staff is also able to add bonus points as was described in the CDBG Application released on October 15, 2013 with guidelines approved by the City Council.

This appeals process is designed and intended to be objective, therefore I have focused on numerical errors in staff calculations or incorrectly awarded or deducted points other than what was allowable by the scoring schedule. Two appeals were submitted this year, one from Amistad, Inc. and one from Wayside Food Programs. I have outlined a brief summary of each appeal and my response. Both submitted timely appeals that were carefully reviewed by myself and Jennifer Thompson of Corporation Counsel.

Amistad filed an appeal based on the application of bonus points for Basic Needs programs. While the argument can be made that application materials could have been clearer, this appeal does not allege a factual error on the part of the Committee or staff, but on the applicant's failure to indicate their own eligibility for bonus points, an option that was available to all applicants. Moreover, if all bonus points were eliminated from the scoring process, Amistad would still not receive a grant award or higher award.

Therefore, I find that no error by the Committee or Community Development staff has been demonstrated in this appeal. Because this appeal would not result in a correction leading to a grant award or a higher award, no additional process is required and this decision ends the appellate process.

Wayside filed an appeal based on the application of bonus points for Basic Needs programs. While the argument can be made that application materials could have been clearer, this appeal does not allege a factual error on the part of the Committee or staff, but on the applicant's failure to indicate their own eligibility for bonus points, an option that was available to all applicants. Moreover, if all bonus points were eliminated from the scoring process, Wayside would still not receive a grant award or higher award.

Therefore, I find that no error by the Committee or Community Development staff has been demonstrated in this appeal. Because this appeal would not result in a correction leading to a grant award or a higher award, no additional process is required and this decision ends the appellate process.

As a result of the appeals process, no errors were found by the Community Development staff and therefore there are no changes to the funding recommendations by the CDBG Allocation Committee.

Community Development Block Grant
Appeal Process on Scoring 2014-2015

An applicant may appeal only the score that it receives. The appeal must be based on a factual error that was made and that, if corrected, would result in a grant award or a higher award. The appeal has to be filed in writing within 10 calendar days of the date upon which the Allocation Committee publishes the scores. The appeal shall be filed in the:

Office of the City Manager
Portland City Hall
389 Congress Street, Portland, ME

It shall identify the specific factual error or errors that are alleged and be accompanied by documentation that supports the allegation. After determining that if granted the appeal, the application would result in a grant award or a higher grant award, the City Manager or the Manager's designee shall hold a hearing within 5 days of the date upon which the appeals period ends and issue a written decision within 3 days after the hearing. The date of the hearing and the date by which the written decision must be issued may be extended by agreement between the appellant and the City.

If an appeal is granted, the decision shall state the additional points awarded to the applicant and be transmitted to the Allocation Committee to make the appropriate adjustments in the CDBG allocations that result from the scoring change.

The Allocation Committee shall not be required to meet to make any final adjustments to its allocation grant awards recommendations until all appeals have been decided.

2014 Dates

Friday February 14	Committee will publish scores and CDBG funding recommendations
Monday February 24	All appeals must be filed in writing to the City Manager's office
Thursday February 27	A hearing will be held to hear appeals
Monday March 3	City Manager must issue a written decision regarding appeals
Friday March 7	City Manager releases CDBG funding recommendations
Monday March 10	1st City Council Meeting to review CDBG Budget and Annual Action Plan
Monday March 24	2nd City Council Meeting to finalize CDBG Budget and Annual Plan

SUMMARY OF APPLICANTS 2014-2015

	Cat.	PII	Applicant	Program/Project	Request	Priority Impact / Goal 20 pts	Guiding Principles 35 pts	Partner/ Collab 15 pts	Capacity to Deliver 30 pts	Focus Area Bonus 3 pts	Penalty	Total	Committee Recomm Funding	Revised Focus Point	Updated Score W Revised Focus Points	City Manager's Recomm	Council Allocation
1	AP	ALL	COP Planning & Urban Dev Dept	CDBG Administration and Planning	$393,910								$393,910			$411,698	
				Total Administration Request	**$393,910**												
											Total Administration		**$393,910**			**$411,698**	
						20 pts	35 pts	15 pts	30 pts			**Total**				**DRAFT**	
2	DA	WS	Living with Peace	Portland Micros	$15,000	17.25	31.64	14.13	26.88	0.00	0.00	89.90	$15,000	0.00	89.90	$15,000	
3	DA	WS	Learning Works	Renovation of Historic Property at 181 Brackett St.	$70,700	16.63	30.63	14.25	27.43	0.00	0.00	88.94	$70,700	0.00	88.94	$70,700	
4	DA	WS	Portland Food Co-Op	Portland Food Co-Op Grocery Store	$60,000	16.85	31.01	14.57	26.22	0.00	0.00	88.65	$60,000	0.00	88.65	$60,000	
5	DA	BN	Preble Street	HCH Clinic Floor Replacement & Preble Street Resource Center Rehab	$173,060	17.39	30.96	13.13	23.25	3.00	0.25	87.48	$173,060	3.00	87.48	$64,493	
6	DA	MA	COP Public Services	North Boyd Street Multiuse Trail Phase II	$110,000	16.89	30.89	11.25	26.95	0.00	0.00	85.98	$110,000	0.00	85.98	$110,000	
7	DA	MA	COP Public Services	St John/Valley Streetscape Phase III	$210,504	17.76	30.77	11.63	23.89	0.00	0.00	84.05	$168,073	0.00	84.05	$210,504	
8	DA	BN/SN	Milestone, Inc.	Shelter Bathroom Renovation	$21,778	17.63	30.77	6.00	26.40	3.00	0.00	83.80		3.00	83.80	$21,778	
9	DA	MA	COP Public Services	Oxford Street Crossing & Elm Street Sidewalk	$248,375	17.76	31.26	11.50	23.00	0.00	0.00	83.52		0.00	83.52	$248,375	
10	DA	BN/SN	Milestone, Inc.	Air Quality Improvement	$9,656	16.37	29.77	6.56	26.95	3.00	0.25	82.40		3.00	82.40	$9,656	
11	DA	MA	COP Public Services	West Commercial Street Trail, Beach St. to Harborview Park	$171,050	16.38	28.39	11.00	25.64	0.00	0.00	81.41		0.00	81.41		
12	DA	MA	COP Public Services	Libbytown-Park Avenue Pedestrian Accessibility	$238,325	17.26	29.01	11.50	22.89	0.00	0.00	80.66		0.00	80.66		
13	DA	SN	COP Public Services	Big Belly Solar Compactor Deployment	$50,000	16.88	30.02	7.25	26.42	0.00	0.00	80.57		0.00	80.57	$61,327	
14	DA	MA	COP Public Services	Portland St. Streetscape, Forest to Brattle	$245,000	17.01	30.38	10.88	22.14	0.00	0.00	80.41		0.00	80.41		
15	DA	WS	Catherine Morrill Day Nursery	Frontage Restoration Project	$85,389	15.07	27.14	8.25	26.35	3.00	0.00	79.81		3.00	79.81		
16	DA	MA	COP Public Services	ADA Curb Ramps	$48,000	17.76	29.39	11.13	20.26	0.00	1.00	77.54		0.00	77.54		
17	DA	MA	COP Public Services	Monument Square ADA Accessibility Improvements	$64,000	17.26	29.76	11.25	20.02	0.00	1.00	77.29		0.00	77.29		
18	DA	SN	COP Public Services	Congress Street Lighting & Bike Climbing Lane	$210,000	15.13	26.39	11.38	22.51	0.00	2.00	73.41		0.00	73.41		
19	DA	SN	COP Public Services	CDBG Tree Planting	$15,000	15.00	28.51	7.38	22.14	0.00	1.00	72.03		0.00	72.03		
20	DA	SN	Committee to Restore the Abyssinian Meeting House	Abyssinian Meeting House	$250,000	13.32	24.89	8.75	22.38	0.00	0.00	69.34		0.00	69.34		
21	DA	BN	Park Medical Bldg Owner's Assn	Improvement of Entry and Windows	$43,200	13.00	26.19	8.63	19.89	3.00	2.00	68.71		0.00	65.71		
22	DA	HS	Machigonne Community Land Trust	Machigonne 1	$30,000	14.13	21.76	10.75	15.51	0.00	0.00	62.15		0.00	62.15		

Total Development Request	**$2,369,037**			
Total Development Available	**$596,833**	**Total Allocated Development**	**$596,833**	**$871,833**
Contingency	**$275,000**	**Amount to allocate**	**$0**	$0 $0
Total Dev + Contingency	**$871,833**			

SUMMARY OF APPLICANTS 2014-2015

	Cat.	PII	Applicant	Program/Project	Request	Priority Impact / Goal 20 pts	Guiding Principles 35 pts	Partner/ Collab 15 pts	Capacity to Deliver 30 pts	Focus Area Bonus 3 pts	Penalty	Total	Committee Recomm Funding	Revised Focus Point	Updated Score W Revised Focus Points	City Manager's Recomm DRAFT	Council Allocation
23	SET	SN	COP Police Dept	Community Policing	$150,000								$150,000			$150,000	
				Total set-aside	**$150,000**												
						20 pts	35 pts	15 pts	30 pts							DRAFT	
30	SS	BN	Preble Street	Resource Center	$45,000	19.76	33.88	13.63	27.27	3.0	0.00	97.54	$45,000	3.0	97.54	$45,000	
27	SS	BN	Preble Street	Food Programs	$50,000	19.00	32.45	14.38	27.30	3.0	0.00	96.13	$50,000	3.0	96.13	$50,000	
26	SS	BN	Opportunity Alliance	Access to Basic Needs: Winter Heat & Summer Food	$62,400	18.38	32.00	13.75	28.38	3.0	0.00	95.51	$62,400	3.0	95.51	$62,400	
29	SS	BN	Preble Street	Joe Kreisler Teen Center	$30,000	18.88	31.63	14.38	27.53	3.0	0.00	95.42	$30,000	3.0	95.42	$30,000	
36	SS	WS	Catherine Morrill/Youth & Family Outreach	Childcare Assistance Program	$89,432	18.88	31.01	14.25	27.96	3.0	0.00	95.10	$89,432	3.0	95.10	$89,432	
34	SS	SN	COP Healthcare for the Homeless	Behavioral Health Program-Healthcare for the Homeless	$111,149	18.19	32.63	13.38	26.79	0.0	0.00	90.99	$46,129	3.0	93.99	$55,129	
35	SS	SN	Wayside Food Programs	Direct Service Program	$25,000	18.01	33.19	11.50	28.13	0.0	0.00	90.83		3.0	93.83	$25,000	
33	SS	SN	Amistad	Amistad Peer Support & Recovery Center	$30,000	18.26	32.19	11.50	28.13	0.0	0.00	90.08		3.0	93.08	$30,000	
28	SS	BN	Preble Street	Florence House	$30,000	17.51	31.13	13.88	27.46	3.0	0.00	92.98	$30,000	3.0	92.98		
25	SS	BN	COP Social Services Division	After Hours Emergency Assistance Program	$34,000	18.75	32.38	11.38	27.13	3.0	0.25	92.39	$34,000	3.0	92.39		
31	SS-M	BN/SN	Milestone, Inc.	HOME Team - 2 year application	$75,000	17.50	31.39	11.75	27.06	3.0	0.00	90.70		3.0	90.70		
24	SS	BN	Frannie Peabody Center	HIV Client Services	$40,000	16.25	28.76	13.13	26.88	3.0	0.00	88.02		3.0	88.02		
32	SS	HS	Southern ME Agency on Aging	Social Service Support for Elderly & Disabled	$20,116	17.14	30.01	13.50	26.82	0.0	0.25	87.22		0.0	87.22		
37	SS	WS	Community Financial Literacy	Financial Education for Refugees & Immigrants	$35,000	16.13	29.26	13.13	25.44	0.0	0.25	83.71		0.0	83.71		
				Total Social Service Request	**$827,097**								**Total Allocated Social Services**			**$536,961**	**$0**
				Total Social Services Available	**$536,961**								$0			$0	
				Total Requests	**$3,590,044**												

Memorandum

Planning and Urban Development Department
Housing and Community Development Program

To: **Mark Rees**

Cc: Jeff Levine, Planning and Urban Development Director
Mary Davis, Housing and Community Development Director

From: **Amy Grommes Pulaski, HCD Program Manager**

Date: **March 14, 2014**

Re: **Employment Development Review Committee Recommendations**

Applications for the Employment Development Program were due on February 12, 2014. There were two applications, both submitted by Coastal Enterprises Inc (CEI). There was one application requesting $340,000 for Job Creation and $60,000 for Microenterprise Assistance.

Staff from the Housing and Community Development Division and the Economic Development Department met on February 18 to conduct and initial review of each proposal to determine whether they met the intent of the Employment Development Program and eligibility for the CDBG Program. During discussion staff had a number of follow up questions which were sent to the applicants.

The Employment Development Review Committee received the applications on February 18 and met on February 25 to review and discuss the applications. *A list of the members of the Employment Development Review Committee is attached.*

At the meeting staff provided a brief introduction and the list of questions and answers generated by staff and answered by the applicants. The Review Committee had a robust discussion regarding both the Job Creation and Microenterprise Applications. A number of additional questions were generated and requested of the applicant.

Once all questions were answered, members of the Employment Development Review Committee scored each application and made recommendations for funding. The Criteria utilized in the scoring is outlined below:

Selection Criteria	Maximum Score
Creativity of the proposed Project to meet goals of the Employment Development Program and have a positive impact on the community	20
Efficient utilization of resources for the proposed Project	20
Feasibility of the Lead Agency and partners (Project Team) to meet all City and HUD reporting requirements including schedule	30
Relevant experience working with target populations, executing similar programs, collecting data, and working with business and agency partners	30

RECOMMENDATIONS

- **CEI Job Creation Application scored an average of 78.17 points and is being recommended for $340,000**
- **CEI Microenterprise Application scored an average of 79.00 points and is being recommended for $60,000**

To see the scores and individual funding recommendations for each Review Committee member, *please see the spread sheet attached.*

This recommendation will accompany all of the CDBG recommendations that Council will review and approve to become part of the Annual Action Plan.

Employment Development Program Review Committee 2014

Maxwell Chikuta
CDBG Allocation Committee Volunteer

Dan Coyne
Senior Vice President, Community Impact
United Way of Greater Portland

Sheila Hill-Christian
Deputy City Manager
City of Portland, Maine

Jack Lufkin
V.P. Regional Senior Bank Officer
Gorham Saving Bank

Mike Roland
Manager
Portland Career Center

Nicole Witherbee, PhD
Chief Program Officer
The John T. Gorman Foundation

Staff

Amy Grommes Pulaski
HCD Program Manager

Mary Davis
Director Housing and Community Dev

Maeve Pistrang
HCD Assistant

CDBG Employment Development Program Score Card

CEI Job Creation Application									$340,000.00
Selection Criteria	***MAX***	***Scorer 1***	***Scorer 2***	***Scorer 3***	***Scorer 4***	***Scorer 5***	***Scorer 6***	***Total***	***Average***
Creativity of the proposed Project to meet goals of the Employment Development Program and have a positive impact on the community	*20*	**5**	**20**	**17**	**20**	**15**	**10**	**87**	**14.50**
Efficient utilization of resources for the proposed Project	*20*	**15**	**12**	**17**	**20**	**15**	**10**	**89**	**14.83**
Feasibility of the Lead Agency and partners (Project Team) to meet all City and HUD reporting requirements including schedule	*30*	**15**	**25**	**28**	**25**	**20**	**25**	**138**	**23.00**
Relevant experience working with target populations, executing similar programs, collecting data, and working with business and agency partners	*30*	**25**	**30**	**25**	**25**	**25**	**25**	**155**	**25.83**
TOTAL	100	60	87	87	90	75	70	**469**	**78.17**

Recommended Funding Amount		$340,000	$360,000	$340,000	$340,000	$340,000	$340,000	**$2,060,000**	$343,333

CEI Microenterprise Application									$60,000.00
Selection Criteria	***MAX***	***Scorer 1***	***Scorer 2***	***Scorer 3***	***Scorer 4***	***Scorer 5***	***Scorer 6***	***Total***	***Average***
Creativity of the proposed Project to meet goals of the Employment Development Program and have a positive impact on the community	*20*	**5**	**5**	**13**	**20**	**15**	**15**	**73**	**12.17**
Efficient utilization of resources for the proposed Project	*20*	**15**	**10**	**10**	**20**	**15**	**10**	**80**	**13.33**
Feasibility of the Lead Agency and partners (Project Team) to meet all City and HUD reporting requirements including schedule	*30*	**25**	**30**	**28**	**20**	**20**	**25**	**148**	**24.67**
Relevant experience working with target populations, executing similar programs, collecting data, and working with business and agency partners	*30*	**30**	**30**	**28**	**30**	**25**	**30**	**173**	**28.83**
TOTAL	100	75	75	79	90	75	80	**474**	**79.00**

Recommended Funding Amount		$60,000	$40,000	$60,000	$60,000	$60,000	$60,000	**$340,000**	$56,667

MEMORANDUM
City Council Agenda Item

TO: City Council

FROM: Planning and Urban Development Department
Housing and Community Development Division

DATE: March 12, 2014

DISTRIBUTION: (City Manager, Mayor, Corporation Counsel, Sonia Bean, Nancy English)

SUBJECT: **Resolution Adopting the FY 2015 Consolidated Housing and Community Development Annual Action Plan**

SPONSOR: **City Manager**

COUNCIL MEETING DATE ACTION IS REQUESTED:
1st reading March 17 Final Action April 7

Can action be taken at a later date: _____ Yes __X__ No (If no why not?)

The Division is required to submit a Consolidated Annual Action Plan to HUD prior to May 15. Staff requests approval of this budget now so that we may have adequate time to prepare the written report and provide the required public comment period.

PRESENTATION: Mary Davis will be available for comments and questions

I. SUMMARY OF ISSUE (Agenda Description)

Council approval of the 2014-2015 Housing Program Budget is required. The budget was submitted to the Housing and Community Committee for recommendation at their February 26th meeting. The HCDC voted 3-0 to forward this item to the City Council with a recommendation for passage.

II. REASON FOR SUBMISSION (Summary of Issue/Background)

Council approval of the Housing Program Budget is required.

III. INTENDED RESULT

HOME Program: The Home Investments Partnerships Program (HOME) was established by Congress in 1992. Since 1992, the City of Portland and the Cumberland County HOME Consortium have received over $16.3 million dollars in HOME funding. In 2009 the City became the lead entity in the Cumberland County HOME Consortium. The Consortium is a

partnership of the communities in Cumberland County that administers HOME Program funds in Cumberland County. The creation of the consortium expanded the financial resources for affordable housing activities in the region. The City retains independent operation of its HOME program. Because the City serves as the "Lead Entity" and City staff administers the County portion of the funding, all administrative funds are retained by the City. The County's Municipal Oversight Committee controls the allocation of County's portion of the HOME funds.

The budget proposal assumes level HOME funding. Based on an OMB Report to Congress, the National Community Development Association is estimating that the HOME program will see a slight increase in funding (nationwide an increase from $998 million to $1 billion). However, HUD has not provided any final funding allocations. When a final allocation is received, staff is recommending a proportional distribution of funds based on the appropriations in the budget presented here.

The budget proposal was developed after a historical review of HOME funding allocations, previous year's budget allocations, program expenditures and program income (loan repayments) received.

Currently, the City's HOME Program is divided into three funding categories:

1. Housing Rehabilitation
2. Tenant Based Rental Assistance
3. Affordable Housing Development [including the required Community Housing Development Organization (CHDO) set-aside mandated by HUD]

CDBG/Housing Development Fund: Housing and Community Development Division did not request funding from the FY 14/15 CDBG process. Staff and housing program costs normally funded through CDBG, are being funded through the Housing Development Fund (HDF). HDF is the program income account funded by CDBG housing loan repayments.

IV. COUNCIL GOAL ADDRESSED

Provide increased availability in all segments of the housing market while insuring that there is a suitable balance of housing opportunities among those sectors.

Prevent and end homelessness in the City of Portland by continuing to implement the recommendations of the homelessness task force.

Create a collaborative process for the on-going establishment of pro-active priorities at the regional, state and federal levels that advance the interests of the city.

V. FINANCIAL IMPACT

This budget is based on the CDBG and HOME Program Allocations from the U.S. Department of Housing and Urban Development and the HDF Program Income Account.

VI. STAFF ANALYSIS

Staff recommends the funding levels presented here. These budget lines can be adjusted as necessary throughout the year with appropriate analysis and public notice as required by our Consolidated Annual Action Plan. This budget is presented to the City Council for two Public Hearings on March 17th and April 7th as part of the overall HCD budget. The final budget allocations and Annual Action Plan are submitted to HUD on May 15 for the fiscal year beginning July 1, 2014.

VII. RECOMMENDATION

Staff recommends approval of the attached 2014-2015 Housing Program Budget with authority to make a proportional distribution of funds when a final allocation amount is received from HUD. The proportional distribution will be based on the appropriations in the budget presented here.

VIII. LIST ATTACHMENTS

2014-2015 Housing Program Budget

Prepared by:

Mary Davis — 3-12-14

Signature — Date

Mary Davis, Division Director
Housing and Community Development

2014-2015 HOME Consortium Allocation ***HUD HOME Allocation =*** **$ 866,153.00**

ESTIMATE AS OF 02.04.2014

Total Entitlement Allocation	866,153
Portland Portion	515,239
County Portion	350,914

REVENUES- Housing Programs	*HOME Portland*	*CDBG Allocation*	*HDF Allocation*	***TOTAL BUDGET***
2014-15 HOME Consortium Admin (10% of allocation)	86,615			*86,615*
2014-15 HOME Consortium Programming	428,623			*428,623*
2013-14 HOME Program Income	200,000			*200,000*
Re-Allocated HOME Funds (funding from previous years)				*0*
2014-15 CDBG Administration				*0*
2014-15 CDBG Programming				*0*
2013-14 HDF Program Income			213,335	*213,335*
	715,239	0	213,335	***928,574***

EXPENDITURES= Housing Programs	*HOME Portland*	*CDBG Allocation*	*HDF Allocation*	***TOTAL BUDGET***
Administration				*149,771*
HOME Admin Allocation (2014-15)	86,615			
HDF/CDBG Housing Staff (2014-15)			63,156	
Programming				*778,802*
HOME Consortium (2014-15)	428,623			
HOME Program Income (2013-14)	200,000			
Re-Allocated HOME Funds				
CDBG Programming (2014-15)				
HDF Program Income (2013-14)			150,179	
TOTAL BUDGET	715,239	0	213,335	***928,574***

2014-15 HOUSING PROGRAMS PORTLAND

2014-15 HOUSING Budget by Activity	*HOME Portland*	*CDBG Allocation*	*HDF Allocation*	***TOTAL BUDGET***
Administration (10% allocation + 10% PI) PL1501	106,615		63,156	*169,771*
Housing Rehabilitation (10 Projects @ $15,000/project) QM1500	100,000		150,179	*250,179*
Homeownership Assistance QJ1500	0			*0*
Tenant-Based Rental Assistance QT1501	130,000			*130,000*
Affordable Housing Development QK1500	307,186			*307,186*
CHDO QL1500	71,437			*71,437*
	715,239		213,335	***928,574***

2014-15 HOME Consortium COUNTY

County HOME Program budget provided for reference only; allocation of County funds is done by the County's Municipal Oversight Committee

REVENUES- Housing Programs	*HOME Consortium*
2014-15 HOME Consortium Non-Portland Programming	350,914
2013-14 HOME County Program Income	10,000
	360,914

2014-15 HOUSING Budget by Activity	*HOME County*
Housing Rehabilitation (13 projects @ $15,000/project) QP1500	212,428
Home Ownership (3 projects @ $30,000/project) QQ1500	90,000
Affordable Housing Development	0
CHDO QR1500	58,486
	360,914

Emergency Solutions Grant BUDGET 2014-2015

Emergency Solutions Grant Expenditures	**Final 2012-2013**	**Final 2013-2014**	**Budget 2014-2015**
Homeless Healthcare Indigent Care: Essential Services	*$37,582*	$28,993	$33,713
Subtotal Homeless Healthcare	*$37,582*	*$28,993*	*$33,713*
Family Shelter: Essential Services	*$28,327*	$21,853	$25,410
Family Shelter: Homeless Prev (Rental Asst)			
Family Shelter: Homeless Prev (Housing Reloc & Stab -Financial)			
Family Shelter: Homeless Prev (Housing Reloc & Stab -Services)	*$28,326*	$21,853	$25,410
Family Shelter: Rapid Rehousing (Rental Asst)			
Family Shelter: Rapid Rehousing (Housing Rel & Stab -Financial)			
Family Shelter: Rapid Rehousing (Housing Rel & Stab -Services)			
Subtotal Family Shelter	*$56,653*	*$43,706*	*$50,820*
Oxford St Shelter: Essential Services			
Oxford St Shelter: Homeless Prev(Rental Asst)			
Oxford St Shelter: Homeless Prev (Housing Reloc & Stab -Financial)			
Oxford St Shelter: Homeless Prev (Housing Reloc & Stab -Services)	*$61,208*	$44,860	$52,163
Oxford St Shelter: Rapid Rehousing (Rental Asst)			
Oxford St Shelter: Rapid Rehousing (Housing Rel & Stab -Financial)			
Oxford St Shelter: Rapid Rehousing (Housing Rel & Stab -Services)			
Subtotal Oxford Street Shelter	*$61,208*	*$44,860*	*$52,163*
Administration and HMIS	*$12,603*	$5,600	$6,512
TOTAL EXPENDITURES	*$168,046*	*$123,159*	*$143,208*

Emergency Solutions Grant MATCH	**Match 2012-2013**	**Match 2013-2014**	**Match 2014-2015**
Homeless HC Other Non-ESG HUD Funds			
Homeless HC Other Federal Funds			$587,974
Homeless HC State Gov Funds			
Homeless HC Local Gov Funds			
Homeless HC Private Funds			
Other			
Subtotal Homeless HC MATCH	$0	$0	$587,974
Family Shelter Other Non-ESG HUD Funds			
Family Shelter Other Federal Funds			
Family Shelter State Gov Funds			
Family Shelter Local Gov Funds	$56,653	$43,706	$50,820
Family Shelter Private Funds			
Family Shelter Program Income			
Other			
Subtotal Family Shelter MATCH	$56,653	$43,706	$50,820
Oxford St Shelter Other Non-ESG HUD Funds			
Oxford St Shelter Other Federal Funds			
Oxford St Shelter State Gov Funds			
Oxford St Shelter Local Gov Funds	$61,208	$44,860	$52,163
Oxford St Shelter Private Funds			
Oxford St Shelter Program Income			
Other			
Subtotal Oxford St MATCH	$61,208	$44,860	$52,163
Administration MATCH	$12,603	$5,600	$6,512
TOTAL MATCH	$130,464	$94,166	$697,469

Est. Total= $143,208

Mary Davis
Division Director, Housing & Community Development Division

AGENDA ITEM #8

TO: **Councilor Donoghue, Chair**
Members of the Housing and Community Development Committee

FROM: **Mary Davis, Housing & Community Development Division Director**
Jeff Levine, Planning & Urban Development Director
Greg Mitchell, Economic Development Director

DATE: **March 21, 2014**

SUBJECT: **2014 HCDC Calendar**

Attached is a standing communication on your agenda, the updated Committee Calendar.

DRAFT 2014 Housing & Community Development Committee meeting Calendar

Meetings: 2nd & 4th Wednesday of each month

As of March 21, 2014

January

Jan. 8 Meeting:

2014 Draft HCDC Work Plan for preliminary discussion subject to change after January 13 City Council goal setting workshop.

For Review and Recommendation to Council - Pearl Place TIF district amendments

Wilmot Street – Possible Reacquiring – Executive Session

Tenant Based Rental Assistance Program update

Housing First Pre-Development RFP – Review Draft

Communication: Update on CDBG Workforce Development Program

Jan. 22 Meeting:

Presentation on proposed amendments to parking requirements and the Sustainable Transportation Fund for possible action

Economic Development Vision and Plan – Work Plan Update for 2014-2015

February

February 12, 2014 Meeting:

Possible City lease/acquisition of property for City Department Consolidation/Forward to Council – Public and Executive Session

Start Downtown TOD/TIF Discussion

Update on Housing Plan and Consultant Services RFP/Communication Item

February 26 Meeting:

Housing Program Budget Recommendation to Council

Review City sites for residential development or sale including former Adams School property

Nova Scotia Ferry Service Operator Lease – Executive Session

March

March 12 Meeting:

Continue Downtown TOD/TIF District Discussion

Nova Scotia Ferry Service Operator Lease/Possible Recommendation to City Council

Review & Recommendation: Updated Citizen Participation Plan

Review & Recommendation: 3 year renewal of Cumberland County HOME Consortium, 2015-18

March 26 Meeting:

Presentation on proposed amendments to the B2 zones for possible action

Review and possible approval of Affordable Housing RFP

Creative Portland PACE Project in Bayside for Review/Direction and executive session for possible City-owned Bayside property disposition discussion.

Spring Street Garage Space Leases (Pirates and Adjacent Vacant Space)

Communication: Update on the discussion of city sites for residential development

Communication: CDBG funding recommendations from Committee & City Manager; Annual Action Plan

DRAFT

April

April 9 Meeting:

April 23 Meeting:

Downtown TIF District – Continue Discussion
Review and approval of Annual Housing RFP
Presentation on proposed amendments to R-6/R-7 zones for feedback
Tugboat Lease Renewal at Portland Ocean Terminal
Communication: Annual Action Plan, due to HUD May 15
Somerset Street Grade Adjustment Project – Tentative Executive Session
Donation of Property to City on Rowe Avenue
Tentative: executive session/public session for guidance and approval to move forward with disposition process for a tax-acquired property.

May

Start discussion related to Riverside Street area wide needed public infrastructure status and improvements.

June

For Review and Comment/ Recommendation to Council if necessary: Recommendations for improvement to CDBG process.
Housing Liaison Program Update
Presentation on proposed amendments to R-6/R-7 zones for possible action

July

August

Housing Development RFP – review of proposals received
For Review and Comment: Consolidated Annual Performance Evaluation Report (CAPER) due to HUD September 30.

September

October

Communication: CDBG Application is available/Process Update.

November

Annual City wide TIF District Activity Report/review and recommendation to City Council
HCDC Annual Accomplishment Report/review and recommendation to City Council

December

DRAFT