

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

APRIL 22, 2019 CITY COUNCIL AGENDA

The Portland City Council will hold a Special City Council meeting at 5:30 p.m. in City Council Chambers. The Honorable Ethan K. Strimling, Mayor, will preside.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

PRESENTATIONS:

Arts in the Chamber - Patricia Daunis-Dunning, Daunis Fine Jewelry

RECOGNITIONS:

SPECIAL MEETING:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the April 8, 2019 Draft City Council Minutes.

PROCLAMATIONS:

Proclamation 26 -18/19 Recognizing the Week of the Young Child and Starting Strong Day- Sponsored by Mayor Ethan K. Strimling.

Proclamation 27 -18/19 Supporting Gun Give Back Day- Sponsored by Mayor Ethan K. Strimling.

Proclamation 28-18/19 Honoring Michael J. Tarpinian -Sponsored Mayor Ethan K. Strimling.

Proclamation 29-18/19 Honoring Ruthann Weist, Police Department, as Employee of the Month for January 2019 - Sponsored by Mayor Ethan K. Strimling.

Proc 30-18/19 Honoring Kevin Deneault, Public Works Department, for February 2019 - Sponsored by Mayor Ethan K. Strimling, Mayor.

APPOINTMENTS:

CONSENT ITEMS:

Order 216-18/19 Declaring June 7, 8, and 9, 2019 the Summer Kickoff Weekend Festival – Sponsored by Jon P. Jennings, City Manager

This order declares June 7, 8, and 9, 2019 the Summer Kickoff Weekend Festival.

Additional details about the event are included in the agenda backup.
Five affirmative votes are required for passage of the Consent Calendar.

LICENSES:

Order 217-18/19 Approving Municipal's Officers Approval of Cocktail Mary LLC dba Cocktail Mary. Application for a Class A Lounge at 229 Congress Street - Sponsored by Jon P. Jennings, City Manager.

Cocktail Mary LLC dba Cocktail Mary. Application for a Class A Lounge at 229 Congress Street.

Application was filed on 4/1/2019. New City and State Applications. Location was previously Ramen Suzikaya.

Five affirmative votes are required for passage after public comment.

Order 218-18/19 Approving Municipal Officers' Approval of Grippy Tannins LLC dba Grippy Tannins LLC. Application for a Class III FSE at 16 Middle Street - Sponsored by Jon P. Jennings City Manager.

Grippy Tannins LLC dba Grippy Tannins LLC. Application for a Class III FSE at 16 Middle Street.

Application was filed on 4/1/2019. New City and State Applications. This is a new building.

Five affirmative votes are required for passage after public comment.

Order 219-18/19 Approving Municipal Officers' Approval of Portland Hotels Inn Inc. dba Hampton Inn & Suites. Application for a Class I-A Hotel 41+ Rooms at 1210 Brighton Avenue - Sponsored by Jon P. Jennings, City Manager.

Portland Hotels Inn Inc. dba Hampton Inn & Suites. Application for a Class I-A Hotel 41+ Rooms at 1210 Brighton Avenue.

Application was filed on 4/1/2019. New City and State Applications. Location was previously the Travelodge.

Five affirmative votes are required for passage after public comment.

BUDGET ITEMS:

Order 220-18/19 Receiving and Referring to the Finance Committee the Portland Board of Education's Fiscal Year 2020 Recommended Budget and Setting a Public Hearing Thereon - Sponsored by Jon P. Jennings, City Manager

Under this order the City Council receives the Portland Board of Public Education's proposed Fiscal Year 2020 budget and refers it to the Finance Committee for review and recommendations.

The first reading and public hearing of the Fiscal Year 2020 school budget will be held on Monday, May 6, 2019, at 5:30 p.m. at City Hall in City Council Chambers.

The second reading and City Council action on the school budget will take place Monday, May 20, 2019, at 5:30 p.m. at City Hall in City Council Chambers.

Five affirmative votes are required for passage after public comment.

COMMUNICATIONS

RESOLUTIONS:

Resolution 11-18/19 Adopting the Fiscal Year 2020 Annual Action Plan including appropriations for Community Development Block Grant Program, HOME Program, and Emergency Solutions Grant Program and certifications pertaining thereto -- Sponsored by Jon P. Jennings, City Manager

This Resolution adopts the fiscal year 2020 annual action plan and appropriates funds the identified programs. **HUD announced final funding amounts for CDBG, HOME and ESG on April 12. The amounts noted below have been updated to reflect the final numbers.**

The 2019/2020 Housing and Community Development Program will report in the Annual Action Plan to HUD a total estimated budget of \$5,003,415 funded by a Community Development Block Grant allocation of \$1,893,566 plus \$120,000 in TIF funding and \$20,000 in Cotton Street proceeds, along with \$102,242 in CDBG Housing Program Income; a HOME Consortium Program Grant allocation of \$1,020,693; HOME Program Income of \$74,887; HOME Program Recapture Funds of \$74,093; Lead Safe Housing Program Income of \$268,741; local Housing Trust Funds of \$1,268,320; and an Emergency Solutions Grant (ESG) Allocation of \$160,873.

The CDBG Annual Allocation Committee, appointed by the City Council, reviewed each application and made funding recommendations. They are given an opportunity to make a presentation to the Council, and citizens may comment on the City's plan for the use of CDBG, HOME and ESG funds. The City Manager also reviewed the Committee's recommendations and has submitted his own funding recommendations to the City Council.

As required by the City's citizen participation process, two public hearings are held each spring to consider the City's Housing and Community Development Program proposal for the ensuing year. The public hearings allow an opportunity for citizens to comment on the City's Consolidated Annual Action Plan.

This item must be read on two separate days, and two public hearings must be held in order to comply with local and federal regulations. The first reading and public hearing on this item was held on March 18, 2019. This is its second reading and public hearing. Five affirmative votes are required for passage after public comment.

UNFINISHED BUSINESS:

Order 162-18/19 Amendment to the Portland City Code Chapter 14 Re: Drive-throughs in the B-2, B-2b and B-2c Community Business Zones - Sponsored by the Planning Board, Sean Dundon, Chair

The Planning Board unanimously recommends adoption of text amendments to the B-2, B-2b and B2c zones to allow bank and pharmacy drive-throughs in all B-2 zones, but only when they are in developments that include upper story housing. Currently, drive-throughs associated with permitted uses are allowed in B-2 and B-2c as a conditional use, but no drive-throughs are allowed in the B-2b zone. This proposed amendment would allow drive-throughs in all of these zones, but only in multiple story buildings with housing above. Specifically, the proposed text amendments revise the B-2 Table of Uses to limit drive-throughs to those associated with a pharmacy or banking facility in the three B-2 zones as a conditional use. A proposed footnote in the Use Table clarifies that drive-throughs are not permitted for restaurant, bakery or other food or beverage service uses. The conditional use standards for drive-throughs are revised to only permit a drive-through (associated with a bank or pharmacy) in a building of 3 or more stories where a majority of the upper stories is devoted to 3 or more dwelling units. Screening, location of drive-throughs, and stacking capacity for safe pedestrian and vehicle circulation on and off site are included in the location standard and the other existing 5 standards are retained.

This item must be read on two separate days. It received its first reading on February 20, 2019. On March 4, 2018, it was postponed to the April 22, 2019 City Council Meeting. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 221-18/19 Accepting Two Pedestrian Easements and a Quitclaim Deed Relating to the Whole Foods Building at Franklin and Somerset Streets - Sponsored by Jon P. Jennings, City Manager.

This order accepts a deed from GBD Properties, Inc. to the City of Portland for a parcel of land along Somerset and Fox Streets and acceptance of pedestrian easements for the sidewalk along Pearl Street.

Five affirmative votes are required for passage after public comment.

Order 222-18/19 Appropriating \$45,000 from the Community Support Fund for General Assistance - Sponsored by the Finance Committee, Nick Mavodones, Chair

On April 4, 2019 the Finance Committee voted unanimously (3-0) to recommend this appropriation for approval by the full City Council.

During 2015 the City Council established the Portland Community Support Fund (“the PCSF”). Beginning July 1, 2015, asylum seekers who had received General Assistance from Portland as of June 30, 2015 were entitled to receive assistance from the PCSF. In the current year (FY19) the program budget of \$200,000 has been overexpended and the City Manager and Finance Committee have both recommended utilizing \$45,000 in donations to the PCSF to cover rental payments for those currently enrolled in the program, which this order authorizes.

Staff recommends waiving the second reading and passing as an Emergency, in order to be effective immediately and provide support for rental payments. Seven votes are required to waive the second reading, and seven votes are also required for passage as an emergency, following public comment.

AMENDMENTS:

6:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

MINUTES ARE DRAFT UNTIL APPROVED BY THE CITY COUNCIL AT THE FOLLOWING MEETING.

EXECUTIVE SESSION 5:00 P.M.

Motion was made by Councilor Batson and seconded by Councilor Ray to move into Executive Session pursuant to 1 M.R.S. section 405 (6)(D) to discuss the bargaining guidance for Portland Firefighters Local 740. Passage 6-0 (Councilor Ali, Councilor Costa and Councilor Cook absent).

Motion was made by Councilor Mavodones and seconded by Councilor Duson to move out of Executive Session. Passage 6-0 (Councilor Ali, Councilor Costa and Councilor Cook absent), at 5:17P.M.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Mayor Strimling called the meeting to order at 5:30 P.M. (Councilor Ali absent, Councilor Costa arrived during Proclamation 24).

ANNOUNCEMENTS:

RECOGNITIONS:

PRESENTATIONS:

ANNUAL MEETING:

SPECIAL MEETING:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the March 18, 2019 Draft City Council Meeting Minutes

Motion was made by Councilor Batson and seconded by Councilor Ray for approval of the March 18, 2019 City Council minutes. Passage 7-0.

PROCLAMATIONS:

Proclamation 24-18/19 Honoring Mr. Steve Luttrell and Cafe Review 30th Anniversary - Sponsored by Mayor Ethan K. Strimling

Proclamation 25-18/19 Recognizing the Week of April 22nd - 26th as Community Development Week - Sponsored by Mayor Ethan K. Strimling

APPOINTMENTS:

Order 194-18/19 Appointing Councilor Kim Cook to the Early Childhood Revenue Task Force - Sponsored by Mayor Ethan K. Strimling

Motion was made by Councilor Ray and seconded by Councilor Thiobdeau for passage.
Passage 8-0.

CONSENT ITEMS:

Order 195-18/19 Approving Transfer of Funds Under 15 M.R.S. §§5824(3) and 5826(6) Re: Hamza Sharifshoble– Sponsored by Jon P. Jennings, City Manager

Order 196-18/19 Approving Transfer of Funds Under 15 M.R.S. §§5824(3) and 5826(6) Re: Ronald Matthew Francis – Sponsored by Jon P. Jennings, City Manager

Order 197-18/19 Declaring August 9, 10 and 11, 2019 the 94th Annual St. Peters Bazaar and Italian Street Festival – Sponsored by Jon P. Jennings, City Manager

Order 198-18/19 Declaring August 24, 2019 the Portland Fine Craft Show Festival – Sponsored by Jon P. Jennings, City Manager

Order 199-18/19 Declaring May 1 to October 31, 2019 the In the Square Festival – Sponsored by Jon P. Jennings, City Manager

Order 200-18/19 Declaring June 23 and 30, and August 6 and 13, 2019 the Friends of Lincoln Park LoveLincolnPark Summer Concert Series Festival – Sponsored by Jon P. Jennings, City Manager

Order 201-18/19 Declaring July 18 through August 10, 2019 Shakespeare in the Park Festival – Sponsored by Jon P. Jennings, City Manager

Order 202-18/19 Declaring July 11 - August 29, 2019 the Friends of Eastern Promenade Summer Community Concert Series Festival - Sponsored by Jon P. Jennings, City Manager

Order 203-18/19 Declaring June 15, 2019 the Pride Portland! Parade and Festival - Sponsored by Jon P. Jennings, City Manager.

Motion was made by Councilor Batson and seconded by Councilor Ray for passage of the Consent Items. Passage 8-0.

LICENSES:

Order 204-18/19 Granting Municipal Officers' Approval of AAM Portland Servers, LLC dba Embassy Suites by Hilton. Application for a Class I-A with Entertainment with Dancing and Outdoor Dining on Private Property at 1050 Westbrook Street - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Batson and seconded by Councilor Costa for passage. Passage 8-0.

Order 205-18/19 Granting Municipal Officers' Approval of Bourbon Ventures LLC dba The Independent Ice Co. Application for a Class XI with Outdoor Dining on Public Property at 52 Wharf Street.- Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Batson and seconded by Councilor Ray for passage. Passage 8-0.

Order 206-18/19 Granting Municipal Officers' Approval of Italian Heritage Center dba Italian Heritage Center. Application for a Class I FSE with Outdoor Dining on Private Property at 40 Westland Avenue- Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Batson and seconded by Councilor Costa for passage.

Passage 8-0.

Order 207-18/19 Granting Municipal Officers' Approval of Harry and Maries LLC dba Shay's Grill Pub. Application for a Class I FSE with Outdoor Dining on Public Property at 18 Monument Square - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Batson and seconded by Councilor Costa for passage.
Passage 8-0.

Order 208-18/19 Granting Municipal Officers' Approval of MOC Raw Bar LLC dba Maine Oyster Company. Application for a Class I FSE with Outdoor Dining on Private Property at 38 Portland Street- Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Batson and seconded by Councilor Ray for passage.
Passage 8-0.

Order 209-18/19 Granting Municipal Officers' Approval of NJS Productions LLC dba Other Side Diner. Application for a Class III & IV FSE at 500 Washington Avenue -Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Batson and seconded by Councilor Ray for passage.
Passage 8-0.

Order 210-18/19 Granting Municipal Officers' Approval of Comfortable Waters, LLC Three of Strong Spirits. Application for a Distillery with Entertainment with Dancing and Outdoor Dining on Private Property at 35B Diamond Street - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Batson and seconded by Councilor Ray for passage.
Passage 8-0.

Order 211-18/19 Granting Municipal Officers' Approval of Painted Rock LLC dba The Cider House. Application for a Class III FSE at 28 Brackett Street -Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Batson and seconded by Councilor Ray for passage.
Passage 8-0.

6:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

Motion was made by Councilor Batson and seconded by Councilor Thibodeau to suspend the rules and allow public comment on an item currently on the agenda. Passage 8-0.

BUDGET ITEMS:

Mayor Strimling took Orders 96, 186,187,188,189,190, out of order.

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 96-18/19 Approving Revised Purchase and Sale Agreement with Waterstone Properties Group, Inc. - Sponsored by the Economic Development Committee, Councilor Justin Costa, Chair.

This item was postponed on February 20, 2019, to this meeting.

Motion was made by Councilor Batson and seconded by Councilor Costa for passage.

Passage 8-0.

Order 186-18/19 Approving Communications Union Contract - Sponsored by Jon P. Jennings, City Manager

This item was given first reading on March 18, 2019.

Motion was made by Councilor Ray and seconded by Councilor Batson for passage.

Passage 8-0.

Order 187-18/19 Appropriating \$550,000 for Automated Exit Portals at the Portland International Jetport - Sponsored by Jon P. Jennings, City Manager

This item was given first reading on March 18, 2019.

Motion was made by Councilor Mavodones and seconded by Councilor Ray for passage.

Passage 8-0.

Order 188-18/19 Approving Two-Party Agreement between Maine Department of Transportation and Portland Re: Improvements to Cumberland Avenue - Sponsored by Jon P. Jennings, City Manager

This item was given first reading on March 18, 2019.

Motion was made by Councilor Batson and seconded by Councilor Ray for passage.

Passage 8-0.

Order 189-18/19 Approving Two-Party Agreement between Maine Department of Transportation and Portland Re: Improvements to Danforth Street - Sponsored by Jon P. Jennings, City Manager

This item was given first reading on March 18, 2019.

Motion was made by Councilor Batson and seconded by Councilor Thibodeau for passage. Passage 8-0.

Order 190-18/19 Approving Two-Party Agreement between Maine Department of

Transportation and Portland Re: Improvements to India Street - Sponsored by Jon P. Jennings, City Manager

This item was given first reading on March 18, 2019.

Motion was made by Councilor Cook and seconded by Councilor Batson to postpone Order 190 to the June 17, 2109 City Council meeting.

Passage 8-0.

Order 193-18/19 Amendment of Portland City Code Chapter 25 Streets, Sidewalks, and Other Public Places Re: Outdoor Dining Permits - Sponsored by Jon P. Jennings, City Manager

This item was given first reading on March 18, 2019.

Motion was made by Councilor Thibodeau and seconded by Councilor Batson for passage. Passage 8-0.

ORDERS:

Order 213-18/19 Approving Modification of the Three-Party Agreement between Portland, Portland Area Comprehensive Transportation System and Maine Department of Transportation Re: Congress Street Intersection Improvements - Sponsored by Jon P. Jennings, City Manager

This is a first reading.

Order 214-18/19 Approving Assignment of Tax Increment Financing Credit Enhancement Agreement held by Portland Public Market LLC to East End Corporation - Sponsored by the Economic Development Committee, Councilor Justin Costa, Chair

Motion was made by Councilor Ray and seconded by Councilor Batson for passage. Passage 8-0.

Order 215-18/19 Amendment to Portland City Code Chapter 6 Re: Rental Housing Advisory Committee - Sponsored by the Housing Committee, Council Jill C. Duson, Chair

This is a first reading

Order 212-18/19 Receiving and Referring City Manager's Fiscal Year 2020 Municipal Budget to the Finance Committee and Setting Date of Public Hearing on the Fiscal Year 2020 Municipal Budget and Fiscal Year 2020 Appropriation Resolve - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Mavodones and seconded by Councilor Costa to refer Order 212 to the Finance Committee. Passage 8-0.

Order 191-18/19 Amendment to the Portland City Code Chapter 35 Re: Earned Paid Sick Leave - Sponsored by the Health & Human Services and Public Safety Committee, Councilor Belinda Ray, Chair

Public Comment was taken on Order 191.

Motion was made by Councilor Ray and seconded by Councilor Costa to postpone Order 191 to the May 6, 2019 City Council meeting. Passage 8-0.

Order 192-18/19 Amendment to Portland City Code Chapter 18 Parks, Recreation and Public Buildings and Ground Re: Formalizing the Boundaries of Boyd Street Gardens - Sponsored by Councilor Belinda Ray

Motion was made by Councilor Ray and seconded by Councilor Duson to postpone Order 192 to the May 6, 2019 City Council Meeting. Passage 8-0.

AMENDMENTS:

Motion was made by Councilor Costa and seconded by Councilor Batson to adjourn. Passage 8-0, 10:15 P.M.

A TRUE COPY.

Katherine L. Jones, City Clerk

PROCLAMATION

RECOGNIZING

WEEK OF THE YOUNG CHILD and STARTING STRONG DAY

APRIL 27, 2019

- WHEREAS:** High-quality early childhood programs provide important benefits to children, families and our city. High-quality early childhood education depends on high-quality early childhood educators who ensure that children, supported by families, have the early experiences they need for a strong foundation. Participation in high-quality early childhood education saves taxpayer dollars, makes working families more economically secure, and prepares children to succeed in school, earn higher wages, and live healthier lives; and
- WHEREAS:** Young children need skilled, educated, competent, consistent, and compensated early childhood educators, and developmentally appropriate, accessible, and available early care and education settings; and
- WHEREAS:** Working families need an affordable, mixed-delivery early childhood education system that allows them to choose between “quality” and “quality” when selecting the setting that best meets their needs; and
- WHEREAS:** Early childhood educators need opportunities to acquire critical skills, knowledge, and competencies through pathways to credentials and higher education degrees, without incurring college debt, and the ability to earn a worthy wage that is commensurate with the required education and skills they bring to the complex and valuable work they do; and
- WHEREAS:** This year’s National Association for the Education of Young Children’s “Week of the Young Child” will feature Portland’s fifth School Readiness Festival on April 27th to ensure that all Portland children are “starting strong.”

Therefore, be it resolved that I, Ethan K. Strimling, Mayor of the City of Portland, and Members of the City Council, do hereby recognize the efforts of Starting Strong’s School Readiness Team, the Maine Association for the Education of Young Children, and the Greater Portland Early Childhood Director’s Group in promoting early learning and healthy development, and do hereby recognize that high quality early childhood education, provided in a mixed-delivery system, is a public good, and should be financed as such, and now proclaim, as part of the 2019 WEEK OF THE YOUNG CHILD, that April 27, 2019 will be STARTING STRONG DAY in the City of Portland.

Signed and sealed this 22th day of April, 2019

Ethan K. Strimling, Mayor
City of Portland, Maine

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
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JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

PROCLAMATION SUPPORTING GUN GIVE BACK DAY

WHEREAS, Saturday, May 11, 2019 is to be designated “Gun Give Back Day,” in the City of Portland, and

WHEREAS, the City of Portland and the Portland Police Department are working in collaboration with other Maine communities to sponsor “Gun Give Back Day” and working in coordination with the Maine Gun Safety Coalition and its “Guns to Garden Tools” project to promote gun safety, and

WHEREAS, on “Gun Give Back Day”, Saturday, May 11, 2019, unwanted firearms and ammunition may be delivered to the Portland Police - voluntarily, anonymously and without compensation; and

WHEREAS, unwanted firearms delivered to the Portland Police Department on “Gun Giveback Day”, will be disposed of in coordination with the Maine Gun Safety Coalition “Guns to Garden Tools” so that they may be later turned into garden tools to be donated to community or school garden projects, or will be safely destroyed per the City’s existing destruction practices, and thus be removed from any unintended chain of events, accidental violence, or other tragic or accidental misuse; and

WHEREAS, in addition to accepting unwanted firearms and ammunition, the City of Portland Police Department will make available trigger locks upon request and distribute gun safety information during the course of Gun Give Back Day, and

WHEREAS, the city will collaborate with the Maine Gun Safety Coalition and participating Maine communities to publicize “Gun Give Back Day” with local media outlets and through the City’s website and social media channels.

NOW, THEREFORE, BE IT RESOLVED, that I, Ethan K. Strimling, Mayor of the City of Portland and the members of the Portland City Council do hereby resolve and proclaim Saturday, May 11, 2019 as “Gun Give Back Day”, and invite members of the Portland community to give any unwanted firearms and ammunition to the Portland Police Department for disposal and to assist in highlighting gun safety awareness throughout the City Of Portland.

Signed and sealed this 22nd day of April, 2019

**Ethan K. Strimling, Mayor
City of Portland, Maine**

PROCLAMATION

HONORING

Michael J. Tarpinian

WHEREAS, Michael J. Tarpinian served as the President & Chief Executive Officer of The Opportunity Alliance, the Community Action agency for Cumberland County. The Opportunity Alliance works with people to build better lives and stronger communities.

WHEREAS, Michael J. Tarpinian has more than 40 years of experience working on behalf of children, youth, adults and families as a leader and advocate at The Opportunity Alliance and Maine's Department of Mental Health & Mental Retardation.

WHEREAS, Michael J. Tarpinian was the recipient of Mainebiz's Non-Profit Leader of the Year award in 2012 for his efforts in the oversight of the merger between Youth Alternatives Ingraham and PROP.

WHEREAS, In addition to his professional experience, Michael is the co-founder of the Maine Behavioral Health Collaborative, a seven-member organization focusing on policies and legislation related to child welfare and behavioral health.

WHEREAS, Michael J. Tarpinian along with The Opportunity Alliance have been valued community partners to the City of Portland, serving some of the city's most vulnerable residents.

NOW, THEREFORE, BE IT RESOLVED, THAT I, Ethan K. Strimling, Mayor of the City of Portland and members of the City Council do hereby proclaim honor and recognition to Michael J. Tarpinian for his years of dedicated service and for his leadership role in the community.

Signed and Sealed this 22th day of April, 2019



**Ethan K. Strimling, Mayor
City of Portland, Maine**

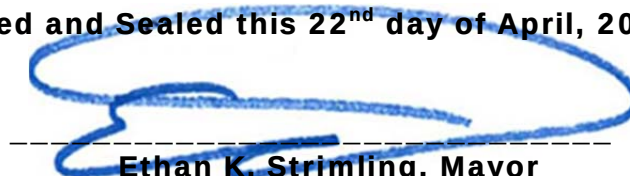
PROCLAMATION

Honoring
Ruthann Weist
Employee of the Month
January 2019

- WHEREAS:** **Ruthann Weist** of the Police Department has been named the City of Portland Employee of the Month by a committee of her peers and selected for this distinct honor from a workforce of over 1,300; and
- WHEREAS:** This award is presented in recognition of **Ruthann's** work as an Animal Control Officer with over 2 years of City service. **Ruthann** is recognized for going above and beyond to ensure the consistent enforcement of our state and municipal laws. **Ruthann** is a leader in the community and the workplace; and
- WHEREAS:** **Ruthann** has provided training to officers in several areas of her specialty. **Ruthann** put together "cheat sheets" for officers covering multiple topics to include dog bite reports, what is needed for a preliminary investigation, information regarding the animal hospitals the City contracts with and how to handle calls for bats discovered in occupied buildings. **Ruthann** produced an instructive video detailing the procedure for handling animal-related calls in her absence to ensure proper processes were in place. **Ruthann** has trained officers in handling calls reporting a dog left inside an unattended vehicle when outside temperatures exceed what is deemed dangerous. **Ruthann** initiated the use of temperature laser guns in determining the interior temperature of a vehicle and the dog itself; and
- WHEREAS:** **Ruthann** has established close working relationships with community partners responsible for animal care such as the City's park rangers, the city's animal hospitals, the Animal Refuge League, veterinarians, the Warden Service and Avian Haven. **Ruthann** also connected with other Animal Control Officers in the state, hosting a training focused on areas of the law and investigations that animal control officers routinely handle. **Ruthann** has had a tremendous impact on the officers of the department and, perhaps most importantly, the residents and guests of this city.

NOW, THEREFORE, BE IT RESOLVED, THAT I, Ethan K. Strimling, Mayor of the City of Portland, Maine, and the members of the Portland City Council do hereby proclaim honor and recognition to **Ruthann Weist** as **City Employee of the Month, January 2019**.

Signed and Sealed this 22nd day of April, 2019



Ethan K. Strimling, Mayor
City of Portland, Maine

P R O C L A M A T I O N

Honoring

Kevin Deneault
Employee of the Month

February 2019

- WHEREAS:** **Kevin Deneault** of the Public Works Department, has been named the City of Portland Employee of the Month by a committee of his peers and selected for this distinct honor from a workforce of over 1,300; and
- WHEREAS:** This award is presented in recognition of **Kevin's** work as a GIS Mapping Technician with over 2 years of City service. **Kevin** is recognized for the tremendous assistance he provided in coordinating the move of Public Works staff from 55 Portland Street to 212 Canco Road. **Kevin** volunteered to oversee this move in addition to his regular duties; and
- WHEREAS:** **Kevin** coordinated with staff, the mover, vendors, IT and Trades. During the process numerous issues came up, such as; the late delivery of new cubicles, the need for temporary work spaces that required computer set up, and the installation of internet and power. As cubicles were installed, **Kevin** continually needed to relocate furniture and facilitate space as the contractors finished up their work; and
- WHEREAS:** **Kevin** helped in setting up computers and telephones, and troubleshooting all sorts of IT problems. **Kevin** continues to set up work with contractors and City staff to complete the final work to finish the move. **Kevin** has done this all with a smile and a positive attitude to help everyone. **Kevin's** hard work, including numerous early mornings and late nights, and professionalism are exceptional. **Kevin** went above and beyond, exceeding all expectations.

NOW, THEREFORE, BE IT RESOLVED, THAT I, Ethan K. Strimling, Mayor of the City of Portland, Maine, and the members of the Portland City Council do hereby proclaim honor and recognition to **Kevin Deneault** as **City Employee of the Month, February 2019**.

Signed and Sealed this 22nd day of April, 2019



Ethan K. Strimling, Mayor
City of Portland, Maine

ETHAN K. STRIMLING (MAYOR)
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**CITY OF PORTLAND
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NICHOLAS M. MAVODONES, JR (A/L)

**ORDER DECLARING JUNE 7, 8, AND 9, 2019 THE
SUMMER KICK-OFF WEEKEND FESTIVAL**

ORDERED, that June 7, 8, and 9 are hereby declared to be the Summer Kick-Off Weekend Festival, sponsored by Portland Downtown; and

BE IT FURTHER ORDERED, that the Summer Kick-Off Weekend Festival area shall be the Longfellow Square, Congress Square Park, Monument Square and Post Office Park, (and the adjoining sidewalks), from 4:00 p.m. – 8:00 p.m. on Friday June 7; and on Sunday June 9 during the Old Port Festival, the Festival Zone shall include the area of the festival as well as Congress Street sidewalks (both sides: from State Street to Franklin Street) and Commercial Street sidewalks (both sides: from Union Street to Franklin Street). The Festival Zone is the area bordered by and within: Congress, Pearl, Commercial, Center, Union, and Temple Streets (and both sides of the streets' sidewalks on those border streets), as well as the Monument Square area, Federal Street Ext. and its sidewalks, Monument Way, One City Center Sidewalks, and Free Street sidewalks near Temple Street (and the afore mentioned Congress Street and Commercial Street corridors); and

BE IT FURTHER ORDERED, that streets in the Festival Zone may be posted No Parking on Festival days; and

BE IT FURTHER ORDERED, that vehicles in violation of the “no parking” signs in the Festival Area shall be towed at owner’s expense; and

BE IT FURTHER ORDERED, that the Summer Kick-Off Weekend Festival Area shall be closed to licensed street vendors as provided in §19-17 and §19-22 of the Portland City Code; and

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit to Portland Downtown under §§25-26—25-28 of the Portland City Code to conduct said Festival, subject to the direction and control of the City Manager and to the following specific conditions:

1. Portland Downtown shall defend, indemnify and hold harmless the City of Portland, its officers and employees, from and against all claims arising out of or resulting from the Festival and/or use of City streets and property for said Festival, and shall procure and maintain public liability insurance in the minimum amount of \$400,000 per occurrence for personal or bodily injury, death or

property damage and covering the obligation of indemnification hereunder. Portland Downtown shall provide the City with a certificate showing evidence of such insurance and showing the City as an additional insured on said insurance;

2. No alcoholic beverages may be sold on the streets or public property during the Festival within the Festival Area;
3. Portland Downtown shall comply with all Public Assembly Facilities Division Conditions for use of grounds, but the Public Assembly Facilities Division fees for use of grounds are waived, and shall also comply with requirements for food service, vending sales, tent and stage installations and other items specified in the permit;
4. Portland Downtown shall have sole authority over participating vendors at the Festival and may charge a fee to vendors for the opportunity to vend at the Summer Kick-Off Weekend Festival;
5. In addition, the Business Licensing Office shall charge the usual fees for licensing food vendors, and street goods vendors for the Festival to those vendors Portland Downtown has agreed shall participate;
6. Public Assembly Facilities Division concert license conditions shall be complied with and any and all amplified music and public announcements shall be maintained at a reasonable noise level (under 92 decibels) and be configured by the event organizer to focus volume away from residential housing and neighboring business, limiting any impact in the area by the sound level; and
7. In consideration of the City of Portland's support/in-kind services of this Festival, Portland Downtown shall include the City of Portland logo on all Festival publicity; and

BE IT FURTHER ORDERED, that the City Manager is authorized to waive fees and to issue such other temporary licenses, including licenses for food service establishments, as may be required by the Portland City Code, provided that all other applicable Code requirements for the operation of the Festival have been met.



CITY OF PORTLAND
Parks, Recreation & Facilities Department
Sally DeLuca, Director

CITY OF PORTLAND
Parks, Recreation & Facilities Department
Andy Downs, Public Assembly Facilities Director

TO: Jon Jennings, City Manager
FROM: Andrew Downs, Director of Public Assembly Facilities Division
DATE: April 5, 2019
RE: Festival Declaration for Old Port Festival ("Summer Kick-Off Weekend")

I am requesting that the following order be placed on
the next City Council agenda (Monday, April 22):
Order declaring Friday, Saturday, and Sunday, June 7, 8, 9, 2019,
as the **"Summer Kick-Off Weekend."**

The "Summer Kick-Off Weekend" includes the Old Port Festival (this is the 46th, and is the last one Portland Downtown will organize). The Old Port Festival, which occurs on the Sunday of the Summer Kick-Off Weekend, attracts thousands of people to the Old Port; expected attendance at this year's event is estimated at 40,000+. **"Summer Kick-Off Weekend" will run from Friday, June 7, 2019 to Sunday, June 9, 2019 (Friday 6 to 8pm; Saturday all day; Sunday 11am to 5pm)** and offers musical and visual entertainment, dancing, children's activities, delicious food and drink, a "walk the waterfront" event, and adds a fundraising event, Shop For A Cause Day, to the weekend. There are no rain dates.

Friday, June 7 kicks off with the 3rd Annual "Square Hop" featuring free outdoor performances in Longfellow Square, Congress Square Park, Monument Square and Post Office Park, from 6pm - 8pm. There will be no street closures required. Portland Downtown approved vendors may be set-up in parks and squares on this day, along with the musical performances and dancing.

Saturday, June 8's events: **"Shop for a Cause Day"** raises funds for a local non-profit and takes place at private businesses during regular business hours. **"Walk the Working Waterfront,"** a partnership between Portland Downtown, New England Ocean Cluster and Maine Coastal Program, gives attendees a chance to explore the wharfs and piers along Commercial Street, 11am – 3pm. There will be no street closures required for these two events.

Sunday, June 9 is the final **Old Port Festival**, which runs 11am – 5pm in the Old Port, where streets and parks/squares will be filled with music, entertainment, food, and fun activities. This will be the only day that requires street closures. Only Portland Downtown approved vendors will be allowed to set up on public streets, within the Festival Zone.



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Andy Downs, Public Assembly Facilities Director

Similar to last year, Portland Downtown is requesting that the locations where Friday's "Square Hop" events are happening be declared Festival Zones: Longfellow Square, Congress Square Park, Monument Square and Post Office Park, (and the adjoining sidewalks), from 4pm - 8pm on Friday; and that for Sunday's Old Port Festival, the Festival Zone shall include the area of the festival as well as Congress Street sidewalks (both sides: from State Street to Franklin Street) and Commercial Street sidewalks (both sides: from Union Street to Franklin Street). The Festival Zone is the area bordered by and within: Congress, Pearl, Commercial, Center, Union, and Temple Streets (and both sides of the streets' sidewalks on those border streets), as well as the Monument Square area, Federal Street Ext. and its sidewalks, Monument Way, One City Center Sidewalks, and Free Street sidewalks near Temple Street (and the afore mentioned Congress Street and Commercial Street corridors).

Portland Downtown will use existing staff and the downtown cadets to enforce the Festival Zone. Street vendors who are not registered as approved event vendors through Portland Downtown will be asked to set-up outside the Festival Zone (for Friday afternoon/evening and all day Sunday).

The Festival Zone/Areas will be closed to street vendors pursuant to Section 19-17 of the Portland City Code and is reserved for the use of Portland Downtown for the purpose of conducting the Festival, subject to the direction and control of the City Manager.

In addition, some areas of Portland streets and parks/squares need to be set aside for the organizer's use on those 3 festival days.

For Friday, June 7: Longfellow Square, Congress Square Park, Monument Square and Post Office Park, need to be reserved for performances (Approx. 4 – 9pm). Actual performances taking place from 6 - 8pm. Festival Zones stated above.

And for Sunday, June 9: the Festival Zone needs to be barricaded to traffic, streets and parking areas reserved, and parks/squares reserved for the organizer's use. Festival Zones stated above. Streets within the Festival Zone (bordered by Congress, Pearl, Commercial, Center, Union and Temple Streets), will be closed to vehicular traffic from approximately 6am – 6 pm, on Sunday, June 9, 2019. Main thoroughfares (like Congress Street, Pearl Street, Temple Street, Union Street and Commercial Street) stay open to vehicle traffic, but all other streets within the festival zone are closed to vehicles (6am – 6pm), and posted "No Parking."

Those streets include:

- Exchange Street (from Congress St. to Fore St.)
- Market Street (from Congress St. to Commercial St.)
- Federal Street (from Temple St. to Pearl St.)
- Middle Street (from Temple/Union St. to Pearl St.)
- Fore Street (from Union St. to Pearl St.)



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- All of Wharf, Dana, Moulton, Milk and Silver Streets
- Newbury Street (from Market St. to Pearl St.)
- Union Street (from Spring/Middle St. to Fore St.)

This last “Old Port Festival” will also feature the traditional Parade. Beginning at 11am on Sunday, June 9, participants assemble on Federal St. (near Exchange Street), and travel down Exchange St., turn left onto Fore, and right onto Silver St. where it will end. The majority of parade participants are on foot, with the exception of a few bicycles. Streets used for the parade will have already been closed down to vehicles, starting at 6am.

Vehicles in violation of the “No Parking” signs in the Festival Zones shall be towed (at owner's expense).

City Departments will provide in-kind services (except for additional security staff that may be needed at music stages and some intersections) at no charge to Portland Downtown for Sunday's traditional “Old Port Festival” Day, as per the organization’s Master & Supplemental Services Agreement with the city.

Also, the City Manager is authorized to issue a revocable permit under Section 25-27 of the Municipal Code to Portland Downtown for the use of the above-described area for said Festival subject to the following conditions:

- Portland Downtown shall indemnify the city and hold it harmless from and against all claims arising out of activities during said parade and ceremony, and shall take out and maintain public liability insurance coverage in the amount of at least **\$400,000** per occurrence for personal or bodily injury, death or property damage for said purpose. This insurance certificate will also list the City of Portland as an additional insured in regards to the “Summer Kick-Off Weekend” and its activities;
- Under no circumstances may alcoholic beverages be sold or consumed on the streets of public property of said areas during said Festival;
- Conditions for use of grounds and requirements for food service, vending sales, stages, and other items specified in a permit issued from Public Assembly Facilities Division, shall be adhered to;
- The Business Licensing Office and Public Assembly Facilities Division will charge the usual fees for licensing food vendors, street goods vendors, outdoor concerts, and other needed licenses for the Festival; and



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- In consideration of the City of Portland's support/in-kind services of this Festival, Portland Downtown shall include the City of Portland logo on all Festival publicity.

The City Manager is also authorized to issue such other temporary licenses and temporary permits, including licenses for food service establishments and permits for sales of non-food related items, as may be required by the Portland City Code, provided that all applicable requirements of said code have been met regarding the operation of said Festival.

Document prepared by Ted Musgrave, PAFD Event Manager



CITY OF PORTLAND, PUBLIC ASSEMBLY FACILITIES DIVISION
PUBLIC PARK & SPACE APPLICATION (6 pages)
 212 Canco Rd. • Portland • ME • 04103 • (207) 808-5400 x0
 Ted Musgrave tvm@portlandmaine.gov
 Jen Hale jhale@portlandmaine.gov

APPLICATION FEE \$25.00

PAYMENT MUST BE MADE WHEN SUBMITTING APPLICATION

(This is a transferrable/non-refundable fee. If your event is permitted, the \$25.00 will be credited toward your permit fee.)

For uses of city property, there are typically: 1) fees charged for use of the area, 2) a security deposit required, and 3) insurance required.
 There may be fees due and applications required from other City Departments.

TODAY'S DATE		4.1.19 Revised: 4-2	ORGANIZATION NAME		Portland Downtown
ADDRESS (Street/City/State/Zip)		549 Congress St Portland, ME 04101			
CONTACT NAME(S)		Casey Gilbert, Executive Director, Portland Downtown Sally Newhall, Events Manager, Seaglass Events		TITLE(S)	
PHONE	Casey Gilbert 207-772-6828	PHONE	Sally Newhall	PHONE	
EMAIL	casey@portlandmaine.com	EMAIL	sally@seaglassevents.com	EMAIL	

PARK AREA / PUBLIC SPACE REQUESTED		Square Hop (Friday, June 7 , 2019 6pm-8pm): Longfellow Square, Congress Square Park, Monument Square, and Post Office Park. Old Port Festival (Sunday, June 9 , 2019): Streets, sidewalks, and parks within the entire Old Port Festival Zone.	
EVENT DAY(S) & DATE(S)	June 7 + 9 2019	RAIN DAY(S) & DATE(S) (50% added fee)	NO RAIN DATE
OVERALL EVENT START & END TIME (When setup will begin until cleanup is expected to be complete.)	Start: Friday, June 7, 5pm End: Sunday, June 9, 8pm	EVENT START & END TIME	June 7 th 6-8pm June 8 th All Day June 9 th 11am-5pm

EVENT NAME	EXPECTED ATTENDANCE
Summer Kickoff Weekend including the FINAL Old Port Festival on June 9, 2019	30,000-40,000

DESCRIPTION OF EVENT:

Portland Downtown's annual Summer Kickoff Weekend includes the following:

- **Square Hop – Friday, June 7th (6pm-8pm)**
- Shop for a Cause Day – Saturday, June 8th (All Day)
- Walk the Working Waterfront – Saturday, June 8th (11am-3pm)
- **Old Port Festival – Sunday, June 9th (11am-5pm)**

<https://www.portlandmaine.com/old-port-festival/>

Square Hop brings music & entertainment to 4 downtown parks: Attendees can "hop" freely from park to park from 6pm to 8pm to enjoy the free outdoor shows. *Portland Downtown requires the use of Longfellow Square, Congress Square Park, Monument Square, and Post Office Park for this event.* Elec may be needed at some of the parks, as well as some reserved parking.

Shop for a Cause Day is a shopping event designed to raise funds and awareness for a local nonprofit organization. *No special permitting is required for this event.*

Walk the Working Waterfront gives attendees a chance to explore the wharves & piers along Commercial Street. It is part of Summer Kickoff Weekend, but managed by New England Ocean Cluster and Maine Coastal Program.

Old Port Festival offers live entertainment, children's activities, and over 200 registered vendor booths selling food, non-alcoholic beverages, Maine-made arts & crafts, and more. Key areas/attractions include:

- Kickoff Parade at 11am (details below)
- Four music stages: WPOR/Coast Stage at Middle/Temple St - "New Country"
 WCLZ Stage at Fore/Silver - "Contemporary Folk"
 MAMM Stage at Dana/Commercial "Teen Bands"
 POPSICKEL at Pearl/Middle (in front of Portland Art Gallery) – "DJ Dance Music"

- Children's Area in Post Office Park featuring music, dance groups, and educational performances
- Maine Arts & Crafts Area positioned mostly on Market Street area

In order for the festival to take place, a large portion of the Old Port will be closed to traffic including: Exchange Street, from Congress to Fore Street; Market Street, from Congress to Commercial Street; Federal Street, from Temple to Pearl Street; Middle Street, from Temple to Pearl; Fore Street, from Union to Pearl; all of Wharf, Dana, Moulton, Milk, and Silver Streets; Newbury Street, from Market to Pearl; and Union Street, from Spring to Fore Street. The festival will also include the sidewalks of both sides of Commercial Street. Streets will be posted "No Parking" day before by Portland Downtown Staff.

The festival includes a parade which starts at 11am at the intersection of Federal & Exchange, then proceeds down Exchange Street, takes a left on to Fore Street, then right on to Silver Street where the parade disbands. The streets along the parade route will have been closed to traffic starting at 6am. Some additional "No Parking" signs are needed for Commercial Street area for the parade participants.

Police Officers are provided by the City and additional security personnel are hired by Portland Downtown. Other City staff – including Public Works (Trash Barrels Removed, replaced with plastic bags and supports, Trash Detail), Fire Department (EMS on site), Inspections (stage permits / checking vendors), Business Licensing (Vendor Licenses) and PAFD Office (Barricades, Road Closed Signs, NP Signs, Concert License, Event Permit) – will assist, as well.

ELEC needed from some city elec. boxes.

Portland Downtown arranges the placement of Porta-Potties throughout the festival zone.

IS THERE A REGISTRATION FEE/PLEDGES COLLECTED FOR THIS EVENT?		Please check: _____ x _____ FEE _____ PLEDGES OPF Vendors pay a registration fee.
IF YES FOR FEES, HOW MUCH?	FEE	Per 10x10 space: Food Vendors - \$500; Retail Vendors - \$450; Nonprofit Vendors - \$250; Arts & Crafts Vendors - \$150
	STUDENT FEE	N/A

WHAT WILL BE THE ANTICIPATED NEED FOR PARKING AND WHAT IS YOUR PARKING PLAN?	Lots, Garages, streets
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PLEASE CHECK OFF AND ANSWER:

PLEASE SEE ATTACHED FEE SCHEDULE / DEPT. INFORMATION IF YOU ANSWER YES

		X-YES	X-NO	X-NOT SURE
*	Are you setting up a canopy(s) ? (10'x10' size or smaller) How many?	X		
*	Do you wish to set up a tent(s) and/or stage(s) ? A canopy/tent or stage larger than 10'x10' needs a Temporary Tent or Stage Permit issued by Building Inspections. For permit application, please go to: http://portlandmaine.gov/DocumentCenter/Home/View/2317 or contact the Permitting and Inspections Department at buildinginspections@portlandmaine.gov or 874-8703 for more information. PLEASE apply at least 2-weeks before your event. Tent/Stage Size(s): <i>Jack Murray will provide stage specs in May</i> Exact Location(s) of Tent/Stage Placement Requested: *** In order to drive tent stakes into the ground, DIG SAFE must be contacted: 888-344-7233. ***	X		
*	Will you be setting up tables and/or chairs ? How many tables: chairs:	X		
*	Are other items or equipment being placed on City property? (i.e. Moon Bounce, Dunk Tank, Radio Station Van, Helium Tank, etc.) Please List: Vendor Booths, Stages for Music, Rock Climbing Wall.	X		
*	Will there be refreshments at the event? Do you wish to sell food ? If so, you will need approval from PAFD and possibly a Temporary Food Service License from Business Licensing Office. PLEASE provide them at least 2 weeks advance notice (874-8557). List food and drink / Food Trucks, etc.: <i>See vendor list provided in May</i> PLEASE NOTE: A Temporary Food Service License is NOT needed when: 1. Food Vendors have a current City of Portland Food License 2. Just pre-packaged refreshments, or food & drink items are purchased or donated from a licensed establishment 3. Bottled water / water is served A TFSL is needed when food vendors are not licensed or when food is being prepared and cooked at the event.	X		
*	Do you wish to sell non-food items (like T-shirts, crafts, cd's, etc.)? If so, please apply for a Street Goods Vendor License(s) at the Business Licensing Office (874-8557) – 2 week notice. List items you wish to sell: <i>See vendor list provided in May</i>	X		
*	Are you setting up a PA (sound) system ? Are you planning on having Amplified Music ? Band? DJ? Boom Box?	X		

	If so, your event may require a concert license. PAFD will advise upon review of your application. Amplified speech (i.e. Press Conference) does not require the license, however, a Sound Security Deposit may be required. There are time restrictions for amplified music/speech in Downtown Parks & Squares: limited to 11:45am – 1:15pm and 1 hour between 5pm - 8pm.			
*	Will your event require electricity ? Electricity is available at Deering Oaks Park, Monument Square, Congress Square, Tommy's Park, Post Office Park, Payson Park, Preble Street Grass Area, Eastern Prom, Fort Allen Park, and Lincoln Park. A \$40 activation fee is required.	X		
*	Are you planning on bringing a Grill for a Barbecue ? Grilling is subject to weather conditions and possibly Fire Dept. review.	X		
*	Will the event require reserved parking spaces / parking meters ? How many? "No Parking" signs may be purchased at the PAFD Office, 212 Canco Rd.	X		
*	Will your event need safety vests, signs, barricades and/or cones ? Please list what you would like to borrow/rent: Limited orange vests, cones & barricades may be borrowed/rented from PAFD Office. Traffic signs may be borrowed/rented from Public Works if needed (874-8493).	X		
*	Will your event require street closures ? (Please be specific under "Description of Event") Will your event affect METRO BUS ROUTES ? (If service is affected, organizer needs to work directly with METRO for endorsement / feedback). Please check with Glenn Fenton, METRO: 517-3029 (gfenton@gpmetro.org) to discuss.	X X		
*	Will your event require Police assistance? An event such as a road race, march or parade in the street, would typically require police assistance. To reserve & hire an Officer(s) to be on site at your event, please call Sgt. Nevins (874-8554) or Police Shift Command (874-8855/8556) well in advance to arrange.	X		
*	Will your event require Fire/EMS assistance? (For a large walk/race, it may be required.) To hire or inquire about hiring city Fire/EMS staff to be on site, please email fireprevention@portlandmaine.gov well in advance of the event. For general questions, you may also call 874-8400.	X		
*	Will your event require Parking Control assistance? To hire a Parking Control Officer(s) to be on site at your event, please call 874-8910 well in advance to arrange.	X		
Fees for Police, Fire/EMS or Parking Control Staff will be invoiced by those individual departments & should be paid to them directly.				
*	Will your event require porta-restroom rental(s) or need existing porta-restrooms cleaned? (Some of the parks already have porta-restrooms. Event participants may use these, but a \$25 fee is assessed for events where attendance is 150 or more.) Porta-restrooms may be rented from any of the local companies. Units currently on site are through Associated Septic.	X		

INSURANCE CERTIFICATE INFORMATION

*	Will your event require liability Insurance? (Commercial liability insurance is required for a walkathon, race, festival, press conference, concert, etc. Product liability insurance is also required if the event has been approved for serving food.)	X NEED		
♦ If you answered YES, you shall procure and maintain occurrence-based Commercial General Liability and Product Liability Insurance, when required, in an amount not less than Four Hundred Thousand Dollars (\$400,000.00) per occurrence for bodily injury, death and property damage. You shall name the City of Portland as an additional insured or shall obtain a general liability extension endorsement, for coverage only in those areas where government immunity has been expressly waived by 14 M.R.S. A. § 8104-A, as limited by § 8104-B, and § 8111. The terms of this permit and the insurance coverage shall not be deemed a waiver of any defenses, immunities or limitations of liability or damages available to the CITY under the Maine Tort Claims Act, other Maine statutory law, judicial precedent, common law, or any other defenses, immunities or limitations of liability available to the City. You shall also be responsible for any and all deductibles and/or self-insured retentions. ♦ Both the Certificate of Insurance and Additional Insured Endorsement shall be sent to tvm@portlandmaine.gov and must state that the policy is endorsed to name the City of Portland as an additional insured pursuant to the date of the event (and rain date).				

PUBLIC ASSEMBLY FACILITIES DIVISION POLICIES

EVENT REVIEW

The PAFD Office holds a monthly meeting where proposed events are discussed and reviewed by City Departments. For some events, organizers will be asked to present before the committee. Some potential factors may necessitate your event receive City Council approval.

ELECTRICITY

All cords in the public way must be covered by rugs, mats or orange cones to avoid public hazard. If weather is inclement (drizzle, rain, snow, etc.) we require that you **not use** electricity, unless all connections and equipment are covered and protected from the elements. If a generator is used, please take all necessary measures to ensure safe operation. Bring a fire extinguisher, set generator up away from activities (and combustibles), store fuel source away from the generator and keep children away from the generator.

BARBECUES - GAS GRILLS ONLY

Only GAS GRILLS are allowed in parks/public spaces – i.e. No Charcoal Grills or open burning. Barbecuing must first be approved by PAFD Office and is subject to weather conditions, and possible further review by the Fire Dept. Grills must be set up away from children's activities. You must bring a fire extinguisher with you to the grilling area.

PORTA-RESTROOMS / BATHROOM FACILITIES

Porta-Restrooms are required for large events and events where refreshments are being served. Some of Portland's parks already have portable restrooms from Associate Septic on site (*Preble Street Grass Area at the Preble Street Parking Lot – across from Hannaford's, *Entrance to Dyer's Flat – beside Payson Park, *Deering Oaks Park – Playground + Ravine, *East End Beach - Winter & Early Spring: Just EEB.) If over 150 people are expected to attend the event, a \$25 user fee is required (paid to PAFD). If extra units are rented by organizer, then no additional user fee is assessed. Restrooms are cleaned M, W, & F. If you would like to guarantee that they are cleaned just prior to your event, then you need to call the porta-restroom company (Associated Septic / Royal Flush, 207-799-1980, M-F) to request and pay for a cleaning. If renting units, organizer has the option of renting from Associated Septic / Royal Flush, or from other local companies.

TRASH

All groups must abide by our Carry In/ Carry Out Policy. Please bring extra trash bags and/or trash receptacles and remove all trash. Do not use existing trash barrels or the metal liners inside. You will need to haul all of your trash out of the park/public space or forfeit the security deposit(s). Please recycle whenever possible, (please do not use Styrofoam - it is NOT recyclable). The area will be checked following your event; if park is clean and conditions for use adhered to, your security deposit will be returned to you. Thank you in advance!

MARKING OF GROUNDS

Please DO NOT mark city property in any permanent way. DO NOT use SPRAY PAINT or SPRAY CHALK. DO NOT STAPLE or NAIL anything to trees. Children's Art Chalk can be used on hardscape areas with permission from PAFD Office. Tape may also be used. If markings remain for more than a few rain storms, event organizers are responsible for removing them. If city staff or contractors need to remove the markings, event organizers are responsible for the cost of staff time and materials. You may also place signs on stakes in the grass areas bordering trails/race routes (when applicable). Please remove all signage immediately following the event.

USE OF CANDLES

It is preferred that LED lighted candles or glow sticks are used. If flammable candles are used, please make sure all candles have drip protectors to prevent wax from dripping on hardscape surfaces, which may cause permanent stains/damage. Please make sure all candles are extinguished before being thrown away. Please collect all spent candles so there is no trash left behind. Please take safety precautions: bring a fire extinguisher, gallon of water, etc. in case of fire. **Any damage** (dripped wax absorbed into hardscape causing stains, etc.) **will result in a forfeiture of your security deposit.**

ADA COMPLIANCE

Event organizer must comply with the Americans with Disabilities Act (ADA) and the Maine Human Rights Act (MHRA), including maintaining the permitted use area and all public rights-of-way accessible during the entirety of the permitted event. In the event the permitted area is rendered inaccessible to disabled persons, and/or by request of PAFD staff, the organizer shall act immediately to provide accessibility. All requests to provide interpretive services shall be the responsibility of the organizer to provide and pay for such services. The organizer shall defend, indemnify, and hold the City harmless from any and all liability and damages resulting from alleged violations of the ADA and/or MHRA.

PARKING ON GRASS AREAS / SIDEWALKS / ILLEGALLY PARKED VEHICLES

Vehicles are prohibited from parking on grass areas/sidewalks/park streets (unless specifically approved by city staff). \$20 will be deducted from your security deposit for each vehicle parked on grass/sidewalk areas or vehicles parked illegally. **Any tire ruts/damage to the grass areas will result in a forfeiture of your security deposit.**

RESERVED PARKING

To reserve parking for your event, please contact the PAFD Office (808-5400 x0). Staff will review your request and can issue you "No Parking" signs (\$20 each*). You will need to label signs and tape them to meters or signposts AT LEAST 24 HOURS PRIOR TO YOUR EVENT. (NOTE: If event is on a Sunday or Monday, NP Signs may need to be posted on the preceding Friday by Noon.) Please do not cover up coin slots on meters. If the reserved parking area has no actual parking meters, you may need to tape signs to sign posts, utility poles, trees, or orange cones (placed on the sidewalk beside the street). The PAFD Office has cones it can rent to you (see fee structure below) if needed. To ensure you can have vehicles (illegally parked at signs you've posted) towed, please complete and fax/email/hand deliver to city departments a "No Parking Authorization Form," which you can get from staff when you pick up NP signs. Please make sure signs are removed once the event is complete. ***Under certain conditions, the reserved parking fee may be reduced. Upon review of your application, PAFD will advise if your event qualifies for a reduction. If paying a reduced rate, towing may not be enforceable. PAFD will advise regarding these parameters as well.**

ALCOHOL / SMOKE-FREE ZONES

By city ordinance, smoking a cigar, cigarette, pipe, electronic cigarette, electronic cigar, electronic pipe, or other similar product that relies on vaporization or aerosolization, is prohibited at and within 20 feet of the following outdoor recreation and event areas: downtown squares and plazas, trails, parks, playgrounds, beaches, and athletic facilities. Consumption of alcohol is prohibited in public spaces unless specifically approved by City Council. Please inform all participants / attendees.

AMPLIFIED SOUND POLICY

Outdoor events with amplified sound may require a Concert License from the PAFD Office. If the Police Dept./City Staff receive noise complaints, they will respond accordingly. PA System up with speakers facing away from businesses/residences to lessen impact. Please keep volume levels low out of consideration for nearby residents and businesses. The Permittee (organizer) shall not allow the sound emanating from the event to exceed an A-weighted 92 decibels. One verbal warning shall be issued if the sound has been found to have exceeded 92 decibels. The warning may be given to the sound board operator or the organizer/organizer's designee. If the 92 decibel limit is found to have been exceeded a second time during the same event, the single event concert permit (or permission to use a bullhorn/PA system) shall be immediately suspended, the PA system / amplification / bullhorn turned off, and the sound security deposit forfeited.

CANCELATION POLICY

Event must be cancelled with PAFD prior to event date in order to be eligible for a refund.
If cancelled within 2 weeks of scheduled event date, a \$75 cancellation fee may be charged.

NOTIFICATION

Please keep a copy of your event permit on site at all times. City staff may require proof of permit.
If there are members of the public in the reserved space upon arrival, please present the permit as proof of reservation & approved usage. If you need assistance, please contact the Police Department at (207) 874-8574.
Please ask Portland newspapers to run an article alerting the public to the event.
You may put up temporary A-frame signs to alert the public to your event or place signage on orange cones, etc. Signs are to be up DAY OF EVENT ONLY. Please remove all signage immediately following the event.
Please call Portland Police Dept. (874-8574) on the day of your event to remind them it is taking place.
Please notify any nearby businesses, including restaurants that may have tables out for dining, to alert them to your event.

STREET CLOSURE NOTIFICATION

Should event involve a Street Closure, lasting longer than an hour, PAFD Office requires organizers to give advanced notification to area businesses, residents and bus companies (in the form of a "Street Closure Sign Off Sheet"). If event impacts METRO Buses, organizer (in advance) must discuss detour plans with METRO.

REVOCABLE PERMIT

- ♦ The City reserves the unconditional right to control or cancel events to protect and/or prohibit damage to public property.
- ♦ The City reserves the unconditional right to revoke or revise an issued permit.
- ♦ Police or City Staff on site may use their discretion to revise conditions of use.

I HAVE READ AND UNDERSTAND ALL OF THE ABOVE POLICIES**TYPE INITIALS****CG****DATE****4.1.19****ASSUMPTION OF RISK & LIABILITY**

Users of the area agree to accept the grounds in an "as is" condition and shall be responsible for all risk and liability in using the park/public space area for the said event. By returning this form (should permission be granted to use city property), the above parties agree to indemnify, defend, and hold harmless the City of Portland, its employees and agents, from and against all claims arising out of activities during said event.

I have read the Assumption of Risk & Liability Agreement**TYPE INITIALS****CG****DATE****4.1.19****PLEASE INITIAL & DATE HIGH-LIGHTED YELLOW BOXES ABOVE.****FEE SCHEDULE – UPDATED JULY 1, 2018**

Fees are tiered and assigned based on the level of demand placed on City resources and impact on City infrastructure.

Simple Event (no registration fee): \$75/hour
Event with registration or pledges & attendance 25 - 300: \$125/hr
Event with registration or pledges & attendance 301+: \$225/hr
Public Space/Park Security Deposit: \$100 - \$1000
Sound Security Deposit: \$100 - \$1,000
Impact/Street Closure Fee (variable based on impact): \$100-\$500
Staff Fee (on site event support): \$37/hour
Administrative Fee (event coordination support): \$40/hour or more
"No Parking" Signs: \$1 / \$20 each
Cancellation Fee: \$75

Electricity (activation/de-activation) Fee: \$40/flat
Porta Restroom User Fee (if attendance is 150+): \$25
Single Concert License: \$38
Barricades: \$5/ea. Rental Fee + \$25/ea. Security Deposit
Bike Racks: \$10/ea. Rental Fee + \$25/ea. Security Deposit
Flashing Lights: \$10/ea. Rental Fee + \$40/ea. Security Deposit
Cones: \$2/ea. Rental Fee + \$15/ea. Security Deposit
Safety Vests: \$15/ea. Security Deposit
Keys: \$50/ea. Security Deposit
Equipment Delivery Fee: \$100

PLEASE MAKE CHECKS PAYABLE TO "CITY OF PORTLAND"

- ♦ Please make out security deposit checks separate from permit fees.

TOTAL AMOUNT(S) DUE TO PUBLIC ASSEMBLY FACILITIES DIVISION (Please make all security deposit checks out separately)

Permit Fee for use of area:	\$ waived	Single Concert (Amplified Sound) License Fee:	\$ due
Number of Hours of Use: Approx.	(MOU)	Equipment Rental Fee:	\$ waived
Staff Fee (on site event support):	\$ waived	Public Space / Park / Sound Security Deposit:	\$ waived
Admin. Fee (event coordination support):	\$ waived	Borrowed / Rented Equipment Deposit:	\$ TBD
Electricity Fee (activation/de-activation):	\$ waived	Additional Fees:	\$ waived
Impact/Street Closure Fee (variable based on impact):	\$ waived	(Porta-Restroom User Fee, "No Parking" Signs, etc.)	

FOR OFFICE USE ONLY**DATE APPLICATION RECEIVED: 4-2-2019**

APPLICATION	\$ 25.00	PERMIT	\$ waived	SECURITY	\$ may be	INSURANCE	Yes
-------------	-----------------	--------	------------------	----------	------------------	-----------	------------

FEE:		FEE:		DEPOSIT:	Needed if Borrowing items	NEEDED?	Need update
DATE RECEIVED:	waived	DATE RECEIVED:	waived	DATE RECEIVED:		DATE RECEIVED:	
PAYMENT TYPE							
VISA / MC NUMBER:				CHECK NUMBER:		CHECK AMOUNT:	\$
CREDIT CARD AMOUNT:	\$	CREDIT CARD EXP. DATE:		CHECK NUMBER:		CHECK AMOUNT:	\$
CREDIT CARD WILL ONLY BE CHARGED FOR SECURITY DEPOSIT(S) AS NEEDED							

PLEASE RETURN FORM (WORD DOC) AT LEAST 30 DAYS IN ADVANCE TO:	
♦ Public Assembly Facilities Div. ~ 212 Canco Rd. ~ Portland ~ ME ~ 04103	EMAIL PREFERRED: tvm@portlandmaine.gov

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 3, 2019

SUBJECT: Order 217-18/19 Approving Municipal's Officers Approval of Cocktail Mary LLC dba Cocktail Mary. Application for a Class A Lounge at 229 Congress Street - Sponsored by Jon P. Jennings, City Manager.

SPONSOR:

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

PRESENTATION: (List the presenter(s), type and length of presentation)

I. SUMMARY

II. AGENDA DESCRIPTION

Cocktail Mary LLC dba Cocktail Mary. Application for a Class A Lounge at 229 Congress Street.

Application was filed on 4/1/2019. New City and State Applications. Location was previously Ramen Suzikaya.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis and Background that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Cocktail mary
2. 20190403115438088

Prepared by:

Date: 4/3/2019

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

KIMBERLY M. COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

Cocktail Mary LLC dba Cocktail Mary. Application for a Class A Lounge at 229 Congress Street.

Isaac MacDougal
126 Washington Avenue #1
Portland, ME 04101

April 1, 2019

Ethan K. Strimling
389 Congress Street
Portland, ME 04101

Dear Mayor Strimling and Members of Portland City Council,

I hope to open a cocktail lounge at 229 Congress Street in Portland, Maine named Cocktail Mary. I am currently the head bartender at Izakaya Minato, one of Washington Avenue's early run-away successes as this area has grown to become one of the premiere restaurant destinations in Portland, Maine. It is my intention to continue the swift progress that this area has made in the food and beverage industry by filling some major gaps.

Currently there are not any cocktail bars on the East End. There are plenty of restaurants that offer robust cocktail programs, yet, when guests are waiting for a table at these establishments, the only options are beer, tasting rooms, or The Snug. I would like to bring to the neighborhood the opportunity to cook dinner at home, and then enjoy a nice cocktail out before or after when, one chooses. In addition, the staff at all of these restaurants would certainly appreciate a nice place to relax and get a snack and a beverage after their evening's work.

As proprietor, head bartender and general manager, I bring extensive general management and bartending experience. Over the last 15 years, I have worked as either a General Manager or bartender in Micheline-starred restaurants in New York City. In addition, my family ran Vaughan Street, a now retired sandwich shop in the West End of Portland since 1995, so I am part of a Maine hospitality legacy family.

It is my hope to be a part of the expansion of Portland's magnificent rise to one of the pre-eminent food cities in the country by adding an establishment that uses my expertise to fill a gap in this part of town. It is my hope that you are excited about the potential that this business has to offer our community and that you will consider offering me a Class A lounge Liquor license in order to fulfill this hope.

Thank you for your consideration,



Isaac MacDougal
Proprietor
Cocktail Mary

Portland, Maine



Yes. Life's good here.

Permitting and Inspections Department
 Michael A. Russell, MS, Director
 389 Congress St. Room 307 • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Food Service Establishment with Alcoholic Beverages License

Business Information	
Business Name (d/b/a):	COCKTAIL MARY Phone: 207 400 4100
Location Address:	229 CONGRESS ST. PORTLAND, ME 04101 Zip:
If new, what was formerly at this location:	RAMEN SUZUKAYA
Mailing Address:	126 WASHINGTON AVE #1 Zip: 04101
Contact Person:	ISAAC MACDUGAL Phone: 207 400 4100
Contact Person Email:	ISAAC.MACDUGAL@GMAIL.COM
Manager of Establishment:	ISAAC MACDUGAL Date of Birth: 10/05/78 Phone: 207 400 4100
Owner of Premises (Landlord):	1-95 PORTLAND PORTFOLIO
Address of Premises Owner:	Zip:

Sole Proprietor/Partnership Information (If Corporation, leave blank)

Name of Owner(s)	Date of Birth	Residence Address

Corporate/LLC/Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)

Corporate Name		Corporate Mailing Address	
COCKTAIL MARY LLC		126 WASHINGTON AVE Zip: 04101	
Contact Person:	ISAAC MACDUGAL	Phone:	207 400 4100
Principal Officers	Title	Date of Birth	Residence Address
ISAAC MACDUGAL	PROPRIETOR	10/05/78	126 WASHINGTON AVE #1

About Your Establishment

Class of Liquor License:	CLASS A LOUNGE	
Type of food served:		
Please circle all that will be served:	Beer Wine Liquor	
Projected percentage of sales:	Generated from Food: 10	Generated from Alcohol: 90
Hours & days of operation:	3-12	

QUESTIONS	Y/N
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?	Y/N
If No, please explain: THIS IS A LOUNGE THUS "APPETIZER" STYLE FOOD WILL BE SERVED	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	Y/N
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	Y/N
Will you permit dancing on the premises?	Y/N
Will you permit dancing after 1:00 a.m.?	Y/N
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	Y/N
If yes, will the outside dining be on PUBLIC or PRIVATE property (circle one).	
Will you have any amusement devices (pinball, video games, juke box)?	Y/N
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date? 6/1/19	
Does the Issuance of this license directly or indirectly benefit any City employee(s)?	Y/N
If Yes, list name(s) of employee(s) and department(s):	
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?	Y/N
If Yes, please list business name(s) and location(s):	
Is any principal officer under the age of 21?	Y/N
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	Y/N
If Yes, please explain:	

I, Isaac M. Dupont do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require me to produce Server Training certificates for each employee that serves alcohol to the public in my establishment. Failure to meet the training requirement imposed by section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. § 653 (2) (G).

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive any rights to privacy with respect thereto.

Signature [Signature] Title PROPRIETOR Date 4/1/19

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

NEW application: ☒ Yes ☐ No

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☐ VINOUS ☐ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|---|---|--|
| ☐ RESTAURANT (Class I,II,III,IV) | ☐ RESTAURANT/LOUNGE (Class XI) | ☒ CLASS A LOUNGE (Class X) |
| ☐ HOTEL (Class I,II,III,IV) | ☐ HOTEL, FOOD OPTIONAL (Class I-A) | ☐ BED & BREAKFAST (Class V) |
| ☐ CLUB w/o Catering (Class V) | ☐ CLUB with CATERING (Class I) | ☐ GOLF COURSE (Class I,II,III,IV) |
| ☐ TAVERN (Class IV) | ☐ QUALIFIED CATERING | ☐ OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>COCKTAIL MARY LLC</u>			Business Name (D/B/A) <u>COCKTAIL MARY</u>		
APPLICANT(S) - (Sole Proprietor) <u>ISAAC MACDUGAL</u>			DOB: _____		
Address <u>1010 511928</u>			DOB: _____		
City/Town <u>PORTLAND</u>			State <u>ME</u>		
Zip Code <u>04101</u>			City/Town <u>PORTLAND</u>		
State <u>ME</u>			State <u>ME</u>		
Zip Code <u>04101</u>			Zip Code <u>04101</u>		
Telephone Number <u>207 400 4100</u>			Fax Number _____		
Business Telephone Number <u>207 400 4100</u>			Fax Number _____		
Federal I.D. # <u>83-3888994</u>			Seller Certificate #: or Sales Tax #:		
Email Address: Please Print <u>ISAACMACDUGAL@GMAIL.COM</u>			Website: <u>WWW.COCKTAILMARY.COM</u>		

If business is NEW or under new ownership, indicate starting date: 6/1

Requested inspection date: 5/20 Business hours: 3-12

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____
- Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
If Yes, please complete the Corporate Information required for Business Entities who are licensees.
- Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No
If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

(Use an additional sheet(s) if necessary.)

License #	Name of Business
Physical Location	City / Town

5. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒
6. If manager is to be employed, give name: Isaac MacDougal
7. Business records are located at: _____
8. Is/are applicant(s) citizens of the United States? YES ☒ NO ☐
9. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐
10. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Isaac MacDougal	10/09/78	Portland, ME
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
Portland, ME; Brooklyn, NY		

11. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒
- Name: _____ Date of Conviction: _____
- Offense: _____ Location: _____
- Disposition: _____ (use additional sheet(s) if necessary)
12. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____
13. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☒
14. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: _____
15. Describe in detail the premises to be licensed: (On Premise Diagram Required) _____
16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☐ NO ☐ Applied for: _____
17. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? _____ ?
- Which of the above is nearest? _____
18. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒
- If YES, give details: _____

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Portland, ME on April 1, 20 19
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Print Name

Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications).....	\$ 10.00
Class I Spirituous, Vinous and Malt	\$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.	
Class II Spirituous Only	\$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III Vinous Only	\$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV Malt Liquor Only	\$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
CLASS V: Clubs without catering privileges.	
Class X Spirituous, Vinous and Malt – Class A Lounge	\$2,200.00
CLASS X: Class A Lounge	
Class XI Spirituous, Vinous and Malt – Restaurant Lounge	\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.	

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.



Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: COCKTAIL MARY
2. Doing Business As, if any: _____
3. Date of filing with Secretary of State: 3/8/19 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
ISAAC MADDEN		10/5/78	PROPRIETOR	100

(Stock ownership in non-publicly traded companies must add up to 100%.)

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒ If Yes, Name: _____ Agency: _____

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐ No ☒

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Duly Authorized Person _____ Date

4/1/19

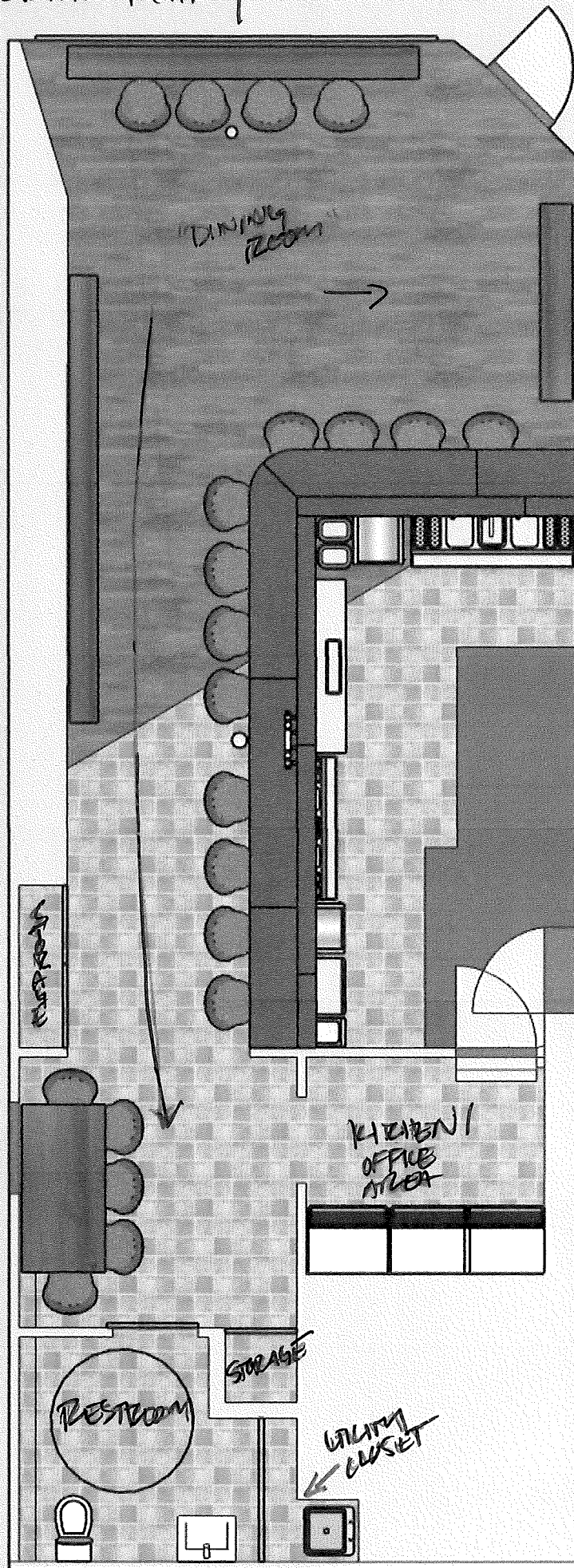

Print Name of Duly Authorized Person _____

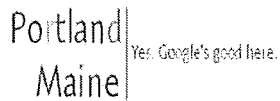
Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

COCKTAIL MARY

Layout





Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Re: Cocktail Mary

Nicholas Goodman <nickg@portlandmaine.gov>

Mon, Apr 1, 2019 at 2:24 PM

To: Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Pd has no objections. Ng

On Mon, Apr 1, 2019 at 1:56 PM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:

Good Morning

Please see the attached application for Cocktail Mary for a Class A Lounge. This will go before council on 4/22. Please advise. Thanks Jess

Jessica Blais Hanscombe

Licensing and Registration Coordinator

389 Congress Street Room 307

Portland, Maine 04101

207-874-8783

jhanscombe@portlandmaine.gov



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JESSICA HANSCOMBE
389 CONGRESS ST.
PORTLAND, ME 04101

Transaction Response #: MIQ99D928523

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2019-04-01) :

Inquiries Name(s) ISAAC MACDOUGAL (1978-10-05)

NO MATCH WAS FOUND FOR YOUR REQUEST.



Permitting and Inspections Department

April 2, 2019

Cocktail Mary LLC
126 Washington Avenue
Portland ME 04101

Re: Cocktail Mary LLC dba Cocktail Mary. Application for a Class A Lounge at 229 Congress Street.

Dear Isaac MacDougal,

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday April 22, 2019 at 5:30 p.m.**, for the review of application for a Class A Lounge at 229 Congress Street. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

You or a representative of the business must be present at this meeting in the event that the city council has questions regarding the license application. If there is no representation and questions arise, the item may be postponed.

Please contact our office directly with questions at (207) 874-8557 or jhanscombe@portlandmaine.gov.

Sincerely,

Jessica Hanscombe
Licensing and Registration Coordinator

Legal Advertisement

Notice of Public Hearing City of Portland

A Public Hearing will be held on April 22, 2019 at 5:30 P.M., in City Council Chambers, 389 Congress St., Cocktail Mary LLC dba Cocktail Mary. Application for a Class A Lounge at 229 Congress Street. Sponsored by Jon P. Jennings, City Manager.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 3, 2019

SUBJECT: Order 218-18/19 Approving Municipal Officers' Approval of Grippy Tannins LLC dba Grippy Tannins LLC. Application for a Class III FSE at 16 Middle Street - Sponsored by Jon P. Jennings City Manager.

SPONSOR:

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

PRESENTATION: (List the presenter(s), type and length of presentation)

I. SUMMARY

II. AGENDA DESCRIPTION

Grippy Tannins LLC dba Grippy Tannins LLC. Application for a Class III FSE at 16 Middle Street.

Application was filed on 4/1/2019. New City and State Applications. This is a new building.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis and Background that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 20190403120610421
2. Grippy Tannins

Prepared by:

Date: 4/3/2019

**Grippy Tannins LLC
16 Middle Street Unit 101
Portland, Maine 04101**

April 1, 2019

The Honorable Mayor Ethan K. Strimling
City of Portland
389 Congress St.
Portland, ME 04101

Re: Grippy Tannins LLC Application for a Food Service Establishment with Alcoholic Beverages License and Beer & Wine Take-Out License at 16 Middle Street Unit 101

Dear Mayor Strimling and Council Members:

I am pleased to submit an application for a Food Service Establishment with Alcoholic Beverages and Beer & Wine Take-Out License on behalf of Grippy Tannins LLC ("Grippy Tannins").

The business is located at 16 Middle Street Unit 101 in the relatively newly constructed building that is also home to Tilson Technology and Benkay Japanese Restaurant. We are incredibly excited to join the fast growing India Street Neighborhood.

We will be one of the first applicants applying for the state's "Dual Liquor License" that allows us to sell wine at retail as well as on-premise until 8:00 pm from the same space; therefore we have submitted applications to the City of Portland for both a Food Service Establishment with Alcoholic Beverages (for on-premise consumption) and a Beer & Wine Take-Out License (for sale of wine for off-premise consumption).

I am happy to attend the Council meeting when this item is scheduled for hearing to answer any questions that you, staff or members of the public may have about our application.

Sincerely,



Lindsey B. Murray
Sole Member, Grippy Tannins LLC

Portland, Maine



Yes. Life's good here.

Permitting and Inspections Department

389 Congress St. Room 307 • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Food Service Establishment with Alcoholic Beverages License

Business Information	
Business Name (d/b/a):	Grippy Tannins LLC Phone: 207-650-1195
Location Address:	16 Middle Street, Unit 101 Zip: 04101
If new, what was formerly at this location:	New Building / Unoccupied
Mailing Address:	11 Kirkwood Rd. Scarborough ME Zip: 04074
Contact Person:	Lindsey Murray Phone: 207-650-1195
Contact Person Email:	lindseyb.murray@gmail.com
Manager of Establishment:	Lindsey Murray Date of Birth: 10/15/84 Phone: 207-650-1195
Owner of Premises (Landlord):	Eight Middle Land Company LLC
Address of Premises Owner:	86 Newbury St. Portland, ME Zip: 04101

Sole Proprietor/Partnership Information (If Corporation, leave blank)

Name of Owner(s)	Date of Birth	Residence Address

Corporate/LLC/Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)

Corporate Name		Corporate Mailing Address	
Grippy Tannins LLC		11 Kirkwood Rd. Scarborough, ME Zip: 04074	
Contact Person:	Lindsey Murray	Phone:	207-650-1195
Principal Officers	Title	Date of Birth	Residence Address
Lindsey Murray	Member	10/15/84	11 Kirkwood Rd. Scarborough 04074

About Your Establishment

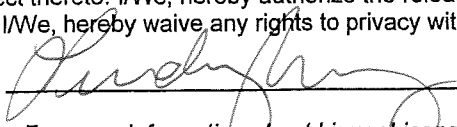
Class of Liquor License:	Class III	
Type of food served:	See Attached	
Please circle all that will be served:	Beer	<u>Wine</u> Liquor
Projected percentage of sales:	Generated from Food:	Generated from Alcohol:
Hours & days of operation:	See Attached	

QUESTIONS	Y/N
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?	Y/N
If No, please explain: Retail portion will be open different hours (see attached)	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	Y/N
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	Y/N
Will you permit dancing on the premises?	Y/N
Will you permit dancing after 1:00 a.m.?	Y/N
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	Y/N
If yes, will the outside dining be on PUBLIC or PRIVATE property (circle one).	
Will you have any amusement devices (pinball, video games, juke box)?	Y/N
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	5/1/19
Does the Issuance of this license directly or indirectly benefit any City employee(s)?	Y/N
If Yes, list name(s) of employee(s) and department(s):	
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?	Y/N
If Yes, please list business name(s) and location(s):	
Is any principal officer under the age of 21?	Y/N
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	Y/N
If Yes, please explain:	

I Lindsey B. Murray do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require me to produce Server Training certificates for each employee that serves alcohol to the public in my establishment. Failure to meet the training requirement imposed by section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. § 653 (2) (G).

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive any rights to privacy with respect thereto.

Signature  Title Sole Member Date 4/1/19

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.

**Bureau of Alcoholic Beverages
& Lottery Operations
Liquor Licensing & Enforcement**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

BUREAU USE ONLY

License No. Assigned:

Class:

Deposit Date:

Amt. Deposited:

Dual Liquor License Application

PRESENT LICENSE EXPIRES _____

- ☒ **Dual Liquor License**-Wine to be consumed on premise\$600.00
☒ **Off-Premise Retailer** – Table Wine - **must also be applied for**\$200.00
☐ **Off-Premise Retailer** – Malt Liquor - Optional\$200.00
☒ **Filing Fee**\$ 10.00

NOTE: If the place of business is located in an unincorporated place, the application must be approved by the County Commissioners. All such applications shall be accompanied by receipt of payment of the \$10.00 filing fee to the County Treasurer.

Check Payable: Treasurer State of Maine

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Grippy Tannins LLC</u> DOB: _____		2. Business Name (D/B/A) <u>Grippy Tannins LLC</u>	
DOB: _____			
DOB: _____		Location (Street Address) <u>16 Middle Street Unit 101</u>	
Address <u>16 Middle St. Unit 101</u>		City/Town <u>Portland</u> State <u>ME</u> Zip Code <u>04101</u>	
		Mailing Address <u>11 Kirkwood Rd.</u>	
City/Town <u>Portland</u> State <u>ME</u> Zip Code <u>04101</u>		City/Town <u>Scarborough</u> State <u>ME</u> Zip Code <u>04074</u>	
Telephone Number <u>207-650-1195</u> Fax Number _____		Business Telephone Number <u>207-650-1195</u> Fax _____	
Federal I.D. # <u>83-1769842</u>		Seller Certificate # _____	

3. List of Wholesale Value and Types of Merchandise in inventory: **(Must be answered)**

Edible Foods \$ 5,000 Tobacco Products \$ 0 Paper Goods \$ 0

Greeting Cards, Magazines, Newspapers \$ 0 Total of all other merchandise in inventory \$ 35,000

4. Is applicant a Corporation, Limited Liability Co. or Limited Partnership: Yes ☒ No ☐ (If Yes complete Supplementary Questionnaire)

5. If manager is to be employed, give name: _____

6. If business is NEW indicate opening date: 5/1/19 Business Hours: See Attached

7. Is/Are applicant(s) citizens of the United States? Yes ☒ No ☐

8. Is/Are applicant(s) residents of the State of Maine? Yes ☒ No ☐

9. List name, date of birth, place of birth for all applicants and managers. Give maiden name, if married:

Name in Full (Print Clearly)	DOB	Place of Birth
Lindsey Murray	10/15/84	Annapolis, MD

Residence address on all of the above for previous 5 years (Limit answer to city & state)

See Attached

Use a separate sheet of paper if necessary.

10. Has applicant(s) or manager(s) ever been convicted of any violation of the law, other than minor traffic violations of any

State of the United States? Yes ☐ No ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

11. Will any law enforcement official benefit financially either directly or indirectly in our license, if issued?

Yes ☐ No ☒ If Yes, give name: _____

12. Has applicant(s) formerly held a Maine liquor license? Yes ☐ No ☒

13. Do applicant(s) own the premises? Yes ☐ No ☒ If No, give name and address of owner: _____

Eight Middle Land Company LLC, 86 Newbury St, Portland, ME 04101

14. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____

See Attached

15. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☐ NO ☒ Applied for: 4/2/19

16. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 0.2 mi Which of the above is nearest? St. Peter's Parish

17. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: Loan in the amount of \$325,000 from Royal Bank of Canada.

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Portland, ME on April 1, 2019

Town/City, State

Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Lindsey B. Murray

Print Name

Print Name



State of Maine
Division of Alcoholic Beverages and
Lottery Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752. Please clearly complete this form in its entirety.

1. Exact legal name: Grippy Tannins LLC
2. Doing Business As, if any: _____
3. Legal Entity's FEIN #: 83-1769842
4. Date of filing with Secretary of State: 8/27/18 State in which you are formed: Maine
5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____
6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Lindsey Murray	11 Kinkwood Rd. Scarborough 16 Monument Sq. Charlestown, MA 21 Melody Ln. Portland	10/15/84	Sole Member	100%

(Stock ownership in non-publicly traded companies must add up to 100%.)

7. If Co-Op # of members: _____ (list primary officers in the above boxes)

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐ No ☒

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

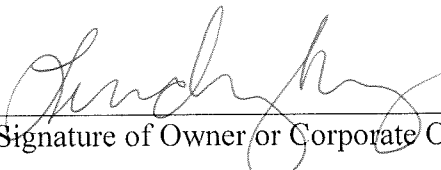
Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

PLEASE SIGN IN BLUE INK


Signature of Owner or Corporate Officer

4/1/19
Date

Lindsey B. Murray
Print Name of Owner or Corporate Officer

Submit Completed Forms To:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

grippy tannins

DRAFT MENU
4/1/2019

complimentary nibbles

warm olives	salty chips
herb popcorn	nut mix
bread & butter	pickled veg

savory boards

cheese board assortment of local cheeses, dried fruit, and nuts MKT PRICE

charcuterie board assortment of local meats and pickled veg MKT PRICE

tinned fish board your choice of tinned fish served with fresh bread

tuna fillets in olive oil	\$15
mackerel fillets in olive oil	\$12
trout fillets in pickled sauce	\$15
la brújula razor clams	\$18

seasonal bites *items to rotate based on availability & seasonality*

empanada ask your server for today's special MKT PRICE

savory pies ask your server for today's special

mushroom and leek tart MKT PRICE

spinach and bacon tart MKT PRICE

saffron arancini handmade arancini stuffed with mozzarella MKT PRICE

patatas bravas crispy potatoes with Roasted Tomato Aioli MKT PRICE

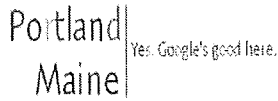
Hours of Operation

Off-Premise Retail

Sunday:	11:00 am to 6:00 pm
Monday:	Closed
Tuesday:	12:00pm to 8:00 pm
Wednesday:	12:00 pm to 8:00 pm
Thursday:	11:00 am to 8:00 pm
Friday:	11:00 am to 8:00 pm
Saturday:	11:00 am to 8:00 pm

On-Premise

Sunday:	12:00 am to 6:00 pm
Monday:	Closed
Tuesday:	3:00pm to 8:00 pm
Wednesday:	3:00 pm to 8:00 pm
Thursday:	3:00 am to 8:00 pm
Friday:	3:00 am to 8:00 pm
Saturday:	12:00 am to 8:00 pm



Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Re: Grippy Tannins LLC- Liquor

cstacey <cstacey@portlandmaine.gov>
To: Zoning <zoning@portlandmaine.gov>
Cc: jhanscombe@portlandmaine.gov

Wed, Apr 3, 2019 at 8:28 AM

A retail wine shop with wine bar and tasting area (Class III Vinous License) is a permitted use in the IS-FBC Zone under section 14-275.6 in Chapter 14, City Code of Ordinances.

Thanks,
Chris

On Monday, April 1, 2019 at 2:22:43 PM UTC-4, Jessica Hanscombe wrote:

Good Afternoon

Please see the attached Class III application. This will go before council on 4/22/2019. Please advise.

Thanks Jessica

Jessica Blais Hanscombe

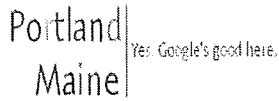
Licensing and Registration Coordinator

389 Congress Street Room 307

Portland, Maine 04101

207-874-8783

jhanscombe@portlandmaine.gov



Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Re: Grippy Tannins LLC- Liquor

Nicholas Goodman <nickg@portlandmaine.gov>
To: Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Mon, Apr 1, 2019 at 2:23 PM

Pd has no issues. NG

On Mon, Apr 1, 2019 at 2:22 PM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:
Good Afternoon

Please see the attached Class III application. This will go before council on 4/22/2019. Please advise.
Thanks Jessica
Jessica Blais Hanscombe
Licensing and Registration Coordinator
389 Congress Street Room 307
Portland, Maine 04101
207-874-8783
jhanscombe@portlandmaine.gov



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JESSICA HANSCOMBE
389 CONGRESS ST.
PORTLAND, ME 04101

Transaction Response #: MIQ99D928525

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2019-04-01) :

Inquiries Name(s) **LINDSEY MURRAY (1984-10-15)**

NO MATCH WAS FOUND FOR YOUR REQUEST.



Permitting and Inspections Department

April 2, 2019

Grippy Tannins LLC
11 Kirkwood Rd
Scarborough ME 04074

Re: Grippy Tannins LLC dba Grippy Tannins LLC. Application for a Class III FSE at 16 Middle Street.

Dear Lindsey Murray,

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday April 22, 2019 at 5:30 p.m.**, for the review of application for a Class III FSE at 16 Middle Street. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

You or a representative of the business must be present at this meeting in the event that the city council has questions regarding the license application. If there is no representation and questions arise, the item may be postponed.

Please contact our office directly with questions at (207) 874-8557 or jhanscombe@portlandmaine.gov.

Sincerely,

Jessica Hanscombe
Licensing and Registration Coordinator

Legal Advertisement

Notice of Public Hearing City of Portland

A Public Hearing will be held on April 22, 2019 at 5:30 P.M., in City Council Chambers, 389 Congress St., Grippy Tannins LLC dba Grippy Tannins LLC. Application for a Class III FSE at 16 Middle Street. Sponsored by Jon P. Jennings, City Manager.

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

KIMBERLY M. COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS’
APPROVAL OF:

Grippy Tannins LLC dba Grippy Tannins LLC. Application for a Class III FSE at 16 Middle Street.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 3, 2019

SUBJECT: Order 219-18/19 Approving Municipal Officers' Approval of Portland Hotels Inn Inc. dba Hampton Inn & Suites. Application for a Class I-A Hotel 41+ Rooms at 1210 Brighton Avenue - Sponsored by Jon P. Jennings, City Manager.

SPONSOR:

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

PRESENTATION: (List the presenter(s), type and length of presentation)

I. SUMMARY

II. AGENDA DESCRIPTION

Portland Hotels Inn Inc. dba Hampton Inn & Suites. Application for a Class I-A Hotel 41+ Rooms at 1210 Brighton Avenue.

Application was filed on 4/1/2019. New City and State Applications. Location was previously the Travelodge.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis and Background that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Hampton Inn.docx
2. 20190403122122029

Prepared by:

Date: 4/3/2019

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

KIMBERLY M. COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS’
APPROVAL OF:

Portland Hotels Inn Inc. dba Hampton Inn & Suites. Application for a Class I-A Hotel 41+ Rooms at 1210 Brighton Avenue.

Mayor Ethan Strimling and Portland City Council

Portland Hotels, Inc.
1210 Brighton Avenue
Portland, ME 04102

Allow me to take this opportunity to briefly introduce myself and to submit an application for a liquor license for my soon-to-open 86-room Hampton Inn & Suites here in Portland.

My name is Kamlesh Patel. I have been a hotel owner and operator in Portland and in other New England markets for many years. I want my latest hotel project to be an immediate success in what has become an increasingly-competitive market. To that end, I wish to have the ability to serve refreshments in the form of beer, wine and liquor to guests upon their arrival at the Hampton Inn. This amenity is to be offered to guests only and not to the general public.

Please find attached the requisite forms in support of my liquor license application. Should have you have any questions or concerns regarding this application please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kamlesh Patel', with a long horizontal flourish extending to the right.

Kamlesh Patel
President
(207) 807-1127

Portland, Maine



Yes. Life's good here.

Permitting and Inspections Department

389 Congress St. Room 307 • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Food Service Establishment with Alcoholic Beverages License

Business Information	
Business Name (d/b/a):	Hampton Inn & Suites Phone: 207 807 1127
Location Address:	1210 Brighton Ave Portland, ME 04103 Zip: 04103
If new, what was formerly at this location:	Travelodge
Mailing Address:	1210 Brighton Ave Zip: 04103
Contact Person:	Kamlesh Patel Phone: 207 807 1127
Contact Person Email:	KOPAT9L@ME.COM
Manager of Establishment:	Kamlesh Patel Date of Birth: 4/15/67 Phone: 207 807 1127
Owner of Premises (Landlord):	Kamlesh Patel
Address of Premises Owner:	1150 Brighton Ave Portland, ME 04103 Zip: 04103

Sole Proprietor/Partnership Information (If Corporation, leave blank)

Name of Owner(s)	Date of Birth	Residence Address

Corporate/LLC/Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)

Corporate Name		Corporate Mailing Address	
Portland Hotels Inn LLC		1210 Brighton Ave Zip: 04103	
Contact Person:	Kamlesh Patel	Phone:	207 807 1127
Principal Officers	Title	Date of Birth	Residence Address
Kamlesh Patel	President	4/15/67	1150 Brighton Ave.
Amratlal Patel	Vice President	4/21/49	1150 Brighton Ave.
Rohit Patel	Vice President	2/7/60	55 US Rt 1 by Port South Kittery ME
Dinesh Patel	Clerk	2/25/70	851 EAST COLUMBUS AVE Springfield MA 01105

About Your Establishment

Class of Liquor License:	<u>Hotel</u>	
Type of food served:	<u>Complimentary breakfast</u>	
Please circle all that will be served:	<u>Beer</u> <u>Wine</u> <u>Liquor</u>	
Projected percentage of sales:	Generated from Food: <u>0</u>	Generated from Alcohol:
Hours & days of operation:	<u>5 PM to 9 PM</u>	

QUESTIONS	Y/N
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?	<u>Y/N</u>
If No, please explain:	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	<u>Y/N</u>
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	<u>Y/N</u>
Will you permit dancing on the premises?	<u>Y/N</u>
Will you permit dancing after 1:00 a.m.?	<u>Y/N</u>
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	<u>Y/N</u>
If yes, will the outside dining be on PUBLIC or PRIVATE property (circle one).	
Will you have any amusement devices (pinball, video games, juke box)?	<u>Y/N</u>
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	<u>5/15/19</u>
Does the Issuance of this license directly or indirectly benefit any City employee(s)?	<u>Y/N</u>
If Yes, list name(s) of employee(s) and department(s):	
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?	<u>Y/N</u>
If Yes, please list business name(s) and location(s):	<u>Portland Hotels Inn Inc.</u>
Is any principal officer under the age of 21?	<u>Y/N</u>
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	<u>Y/N</u>
If Yes, please explain:	

I Kamlesh Patel do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require me to produce Server Training certificates for each employee that serves alcohol to the public in my establishment. Failure to meet the training requirement imposed by section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. § 653 (2) (G).

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive any rights to privacy with respect thereto.

Signature [Signature] Title President Date 4/1/19

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY

License No:

Class:

By:

Deposit Date:

Amt. Deposited:

Cash Ck Mo:

PRESENT LICENSE EXPIRES _____

NEW application: ☒ Yes ☐ No

If business is NEW or under new ownership, indicate starting date: 5/15/19

Requested inspection date: _____ Business hours: 5pm to 9pm

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

☐ RESTAURANT (Class I,II,III,IV)

☐ RESTAURANT/LOUNGE (Class XI)

☐ CLASS A LOUNGE (Class X)

☐ HOTEL (Class I,II,III,IV)

☒ HOTEL, FOOD OPTIONAL (Class I-A)

☐ BED & BREAKFAST (Class V)

☐ CLUB w/o Catering (Class V)

☐ CLUB with CATERING (Class I)

☐ GOLF COURSE (Class I,II,III,IV)

☐ TAVERN (Class IV)

☐ QUALIFIED CATERING

☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>Portland Hotels Inn, INC.</u>			Business Name (D/B/A) <u>Hampton Inn & Suites</u>		
APPLICANT(S) –(Sole Proprietor) DOB: <u>Kamlesh Patel</u> <u>4/15/67</u>			Physical Location: <u>1210 Brighton Ave.</u>		
Address <u>1150 Brighton Ave.</u>			Mailing Address <u>1210 Brighton Ave.</u>		
City/Town <u>Portland</u>	State <u>ME</u>	Zip Code <u>04103</u>	City/Town <u>Portland</u>	State <u>ME</u>	Zip Code <u>04103</u>
Telephone Number <u>207 807 1127</u>	Fax Number <u>—</u>		Business Telephone Number <u>207 807 1127</u>	Fax Number <u>—</u>	
Federal I.D. # <u>20-0264771</u>			Seller Certificate #: or Sales Tax #: <u>10756177</u>		
Email Address: Please Print <u>kopatel@me.com</u>			Website:		

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: 86
- State amount of gross income from period of last license: ROOMS \$ 1.5M FOOD \$ 0.00 LIQUOR \$ 100k
- Is applicant a corporation, limited liability company or limited partnership? YES ☐ NO ☒
If Yes, please complete the Corporate Information required for Business Entities who are licensees.

- Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No
If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.
(Use an additional sheet(s) if necessary.)

License # _____ Name of Business _____

Physical Location _____

City / Town _____

5. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

6. If manager is to be employed, give name: Kamlesh Patel

7. Business records are located at: _____

8. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

9. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

10. List name, date of birth, and place of birth for all applicants, managers, and bar managers.

Full Name (Please Print)	DOB	Place of Birth
Kamlesh Patel	4/15/67	India
Residence address on all of the above for previous 5 years (Limit answer to city & state)		

11. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____ (use additional sheet(s) if necessary)

12. Will any law enforcement official benefit directly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: _____

13. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☒

14. Does/do applicant(s) own the premises? Yes ☒ No ☐ If No give name and address of owner: _____

15. Describe in detail the premises to be licensed: (On Premise Diagram Required) _____

16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☐ NO ☐ Applied for: _____

17. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? .8 mile

Which of the above is nearest? Breakwater school

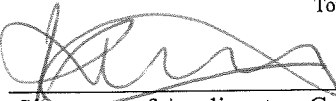
18. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: Kennebunk Savings

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Portland Me on 4-1, 20 19
Town/City, State Date


Signature of Applicant or Corporate Officer(s)
Kamlesh Patel
Print Name

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Print Name

FEE SCHEDULE

FILING FEE: (must be <u>included</u> on all applications).....	\$ 10.00
Class I Spirituous, Vinous and Malt	\$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.	
Class II Spirituous Only	\$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III Vinous Only	\$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV Malt Liquor Only	\$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
CLASS V: Clubs without catering privileges.	
Class X Spirituous, Vinous and Malt – Class A Lounge	\$2,200.00
CLASS X: Class A Lounge	
Class XI Spirituous, Vinous and Malt – Restaurant Lounge	\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.	

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. **All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.**

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**



Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

- Exact legal name: Portland Hotels Inn INC.
- Doing Business As, if any: Hotels
- Date of filing with Secretary of State: 2005 State in which you are formed: maine
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Kamlesh Patel	1150 Brighton Ave	4/15/2967	President	24
Rohit Patel	Kittery, ME 85 US Rt 1 By Pass South	2/7/1960	Vice president	24
Dinesh Patel	851 East Columbus Ave. Springfield MA 01105	2/25/1970	clerk	24
Ambutlal Patel	1150 Brighton Ave Portland ME 04103	4/21/1949	Woe President	28

(Stock ownership in non-publicly traded companies must add up to 100%.)

- If Co-Op # of members: Kamlesh Patel (list primary officers in the above boxes)

7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐ No ☒

8. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

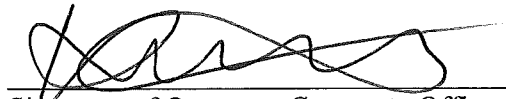
Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Owner or Corporate Officer

4/1/19

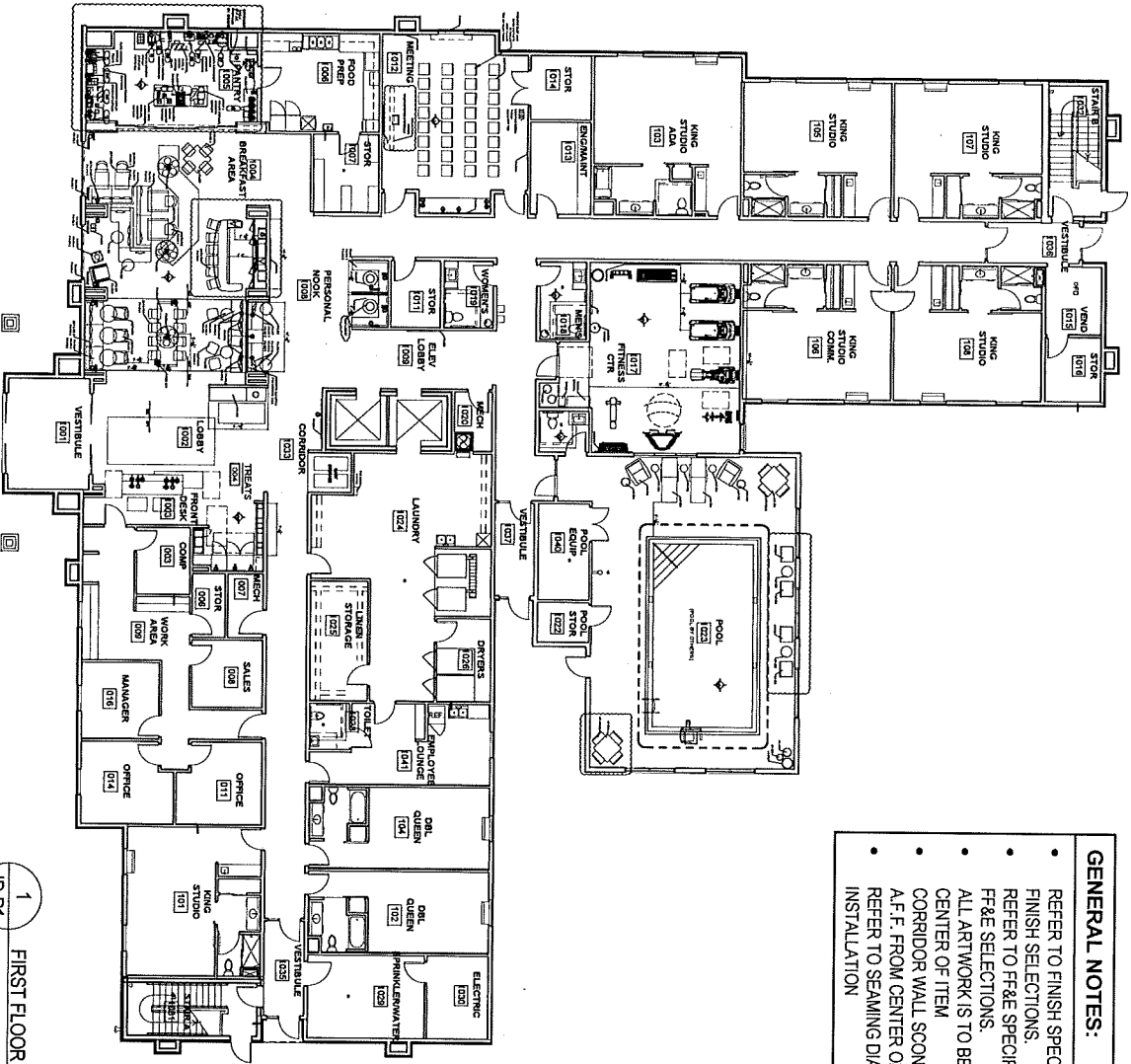
Date

Kamlesh Patel president

Print Name of Owner or Corporate Officer

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov



GENERAL NOTES:

- REFER TO FINISH SPECIFICATION BINDER FOR NEW FINISH SELECTIONS.
- REFER TO FF&E SPECIFICATION MANUAL FOR ALL NEW FF&E SELECTIONS.
- ALL ARTWORK IS TO BE MOUNTED @ 5' A.F.F. FROM CENTER OF ITEM
- CORRIDOR WALL SCONCES ARE TO BE MOUNTED @ 6' A.F.F. FROM CENTER OF FIXTURE
- REFER TO SEAMING DIAGRAM FOR ALL CARPET INSTALLATION

1 FIRST FLOOR LAYOUT

SCALE: 1/8" = 1'-0"

SHEET NUMBER
ID.P1

HAMPTON INN & SUITES
1200 BRIGHTON AVE.
PORTLAND, ME

DRAWN BY: AMS
DATE: 4.1.2018
REVISED: 8.1.2018
11.20.2018

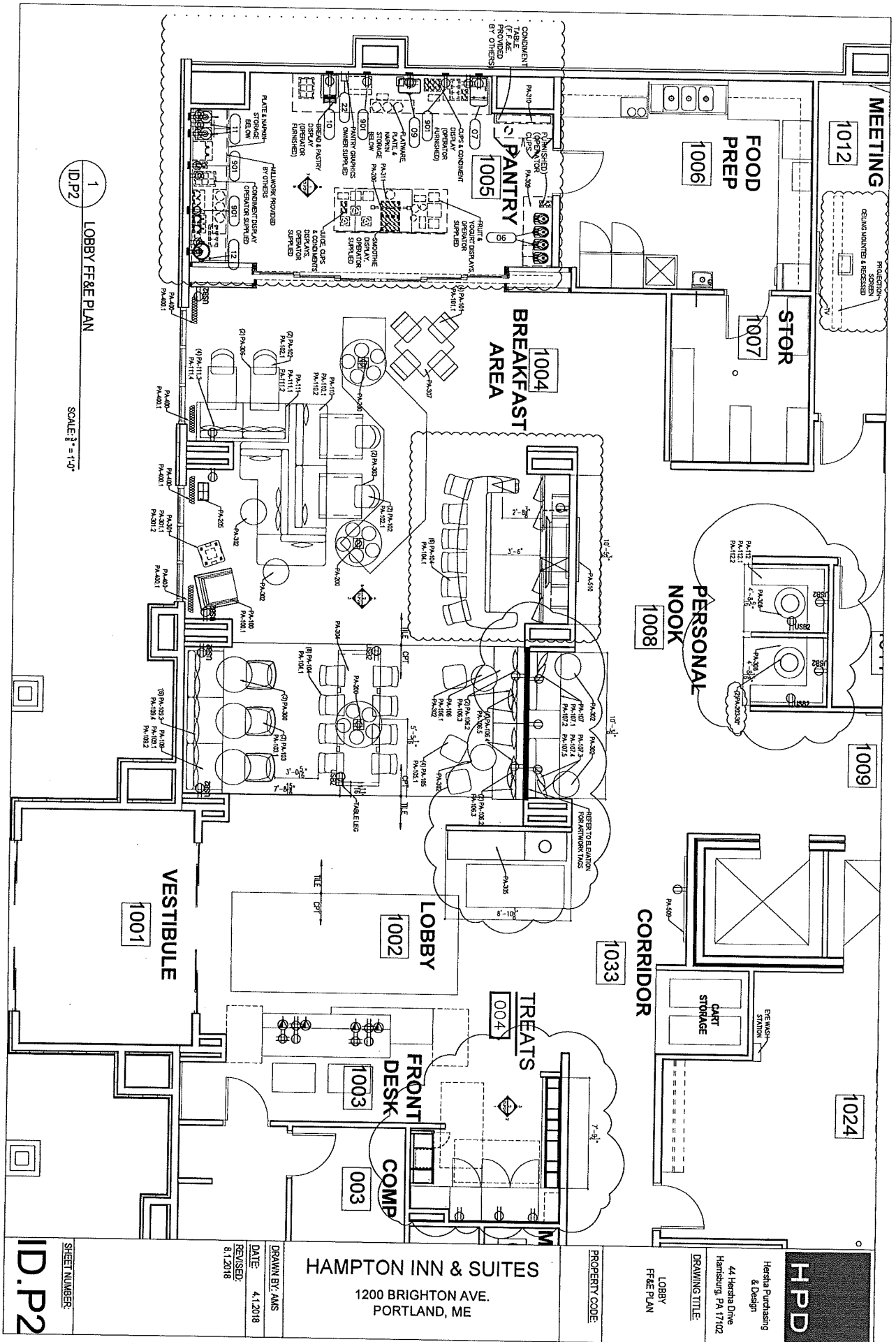
PROPERTY CODE:

FIRST FLOOR
LAYOUT

DRAWING TITLE:

Hestia Purchasing
& Design
44 Hestia Drive
Hamburg, PA 17102

HPD



1 LOBBY FF&E PLAN
ID.P2

SCALE 1/8" = 1'-0"

SHEET NUMBER

ID.P2

HAMPTON INN & SUITES
1200 BRIGHTON AVE.
PORTLAND, ME

DRAWN BY: AMS
DATE: 4.1.2018
REVISED: 8.7.2018

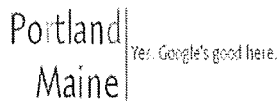
PROPERTY CODE

LOBBY
FF&E PLAN

DRAWING TITLE
44 Hester Drive
Hamden, CT 06430

HPD

Hester Purchasing
& Design



Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Re: Hampton Inn & Suites

cstacey <cstacey@portlandmaine.gov>
To: Zoning <zoning@portlandmaine.gov>
Cc: jhanscombe@portlandmaine.gov

Wed, Apr 3, 2019 at 9:00 AM

A Class 1-A Hotel is a permitted use in the B-4 Zone under section 14-229.11 in Chapter 14, City Code of Ordinances.

Thanks,
Chris

On Monday, April 1, 2019 at 2:37:36 PM UTC-4, Jessica Hanscombe wrote:

Good Afternoon

Please see the attached application for a Class 1A. This will go before council on 4/22. Please advise.

Thanks Jessica

Jessica Blais Hanscombe

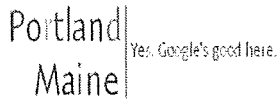
Licensing and Registration Coordinator

389 Congress Street Room 307

Portland, Maine 04101

207-874-8783

jhanscombe@portlandmaine.gov



Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Re: Hampton Inn & Suites

Nicholas Goodman <nickg@portlandmaine.gov>
To: Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Mon, Apr 1, 2019 at 2:56 PM

Pd has no objections
Ng

On Mon, Apr 1, 2019 at 2:37 PM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:

Good Afternoon

Please see the attached application for a Class 1A. This will go before council on 4/22. Please advise.

Thanks Jessica

Jessica Blais Hanscombe

Licensing and Registration Coordinator

389 Congress Street Room 307

Portland, Maine 04101

207-874-8783

jhanscombe@portlandmaine.gov



JESSICA HANSCOMBE
389 CONGRESS ST.
PORTLAND, ME 04101

Transaction Response #: MIQ99D928519

Introduction

This criminal history record was produced in response to the following request (Produced on 2019-04-01) :

Inquiries Name(s) KAMLESH PATEL (1967-04-15)

NO MATCH WAS FOUND FOR YOUR REQUEST.



Permitting and Inspections Department

April 2, 2019

Portland Hotels Inn Inc
1210 Brighton Avenue
Portland ME 04103

Re: Portland Hotels Inn Inc. dba Hampton Inn & Suites. Application for a Class I-A Hotel 41+ Rooms at 1210 Brighton Avenue.

Dear Kamiesh Patel

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday April 22, 2019 at 5:30 p.m.**, for the review of application for a Class I-A Hotel 41+ Rooms at 1210 Brighton Avenue. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

You or a representative of the business must be present at this meeting in the event that the city council has questions regarding the license application. If there is no representation and questions arise, the item may be postponed.

Please contact our office directly with questions at (207) 874-8557 or jhanscombe@portlandmaine.gov.

Sincerely,

Jessica Hanscombe
Licensing and Registration Coordinator

Legal Advertisement

Notice of Public Hearing City of Portland

A Public Hearing will be held on April 22, 2019 at 5:30 P.M., in City Council Chambers, 389 Congress St., Portland Hotels Inn Inc. dba Hampton Inn & Suites. Application for a Class I-A Hotel 41+ Rooms at 1210 Brighton Avenue. Sponsored by Jon P. Jennings, City Manager.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 9, 2019

SUBJECT: **Order 220-18/19 Receiving and Referring to the Finance Committee the Portland Board of Education's Fiscal Year 2020 Recommended Budget and Setting a Public Hearing Thereon - Sponsored by Jon P. Jennings, City Manager**

SPONSOR: Jon P. Jennings, City Manager
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:
1st Reading 4/22/2019 **Final Action 4/22/2019**

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

PRESENTATION: (List the presenter(s), type and length of presentation)

I. SUMMARY

II. AGENDA DESCRIPTION

Under this order the City Council receives the Portland Board of Public Education's proposed Fiscal Year 2020 budget and refers it to the Finance Committee for review and recommendations.

The first reading and public hearing of the Fiscal Year 2020 school budget will be held on Monday, May 6, 2019, at 5:30 p.m. at City Hall in City Council Chambers.

The second reading and City Council action on the school budget will take place Monday, May 20, 2019, at 5:30 p.m. at City Hall in City Council Chambers.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis and Background that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. B. Receiving and Referring School Budget FY2020
2. FY2020Board of Education Recommended Budget

Prepared by:

Date: 4/9/2019

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER RECEIVING AND REFERRING TO THE FINANCE COMMITTEE
THE PORTLAND BOARD OF PUBLIC EDUCATION'S
FISCAL YEAR 2020 BUDGET ESTIMATE
AND SETTING A PUBLIC HEARING THEREON**

ORDERED, that the Budget Estimate of the Portland Board of Public Education for Fiscal Year 2020 is hereby received and referred to the Finance Committee for review; and

BE IT FURTHER ORDERED, that the Public Hearing on the Fiscal Year 2020 School Budget will be on May 6, 2019 in the City Council Chambers, 389 Congress Street, at 5:30 p.m.

PORTLAND PUBLIC SCHOOLS
prepared & empowered



Delivering on the
Portland Promise

FY2020 Board of Education Recommended Budget

April 8, 2019



PORTLAND PUBLIC SCHOOLS

prepared & empowered

Vision

All learners will be fully prepared and succeed in a diverse and ever-changing world.

Mission

The Portland Public Schools are responsible for ensuring a challenging, relevant, and joyful education that empowers every learner to make a difference in the world. We build relationships among families, educators, and the community to promote the healthy development and academic achievement of every learner.

Goals

Goal 1 – Achievement - All PPS students will be prepared for college and career and empowered to pursue a productive postsecondary path.

Goal 2 – Whole Student - All PPS students will develop the skills, habits, and mindsets they need to engage in and contribute to our diverse city and ever-changing world.

Goal 3 – Equity - PPS is vigilant in supporting each and every student's particular path to achieving high standards, rooting out systemic or ongoing inequities.

Goal 4 – People - PPS attracts, supports and retains talented and diverse people who use their strengths to achieve our shared goals.

**Portland Public Schools
FY2020 Board of Education Recommended Budget
April 8, 2019**

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Portland Public Schools
FY2020 Summary Revenue Budget
General, Adult Ed, and Food Services Funds
Board of Education Recommended Budget
April 8, 2019

		FY19 Approved	FY20 Superintendent Recommended	FY20 Finance Committee Recommended	FY20 Board of Education Recommended	\$ +/-(-)	% +/-
Local Revenue (non-tax)	General	\$ 424,376	\$ 403,500	\$ 403,500	\$ 403,500		
	Adult Ed	195,000	185,000	185,000	185,000		
	Food Services	410,225	413,000	413,000	413,000		
	Total Local Revenue	1,029,601	1,001,500	1,001,500	1,001,500	\$ (28,101)	-2.7%
State Revenue	EPS	12,677,092	13,085,983	13,085,983	13,085,983		
	Debt Service Reimb	3,662,244	3,559,926	3,559,926	3,559,926		
	Other	364,530	304,900	304,900	304,900		
	Adult Ed	449,040	509,788	509,788	509,788		
	Food Services	40,000	44,999	44,999	44,999		
	Total State Revenue	17,192,906	17,505,596	17,505,596	17,505,596	312,690	1.8%
Federal Revenue	General	690,000	1,821,928	1,821,928	1,821,928		
	Food Services	2,882,508	2,939,825	2,939,825	2,939,825		
	Total Federal Revenue	3,572,508	4,761,753	4,761,753	4,761,753	1,189,245	33.3%
Total Non-tax Revenue		\$ 21,795,015	\$ 23,268,849	\$ 23,268,849	\$ 23,268,849	\$ 1,473,834	6.8%
Use of Fund Balance	General	518,789	500,000	500,000	500,000		
	Food Services	211,481	250,000	250,000	250,000		
	Adult Education	50,000	19,283	19,283	19,283		
		780,270	769,283	769,283	769,283		
Property Taxes	General Education	86,406,334	91,914,079	91,952,258	91,952,258		
	Adult Education	1,597,097	1,718,435	1,718,435	1,718,435		
	Food Services	-	124,445	124,445	124,445		
	Total Property Tax	88,003,431	93,756,960	93,795,139	93,795,139	5,791,708	6.6%
Total Revenue		\$ 110,578,716	\$ 117,795,091	\$ 117,833,270	\$ 117,833,270	\$ 7,254,554	6.6%

Portland Public Schools
FY2020 Detail Revenue Budget
General, Adult Ed, and Food Services Funds
Board of Education Recommended Budget
April 8, 2019

	FY19 Approved	FY20 Superintendent Recommended	FY20 Finance Committee Recommended	FY20 Board of Education Recommended	\$ +/-	% +/-
GENERAL FUND						
LOCAL REVENUE						
1211 REQUIRED LOCAL SHARE (tax levy)	\$ 70,198,565	\$ 70,510,824	\$ 70,510,824	\$ 70,510,824	\$ 312,259	0.4%
1212 LOCAL ONLY DEBT SERVICE (tax levy)	597,496	577,882	577,882	577,882	(19,614)	-3.3%
1213 ADDITIONAL LOCAL FUNDS (tax levy)	15,610,273	20,825,373	20,863,552	20,863,552	5,253,279	33.7%
1322 TUITION PUBLIC K-8	84,000	90,000	90,000	90,000	6,000	7.1%
1324 TUITION PUBLIC 9-12	90,000	90,000	90,000	90,000	-	0.0%
1328 TUITION CTE OTHER UNITS	-	-	-	-	-	0.0%
1363 SUMMER SCH TUITION 9-12	10,000	10,000	10,000	10,000	-	0.0%
1380 PATHS PART I & II ASSESSMENT	21,876	-	-	-	(21,876)	-100.0%
1440 TRANSPORT - OTHER ORG (e.g. PTO, Boosters)	125,000	125,000	125,000	125,000	-	0.0%
1510 INTEREST ON INVESTMENTS	3,000	3,000	3,000	3,000	-	0.0%
1712 ADMISSIONS 9-12	25,000	15,000	15,000	15,000	(10,000)	-40.0%
1910 BUILDING RENTALS	60,000	60,000	60,000	60,000	-	0.0%
1960 MISC LOCAL REVENUE	5,000	10,000	10,000	10,000	5,000	100.0%
1991 MISC SALES & REFUNDS	500	500	500	500	-	0.0%
TOTAL LOCAL	86,830,710	92,317,579	92,355,758	92,355,758	5,525,048	6.4%
STATE REVENUE						
3111 STATE SHARE EPS (State Subsidy)	12,677,092	14,085,983	14,085,983	14,085,983	1,408,891	11.1%
STATE REIMBURSED DEBT SERVICE	3,662,244	3,559,926	3,559,926	3,559,926	(102,318)	-2.8%
3112 SEED WITHHOLDING	-	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	-100.0%
3120 STATE AGENCY CLIENT	300,000	250,000	250,000	250,000	(50,000)	-16.7%
3150 NAT'L BOARD - TEACHING SALARY SUPLMNT	64,530	54,900	54,900	54,900	(9,630)	-14.9%
TOTAL STATE	16,703,866	16,950,809	16,950,809	16,950,809	246,943	1.5%
FEDERAL REVENUE						
4585 MAINECARE MEDICAID REIMB	650,000	1,676,928	1,676,928	1,676,928	1,026,928	158.0%
4810 FEDERAL IMPACT AID	40,000	45,000	45,000	45,000	5,000	12.5%
5223 INDIRECT COST RECOVERY	-	100,000	100,000	100,000	100,000	100.0%
TOTAL FEDERAL	690,000	1,821,928	1,821,928	1,821,928	1,131,928	164.0%
TOTAL GENERAL FUND	104,224,576	111,090,316	111,128,495	111,128,495	6,903,919	6.6%
5000 USE OF FUND BALANCE	518,789	500,000	500,000	500,000	(18,789)	-3.6%
TOTAL GENERAL FUND REVENUE AND FUND BALANCE	\$ 104,743,365	\$ 111,590,316	\$ 111,628,495	\$ 111,628,495	\$ 6,885,130	6.6%
ADULT EDUCATION						
AE LOCAL REVENUE						
1214 LOCAL FUNDS (tax levy)	\$ 1,597,097	\$ 1,718,435	\$ 1,718,435	\$ 1,718,435	\$ 121,338	7.6%
1317 TUITION-INDIV-ENRICHMT	105,000	125,000	125,000	125,000	20,000	19.0%
1319 TUITION-INDIV-VOC	70,000	40,000	40,000	40,000	(30,000)	-42.9%
1359 TUITION-OTHER-ACADEMIC	20,000	20,000	20,000	20,000	-	0.0%
1920 DONATIONS/CONTRIBUTIONS	-	-	-	-	-	0.0%
5200 FUND TRANSFERS	-	-	-	-	-	0.0%
TOTAL LOCAL	1,792,097	1,903,435	1,903,435	1,903,435	111,338	6.2%
AE STATE REVENUE						
3240 STATE SUBSIDY	449,040	509,788	509,788	509,788	60,748	13.5%
TOTAL STATE	449,040	509,788	509,788	509,788	60,748	13.5%
5000 USE OF FUND BALANCE	50,000	19,283	19,283	19,283	(30,717)	-61.4%
TOTAL ADULT EDUCATION REVENUE	\$ 2,291,137	\$ 2,432,506	\$ 2,432,506	\$ 2,432,506	\$ 141,369	6.2%

Portland Public Schools
FY2020 Detail Revenue Budget
General, Adult Ed, and Food Services Funds
Board of Education Recommended Budget
April 8, 2019

		FY19 Approved	FY20 Superintendent Recommended	FY20 Finance Committee Recommended	FY20 Board of Education Recommended	\$ +/-	% +/-
FOOD SERVICE							
<i>FS LOCAL REVENUE</i>							
1215	LOCAL FUNDS (tax levy)	\$ -	\$ 124,445	\$ 124,445	\$ 124,445	\$ 124,445	100.0%
1611	DAILY SALES - LUNCH	260,000	270,000	270,000	270,000	10,000	3.8%
1620	DAILY SALES NON REIM	130,785	125,000	125,000	125,000	(5,785)	-4.4%
1630	SPECIAL FUNCTIONS	10,000	10,000	10,000	10,000	-	0.0%
1910	BUILDING RENTALS	7,440	6,000	6,000	6,000	(1,440)	-19.4%
1996	MISC REFUNDS - SCHOOL NUTRITION	2,000	2,000	2,000	2,000	-	0.0%
	TOTAL LOCAL	410,225	537,445	537,445	537,445	127,220	31.0%
<i>FS STATE REVENUE</i>							
3250	STATE REIMBURSEMENT	40,000	44,999	44,999	44,999	4,999	12.5%
	TOTAL STATE	40,000	44,999	44,999	44,999	4,999	12.5%
<i>FS FEDERAL REVENUE</i>							
4370	AFTER SCHL SNACK	54,000	8,000	8,000	8,000	(46,000)	-85.2%
4380	SUMMER FOOD PROG	63,873	50,000	50,000	50,000	(13,873)	-21.7%
4550	PERFORMNC-BASED LUNCH	34,842	34,922	34,922	34,922	80	0.2%
4551	REIMB LUNCH - REGULAR	193,926	192,067	192,067	192,067	(1,859)	-1.0%
4552	REIMB LUNCH - REDUCED	73,574	78,993	78,993	78,993	5,419	7.4%
4553	REIMB LUNCH - FREE	1,360,000	1,300,000	1,300,000	1,300,000	(60,000)	-4.4%
4554	REIMB BREAKFAST	829,259	800,000	800,000	800,000	(29,259)	-3.5%
4558	PAYMTS IN LIEU OF COMM	194,834	199,343	199,343	199,343	4,509	2.3%
4559	FRESH FRUITS AND VEGGIES	78,200	76,500	76,500	76,500	(1,700)	-2.2%
4560	CHILD/ADULT CARE FOOD PROGRAM	-	200,000	200,000	200,000	200,000	100.0%
	TOTAL FEDERAL	2,882,508	2,939,825	2,939,825	2,939,825	57,317	2.0%
5000	USE OF FUND BALANCE	211,481	250,000	250,000	250,000	38,519	18.2%
TOTAL FOOD SERVICE REVENUE		\$ 3,544,214	\$ 3,772,269	\$ 3,772,269	\$ 3,772,269	\$ 228,055	6.4%
TOTAL REVENUE AND OTHER FUNDING SOURCES		\$ 110,578,716	\$ 117,795,091	\$ 117,833,270	\$ 117,833,270	\$ 7,254,554	6.6%

Portland Public Schools
FY2020 Summary Expenditure Budget*
General, Adult Ed, and Food Services Funds
Board of Education Recommended Budget
April 8, 2019

		FY19 Approved	FY20 Superintendent Recommended	FY20 Finance Committee Recommended	FY20 Board of Education Recommended	\$ +/-	% +/-
Wages	Regular	\$ 62,878,340	\$ 66,814,444	\$ 66,840,428	\$ 66,840,428		
	Temp/Sub/Tutor/OT	1,999,181	2,161,042	2,161,042	2,161,042		
	Add pay/Stipends/Sick payout	2,444,612	2,465,065	2,465,065	2,465,065		
	<i>Total Wages</i>	67,322,133	71,440,551	71,466,535	71,466,535	\$ 4,144,402	6.2%
Benefits	Health	14,564,525	15,387,382	15,397,710	15,397,710		
	Pension--Teacher	2,135,105	2,297,776	2,298,857	2,298,857		
	Pension--all other	1,212,211	1,349,361	1,349,361	1,349,361		
	Workers Comp	695,670	661,435	661,435	661,435		
	Medicare	948,774	1,020,074	1,020,451	1,020,451		
	All other	524,086	830,562	830,971	830,971		
	<i>Total Benefits</i>	20,080,371	21,546,590	21,558,785	21,558,785	1,478,414	7.4%
Contracted Services	Professional & Technical Svcs	1,439,851	1,390,998	1,390,998	1,390,998		
	Employee Training/Dev	450,053	442,872	442,872	442,872		
	SPED Contracted Svcs	288,400	283,700	283,700	283,700		
	Student Transportation	230,211	247,732	247,732	247,732		
	Homeless Student Transportation	50,000	50,000	50,000	50,000		
	SPED Student Transportation	50,000	50,000	50,000	50,000		
	SPED Tuition	686,613	941,666	941,666	941,666		
	Other Tuition	90,832	87,710	87,710	87,710		
	Legal Services	140,000	140,000	140,000	140,000		
	Utilities	2,261,340	2,347,568	2,347,568	2,347,568		
	Repair & Maintenance	2,639,135	2,897,178	2,897,178	2,897,178		
	Rentals & Leases	384,334	423,035	423,035	423,035		
	Liability Insurance	428,281	433,003	433,003	433,003		
	Other Services	635,955	709,745	709,745	709,745		
	<i>Total Contracted Services</i>	9,775,005	10,445,207	10,445,207	10,445,207	670,202	6.9%
Supplies	Education Supplies	945,083	1,095,573	1,095,573	1,095,573		
	Tech Related Supplies	136,122	133,585	133,585	133,585		
	General Supplies	620,107	711,526	711,526	711,526		
	Custodial Supplies	236,000	247,912	247,912	247,912		
	Software Licenses	641,111	560,914	560,914	560,914		
	Gasoline	90,421	151,295	151,295	151,295		
	Food/Non-food supplies	1,653,190	1,747,640	1,747,640	1,747,640		
	<i>Total Supplies</i>	4,322,034	4,648,445	4,648,445	4,648,445	326,411	7.6%
Other Costs	Field Trip Transportation	335,779	354,186	354,186	354,186		
	Miscellaneous	398,057	415,279	415,279	415,279		
	Capital	149,419	141,398	141,398	141,398		
	<i>Total Other Costs</i>	883,255	910,863	910,863	910,863	27,608	3.1%
Debt Service	Bond DS	7,963,333	8,511,535	8,511,535	8,511,535		
	Loans/Leases	232,585	291,900	291,900	291,900		
	<i>Total Debt Service</i>	8,195,918	8,803,435	8,803,435	8,803,435	607,517	7.4%
Total Expenditures		\$ 110,578,716	\$ 117,795,091	\$ 117,833,270	\$ 117,833,270	\$ 7,254,554	6.6%

* Categories listed are combined for presentation and not all by MEDMS coding

Portland Public Schools
FY2020 Detail Expenditure Budget
Board of Education Recommended Budget
April 8, 2019

		FY19 Approved	FY20 Superintendent Recommended	FY20 Finance Committee Recommended	FY20 Board of Education Recommended	\$ +/-	% +/-
SALARIES & BENEFITS							
<i>Regular Salaries</i>							
1010	PROFESSIONAL SALARY	\$ 43,193,775	\$ 44,783,067	\$ 44,783,067	\$ 44,783,067	\$1,589,292	3.7%
1020	INSTRUCTIONAL AIDE/ASST	4,649,569	5,775,051	5,801,035	5,801,035	1,151,466	24.8%
1040	ADMINISTRATOR	5,950,488	6,439,802	6,439,802	6,439,802	489,314	8.2%
1180	REGULAR SUPPORT STAFF	9,084,508	9,816,525	9,816,525	9,816,525	732,017	8.1%
Total Regular Salaries		62,878,340	66,814,444	66,840,428	66,840,428	3,962,088	6.3%
<i>Temporary Salaries</i>							
1200	TEMPORARY SALARY	865,451	921,311	921,311	921,311	55,860	6.5%
1210	TUTOR	50,850	50,850	50,850	50,850	-	0.0%
1230	SUBSTITUTE	939,880	1,033,881	1,033,881	1,033,881	94,001	10.0%
1310	TEACHER ADDITIONAL PAY	115,310	113,351	113,351	113,351	(1,959)	-1.7%
1320	AIDE/ASST OVERTIME	-	-	-	-	-	0.0%
1380	REGULAR SUPPORT OVERTIME	143,000	155,000	155,000	155,000	12,000	8.4%
1410	PROFESSIONAL SABBATICAL	19,610	-	-	-	(19,610)	-100.0%
1500/10/60	STIPEND/DIFFERENTIAL	1,644,972	1,686,994	1,686,994	1,686,994	42,022	2.6%
1501	STIPEND-RETIREMENT SICK	640,000	640,000	640,000	640,000	-	0.0%
1590	STIPEND/OTHER	24,720	24,720	24,720	24,720	-	0.0%
Total Temporary Salaries		4,443,793	4,626,107	4,626,107	4,626,107	182,314	4.1%
Total Salaries		67,322,133	71,440,551	71,466,535	71,466,535	4,144,402	6.2%
<i>Benefits</i>							
2000-2299	FLEX BENEFITS, LTD, MEDICARE	15,697,385	16,928,018	16,939,132	16,939,132	1,241,747	7.9%
2030	UNEMPLOYMENT COMPENSATION	100,000	70,000	70,000	70,000	(30,000)	-30.0%
2300-2380	RETIREMENT - MEPERS & ICMA	3,347,316	3,647,137	3,648,218	3,648,218	300,902	9.0%
2500-2580	TUITION REIMBURSEMENT	200,000	200,000	200,000	200,000	-	0.0%
2700	WORKER'S COMP	695,670	661,435	661,435	661,435	(34,235)	-4.9%
2900	LIFE INSURANCE - MEPERS PLD	40,000	40,000	40,000	40,000	-	0.0%
Total Benefits		20,080,371	21,546,590	21,558,785	21,558,785	1,478,414	7.4%
TOTAL SALARIES & BENEFITS		87,402,504	92,987,141	93,025,320	93,025,320	5,622,816	6.4%
CONTRACTED SERVICES							
3000	PURCHASED PROF & TECH SVC	1,429,152	1,552,198	1,552,198	1,552,198	123,046	8.6%
3200	CONTRACTUAL PRE-K	162,554	-	-	-	(162,554)	-100.0%
3300	EMPLOYEE TRAIN & DEV SVCS	450,053	442,872	442,872	442,872	(7,181)	-1.6%
3400	OTHER PROFESIONNAL SVCS	20,000	20,000	20,000	20,000	-	0.0%
3401	SECURITY	127,867	140,427	140,427	140,427	12,560	9.8%
3402	ALARMS	4,050	4,325	4,325	4,325	275	6.8%
3420	ARCHITECT/ENGINEER - NSA	20,000	20,000	20,000	20,000	-	0.0%
3430	ADULT ED CONTRACTED SVCS	6,000	6,000	6,000	6,000	-	0.0%
3440	SPEC ED CONTRACTED SVCS	288,400	283,700	283,700	283,700	(4,700)	-1.6%
3450	LEGAL SERVICES	140,000	140,000	140,000	140,000	-	0.0%
4110	WATER	46,547	43,040	43,040	43,040	(3,507)	-7.5%
4120	SEWER	116,345	118,110	118,110	118,110	1,765	1.5%
4125	STORM WATER	-	-	-	-	-	0.0%
4300	REPAIR AND MAINT SVCS	1,024,274	1,217,281	1,217,281	1,217,281	193,007	18.8%

Portland Public Schools
FY2020 Detail Expenditure Budget
Board of Education Recommended Budget
April 8, 2019

		FY19 Approved	FY20 Superintendent Recommended	FY20 Finance Committee Recommended	FY20 Board of Education Recommended	\$ +/-	% +/-
4301	HVAC MAINTENANCE	514,663	517,703	517,703	517,703	3,040	0.6%
4302	MOWING/PLOWING/FIELDMANT	563,766	610,766	610,766	610,766	47,000	8.3%
4303	ASBESTOS/MOLD ABATEMENT SVCS	20,000	20,000	20,000	20,000	-	0.0%
4304	VEHICLE & EQUIPMT REPAIR	20,500	24,500	24,500	24,500	4,000	19.5%
4305	WASTE DISPOSAL SERVICES	117,600	101,126	101,126	101,126	(16,474)	-14.0%
4306	RECYCLING SERVICES	44,000	44,000	44,000	44,000	-	0.0%
4307	HAZ WASTE DISPOSAL SVCS	4,000	8,000	8,000	8,000	4,000	100.0%
4308	PEST MGMT SERVICES	19,560	17,850	17,850	17,850	(1,710)	-8.7%
4309	FIRE EXTINGUISHER MAINT SVCS	7,000	10,000	10,000	10,000	3,000	42.9%
4400	RENTALS	384,334	423,035	423,035	423,035	38,701	10.1%
4430	COMPUTER LEASE	193,600	286,100	286,100	286,100	92,500	47.8%
4450	LEASES-NOT DOE APPROVED	34,802	5,800	5,800	5,800	(29,002)	-83.3%
5000	OTHER PURCHASED SERVICES	1,450	1,450	1,450	1,450	-	0.0%
5100	STUDENT TRANSPORT SVCS	250	250	250	250	-	0.0%
5140	STUDENT TRANS PURCH-PRIV	330,211	347,732	347,732	347,732	17,521	5.3%
5200	INSURANCE-GEN LIABILITY	428,281	433,003	433,003	433,003	4,722	1.1%
5310	POSTAGE	70,771	69,077	69,077	69,077	(1,694)	-2.4%
5320	PHONE	111,016	114,448	114,448	114,448	3,432	3.1%
5330	INTERNET CONNECTIVITY	52,426	64,390	64,390	64,390	11,964	22.8%
5340	EBOOKS & ONLINE SUBSCRPTNS	92,999	107,087	107,087	107,087	14,088	15.1%
5400	ADVERTISING	16,000	15,000	15,000	15,000	(1,000)	-6.3%
5430	ADULT ED ADVERTISING	15,000	23,400	23,400	23,400	8,400	56.0%
5510	PRINTING/BINDING	51,964	45,602	45,602	45,602	(6,362)	-12.2%
5520	PHOTOCOPYING	169,222	169,222	169,222	169,222	-	0.0%
5610	TUITION TO IN-STATE SAU	90,832	87,710	87,710	87,710	(3,122)	-3.4%
5630	TUITION TO PRIVATE SOURCE	686,613	941,666	941,666	941,666	255,053	37.1%
5650	TUITION TO POST-SECONDARY	10,000	12,500	12,500	12,500	2,500	25.0%
5800	STAFF TRAVEL	182,199	239,957	239,957	239,957	57,758	31.7%
5830	ADULT ED TRAVEL-STATE MTG	100	200	200	200	100	100.0%
TOTAL CONTRACTED SERVICES		8,068,401	8,729,527	8,729,527	8,729,527	661,126	8.2%
SUPPLIES							
6000	GENERAL SUPPLIES	620,107	711,526	711,526	711,526	91,419	14.7%
6040	CUSTODIAL SUPPLIES	236,000	247,912	247,912	247,912	11,912	5.0%
6100	INSTRUCTIONAL SUPPLIES	655,982	710,955	710,955	710,955	54,973	8.4%
6210	NATURAL GAS	909,738	960,728	960,728	960,728	50,990	5.6%
6220	ELECTRICITY	948,036	957,677	957,677	957,677	9,641	1.0%
6230	BOTTLED GAS	15,682	19,775	19,775	19,775	4,093	26.1%
6240	OIL	61,550	69,400	69,400	69,400	7,850	12.8%
6260	GASOLINE	90,421	151,295	151,295	151,295	60,874	67.3%
6300	FOOD	1,540,090	1,609,242	1,609,242	1,609,242	69,152	4.5%
6310	NON-FOOD SUPPLIES	113,100	138,398	138,398	138,398	25,298	22.4%
6400	BOOKS/PERIODICALS	272,701	375,018	375,018	375,018	102,317	37.5%
6500	TECH-RELATED SUPPLIES	136,122	133,585	133,585	133,585	(2,537)	-1.9%
6501	SOFTWARE LICENSES	641,111	560,914	560,914	560,914	(80,197)	-12.5%
6600	AUDIOVISUAL SUPPLIES	16,400	9,600	9,600	9,600	(6,800)	-41.5%
TOTAL SUPPLIES		6,257,040	6,656,025	6,656,025	6,656,025	398,985	6.4%

Portland Public Schools
FY2020 Detail Expenditure Budget
Board of Education Recommended Budget
April 8, 2019

		FY19 Approved	FY20 Superintendent Recommended	FY20 Finance Committee Recommended	FY20 Board of Education Recommended	\$ +/-(-)	% +/-
MISCELLANEOUS							
8100	DUES AND FEES	158,761	171,833	171,833	171,833	13,072	8.2%
8110	BANK FEES	4,000	3,000	3,000	3,000	(1,000)	-25.0%
8120	MAINE STATE BILLING FEES	45,796	45,796	45,796	45,796	-	0.0%
8140	SCHOOL BOARD CONFERENCE FEES	1,000	2,000	2,000	2,000	1,000	100.0%
8500	FIELD TRIP TRANSPORTATION	335,779	354,186	354,186	354,186	18,407	5.5%
8900	MISC EXPENDITURES	9,000	7,650	7,650	7,650	(1,350)	-15.0%
9000	OTHER ITEMS	144,500	185,000	185,000	185,000	40,500	28.0%
9100	FUND TRANSFERS OUT	35,000	-	-	-	(35,000)	-100.0%
TOTAL MISCELLANEOUS		733,836	769,465	769,465	769,465	35,629	4.9%
DEBT SERVICE							
8310/20-1	DEBT SERVICE - OTHER	7,844,378	8,466,209	8,466,209	8,466,209	621,831	7.9%
8310/20-2	DEBT SERVICE - BUSES	102,586	31,343	31,343	31,343	(71,243)	-69.4%
8310/20-3	DEBT SERVICE - TECHNOLOGY	16,369	13,983	13,983	13,983	(2,386)	-14.6%
8310/20-5	BUS/VAN LEASE/PURCHASE	4,183	-	-	-	(4,183)	-100.0%
TOTAL DEBT SERVICE		7,967,516	8,511,535	8,511,535	8,511,535	544,019	6.8%
CAPITAL EQUIPMENT							
7300	EQUIPMENT > \$10,000	31,619	34,000	34,000	34,000	2,381	7.5%
7301	EQUIPMENT < \$10,000	2,500	11,000	11,000	11,000	8,500	340.0%
7320	VEHICLES (NON-STUDENT)	-	-	-	-	-	0.0%
7340	TECH-RELATED EQUIP > \$10,000	-	-	-	-	-	0.0%
7341	TECH-RELATED EQUIP < \$10,000	115,300	96,398	96,398	96,398	(18,902)	-16.4%
TOTAL CAPITAL EQUIPMENT		149,419	141,398	141,398	141,398	(8,021)	-5.4%
TOTAL EXPENDITURES		\$110,578,716	\$ 117,795,091	\$ 117,833,270	\$ 117,833,270	\$7,254,554	6.6%

Portland Public Schools
Board of Education Recommended Budget
FY2020 Expenditures by State Budget Categories
April 8, 2019

State Budget Category	FY19 Approved	FY20 Superintendent Recommended	FY20 Finance Committee Recommended	FY20 Board of Education Recommended	\$ +/-	% +/-
1. Regular Instruction	\$ 43,374,776	\$ 45,313,302	\$ 45,351,481	\$ 45,351,481	\$ 1,976,705	4.6%
2. Special Education Instruction	15,346,549	17,530,818	17,530,818	17,530,818	2,184,269	14.2%
3. CTE (vocational) Instruction	3,218,948	3,270,699	3,270,699	3,270,699	51,751	1.6%
4. Other Instruction	2,445,449	2,471,092	2,471,092	2,471,092	25,643	1.0%
5. Student & Staff Support	9,951,898	10,613,154	10,613,154	10,613,154	661,256	6.6%
6. System Administration	3,948,289	4,210,385	4,210,385	4,210,385	262,096	6.6%
7. School Administration	5,568,553	5,793,293	5,793,293	5,793,293	224,740	4.0%
8. Transportation & Buses	3,002,370	3,312,964	3,312,964	3,312,964	310,594	10.3%
9. Facilities Maintenance	11,208,764	12,395,770	12,395,770	12,395,770	1,187,006	10.6%
10. Debt Service	6,210,831	6,194,685	6,194,685	6,194,685	(16,146)	-0.3%
11. All Other Expenditures	466,938	484,154	484,154	484,154	17,216	3.7%
Total General Fund	\$ 104,743,365	\$ 111,590,316	\$ 111,628,495	\$ 111,628,495	\$ 6,885,130	6.6%
Adult Education	2,291,137	2,432,506	2,432,506	2,432,506	141,369	6.2%
Food Service	3,544,214	3,772,269	3,772,269	3,772,269	228,055	6.4%
Total	\$ 110,578,716	\$ 117,795,091	\$ 117,833,270	\$ 117,833,270	\$ 7,254,554	6.6%

TAX RATE COMPUTATION--FY2020
Board of Education Recommended Budget

	General Fund		Food Service		Adult Ed		TOTAL
Total Expenditures	\$	111,628,495	\$	3,772,269	\$	2,432,506	\$ 117,833,270
Less: General Revenue		(2,530,328)		(3,397,824)		(694,788)	(6,622,940)
State EPS		(13,085,983)					(13,085,983)
State reimbursed Debt Svc		(3,559,926)					(3,559,926)
Use of Fund Balance per Policy DA		(500,000)		(250,000)		(19,283)	(769,283)
Tax Levy	\$	91,952,258	\$	124,445	\$	1,718,435	\$ 93,795,139
Valuation		7,985,000,000					
Tax Rate:							
FY20	\$	11.52	\$	0.02	\$	0.22	\$ 11.75
FY19	\$	10.94	\$	-	\$	0.20	\$ 11.14
\$ Increase	\$	0.58	\$	0.02	\$	0.02	\$ 0.61
% Increase		5.3%		100.0%		7.6%	5.4%

FY20 Budget
Comparative Tax Levy Summary
Board of Education Recommended Budget
April 8, 2019

	FY18	FY19	FY20	\$ +/-	% +/-
<i>Food Service</i>					
Expenditures	\$ 3,547,016	\$ 3,544,214	\$ 3,772,269	\$ 228,055	6.4%
Revenue	(3,513,780)	(3,544,214)	(3,647,824)	(103,610)	2.9%
Tax Levy	33,236	0	124,445	124,445	100.0%
<i>Adult Ed</i>					
Expenditures	1,919,778	2,291,137	2,432,506	141,369	6.2%
Revenue	(621,864)	(694,040)	(714,071)	(20,031)	2.9%
Tax Levy	1,297,914	1,597,097	1,718,435	121,338	7.6%
<i>General Fund</i>					
Expenditures	100,281,795	104,743,365	111,628,495	6,885,130	6.6%
Revenue	(18,825,024)	(18,337,031)	(19,676,237)	(1,339,206)	7.3%
Tax Levy	81,456,771	86,406,334	91,952,258	5,545,924	6.4%
<i>Total</i>					
Expenditures	105,748,589	110,578,716	117,833,270	7,254,554	6.6%
Revenue	(22,960,668)	(22,575,285)	(24,038,132)	(1,462,847)	6.5%
Tax Levy	\$ 82,787,921	\$ 88,003,431	\$ 93,795,139	\$ 5,791,708	6.6%

Portland Public Schools
Board of Education Recommended Budget
FY19 to FY20 Comparative Staffing--Locally Funded

Location	Student Enrollment		Teachers		Ed Techs		Principals		Support Staff (BASE)		Admin & Support (Non-union)		Total	
	10/1/2017	10/1/2018	FY19	FY20	FY19	FY20	FY19	FY20	FY19	FY20	FY19	FY20	FY19	FY20
Cliff Island Elementary	2.00	2.00	1.20	1.20	-	-	-	-	0.25	0.25	-	-	1.45	1.45
East End Community	416.00	393.00	34.98	38.73	8.79	10.79	2.00	2.00	6.00	6.00	0.18	0.18	51.94	57.69
Longfellow Elementary	334.00	329.00	27.81	27.76	4.09	4.09	1.50	1.50	3.56	3.50	0.18	0.18	37.13	37.02
Lyseth Elementary	491.00	513.00	38.07	38.14	7.00	7.00	2.00	2.00	5.06	5.00	0.18	0.18	52.31	52.32
Ocean Avenue Elem.	381.00	355.00	36.98	36.18	14.29	14.29	2.00	2.00	6.00	6.00	0.18	0.18	59.44	58.64
Peaks Island Elem.	37.00	39.00	5.35	6.15	1.00	2.00	-	-	2.50	2.50	0.18	0.18	9.03	10.83
Presumpscot Elem.	248.00	246.00	24.23	23.58	5.43	4.50	1.00	1.00	3.06	3.00	0.18	0.18	33.90	32.26
Reiche Elementary	437.00	441.00	37.50	37.35	9.00	9.00	-	-	6.75	6.75	0.18	0.18	53.43	53.28
Riverton Elementary	442.00	432.00	44.77	45.43	26.00	25.00	2.00	2.00	8.00	8.00	0.18	0.18	80.95	80.61
Rowe Elementary	403.00	429.00	36.69	35.49	8.50	10.50	2.00	2.00	6.25	6.00	0.18	0.18	53.62	54.17
Pre-K Partner Site	-	-	-	3.00	-	3.00	-	-	-	-	-	-	-	6.00
King Middle School	519.00	497.00	51.52	52.27	11.80	10.00	2.00	2.00	7.25	7.25	0.50	0.50	73.07	72.02
Lincoln Middle School	513.00	529.00	50.22	50.22	5.79	6.00	2.00	2.00	8.50	8.50	0.19	0.19	66.69	66.91
Moore Middle School	444.00	460.00	50.72	50.64	13.50	14.43	2.00	2.00	8.50	8.50	0.19	0.19	74.91	75.76
Casco Bay High	386.00	390.00	31.54	31.54	1.20	1.20	1.00	1.00	2.00	2.00	-	-	35.74	35.74
Deering High School	913.00	939.00	77.56	77.41	14.03	14.03	4.00	4.00	13.88	13.88	2.20	2.20	111.66	111.51
Portland High School	756.00	774.00	64.58	63.58	8.60	9.60	4.00	4.00	13.00	13.00	1.20	1.20	91.38	92.38
PATHS	-	-	19.50	20.50	6.00	6.00	1.00	1.00	9.50	9.50	0.20	0.20	36.20	37.20
Bayside Learning Ctr	-	-	9.50	9.50	11.79	11.79	-	-	-	-	-	-	21.29	21.29
Breathe Program	-	-	-	8.00	-	23.00	-	-	-	-	-	-	-	31.00
Special Services	-	-	8.70	5.20	3.49	3.70	1.00	1.00	1.00	1.00	4.18	4.68	18.36	15.58
Communications Office	-	-	-	-	-	-	-	-	0.60	0.60	1.50	1.50	2.10	2.10
Superintendent Office	-	-	-	-	-	-	-	-	-	-	5.00	5.00	5.00	5.00
Finance	-	-	-	-	-	-	-	-	2.00	2.00	4.00	9.00	6.00	9.00
Human Resources	-	-	-	-	-	-	-	-	-	-	8.00	7.00	8.00	7.00
Information Technology	-	-	-	-	-	-	-	-	5.00	5.00	6.00	6.00	11.00	11.00
Facilities	-	-	-	-	-	-	-	-	9.00	9.25	3.00	3.00	12.00	12.25
Multilingual	-	-	4.13	3.91	-	-	-	-	2.00	2.00	7.35	8.45	13.48	14.36
Depart. of Academics	-	-	3.90	6.00	-	-	-	-	-	-	3.40	5.20	7.30	11.20
Transportation	-	-	-	-	-	-	-	-	33.88	34.67	2.76	2.92	36.64	37.59
Adult Ed	-	-	7.78	8.68	-	-	2.00	2.00	6.53	6.53	2.00	2.00	18.31	19.21
Food Service	-	-	-	-	-	-	-	-	35.19	35.19	1.00	1.00	36.19	36.19
Total	6722	6768	667.23	680.46	160.27	189.90	31.50	31.50	205.26	203.86	54.24	62.80	1118.49	1,168.52
FY20 Change		46		13.23		29.63		0.00		-1.40		8.56		50.02

**Portland Public Schools
Board of Education Recommended Budget
FY19 to FY20 Comparative Staffing--Grant Funded**

	Title IA		Title IIA		Title IIIA		Title IVA		Local Entitlement		All Other		Total	
	FY19	FY20	FY19	FY20	FY19	FY20	FY19	FY20	FY19	FY20	FY19	FY20	FY19	FY20
Cliff Island Elementary	-	-	-	-	-	-	-	-	-	-	-	-	-	-
East End Community	5.5	5.9	-	-	-	-	-	-	1.0	1.0	-	-	6.5	6.9
Longfellow Elementary	-	-	0.5	0.5	-	-	-	-	2.0	2.0	-	-	2.5	2.5
Lyseth Elementary	1.1	1.8	-	-	-	-	-	-	2.8	2.8	-	-	3.9	4.6
Ocean Avenue Elem.	1.9	1.9	0.5	0.5	-	-	-	-	3.5	3.5	-	-	5.9	5.9
Peaks Island Elem.	-	-	-	-	-	-	-	-	0.5	0.5	0.5	-	1.0	0.5
Presumpscot Elem.	3.7	3.7	-	-	-	-	-	-	1.0	1.0	-	-	4.7	4.7
Reiche Elementary	5.7	5.4	-	-	-	-	-	-	1.0	1.0	-	-	6.7	6.4
Riverton Elementary	7.4	8.0	-	-	-	-	-	-	2.7	2.7	-	-	10.1	10.7
Rowe Elementary	2.0	3.0	-	-	-	-	-	-	1.8	1.8	-	-	3.8	4.8
Levey Day School	0.1	0.2	-	-	-	-	-	-	-	-	-	-	0.1	0.2
St Brigid	0.2	0.4	-	-	-	-	-	-	-	-	-	-	0.2	0.4
King Middle School	-	-	1.0	1.0	-	-	-	-	1.8	1.8	-	-	2.8	2.8
Lincoln Middle School	-	-	1.0	1.0	-	-	-	-	3.8	3.8	-	-	4.8	4.8
Moore Middle School	-	-	1.0	1.0	-	-	-	-	2.6	2.6	-	-	3.6	3.6
Casco Bay High	-	-	-	-	-	-	-	-	1.0	1.0	-	-	1.0	1.0
Deering High School	-	-	-	-	-	-	-	-	2.8	2.8	-	-	2.8	2.8
Portland High School	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PATHS	-	-	-	-	-	-	-	-	-	-	1.0	-	1.0	-
Bayside Learning Ctr	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Special Services	-	-	-	-	-	-	-	-	8.3	8.3	-	-	8.3	8.3
Communications Office	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Superintendent Office	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Finance	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Human Resources	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Information Technology	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Multilingual	-	-	-	-	3.9	4.4	-	-	-	-	-	-	3.9	4.4
Depart. of Academics	1.1	1.7	-	0.2	-	-	0.2	1.2	-	-	0.9	1.0	2.1	4.1
Transportation	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Adult Ed	-	-	-	-	-	-	-	-	-	-	7.0	7.4	7.0	7.4
Food Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	28.7	32.0	4.0	4.2	3.9	4.4	0.2	1.2	36.6	36.6	9.4	8.4	82.6	86.8
FY20 Change		3.4		0.2		0.5		1.1		0.0		-1.0		4.1

Portland Public Schools
FY2019 Staffing Changes During Fiscal Year--Locally Funded
 Board of Education Recommended Budget
 April 8, 2019

FY2019 Positions at Beginning of the Year 1,118.49

Approved during FY19:

ELL Teacher	0.05	King Middle	Teacher
Teacher	1.00	Lyseth Elementary	Teacher
* Teacher	0.40	Adult Ed	Teacher
Transportation Operations	0.08	Transportation	Admin
Teacher Leader	0.50	Peaks Elementary	Teacher
HR Generalist	1.00	Human Resources	Admin
Payroll & Benefits Manager	(1.00)	Finance	Admin
Payroll Specialist	1.00	Finance	Admin
Staff Accountant	1.00	Finance	Admin
Bus Driver Trainee	1.90	Transportation	Admin
Bus Driver 40/30	1.90	Transportation	Admin
Bus Driver 30/30	(1.50)	Transportation	Admin
Van Driver	(1.50)	Transportation	Admin
* Parent Community Specialist	1.00	Multilingual	Admin

5.82

FY19 Current Staffing

1,124.32

* Position changed funding sources

Portland Public Schools
FY2020 Staffing Changes Proposed--Locally Funded
Board of Education Recommended Budget
April 8, 2019

FY19 Current Staffing 1,124.32

Proposed in FY20:

* Social Worker	0.10	Reiche Elementary	Teacher
Social Worker	0.50	Adult Ed	Teacher
Cyber Technology Teacher	1.00	PATHS	Teacher
Assistant Director of Student Support Services	0.50	Student Support Services	Admin
Teacher Leader Student Support Services	(0.50)	Student Support Services	Teacher
Lead Social Worker	1.00	Breathe Program	Teacher
Social Worker	5.00	Breathe Program	Teacher
Special Education Teacher	2.00	Breathe Program	Teacher
Ed Tech	23.00	Breathe Program	Ed Tech
Middle School Math Coach	1.00	Department of Academics	Teacher
Stem Coordinator	1.00	Department of Academics	Teacher
ELL Teacher	0.75	East End Elementary	Teacher
Pre-K Teacher	1.00	East End Elementary	Teacher
Pre-K Teacher	3.00	Partner Site	Teacher
ELL Teacher	0.75	Rowe Elementary	Teacher
Pre-K Teacher	1.00	Rowe Elementary	Teacher
Pre-K Ed Tech	1.00	East End Elementary	Ed Tech
Pre-K Ed Tech	3.00	Partner Site	Ed Tech
Ed Tech	1.00	Peaks Island Elementary	Ed Tech
Pre-K Ed Tech	1.00	Rowe Elementary	Ed Tech
Pre-K Administrative Assistant	0.50	Academics	Admin
Pre-K Coordinator	1.00	Academics	Admin
Parent Community Specialist	0.50	Multilingual	Admin
Special Ed Coordinator	0.60	Student Support Services	Admin
Teacher Sabbatical	(0.50)	Department of Academics	Teacher
Teacher	(1.00)	Lyseth Elementary	Teacher
Teacher	(1.00)	Ocean Avenue Elementary	Teacher
Teacher	(1.00)	Presumpscot Elementary	Teacher
Teacher	(2.00)	Rowe Elementary	Teacher
	<u>44.20</u>		

FY20 Staffing

1,168.52

FY2019 Authorized Positions (Budget)

1,118.49

FTE Change 50.02

* Position changed funding sources

Portland Public Schools
Certified October 1st Attending Enrollment~

Cost Center	ELEMENTARY SCHOOLS	2013	2014	2015	2016	2017	2018
010	Cliff Island	4	4	4	5	2	2
030	East End	415	425	405	400	416	393
040	Rowe	450	421	395	425	403	429
050	Longfellow	365	340	337	315	334	329
060	Lyseth	517	499	504	471	491	513
065	Ocean Ave	442	421	416	405	381	355
070	Peaks Island	53	52	40	38	37	39
080	Presumpscot	281	299	268	252	248	246
090	Reiche	366	404	427	434	437	441
100	Riverton	454	470	468	457	442	432
	Total Elementary	3,347	3,335	3,264	3,202	3,191	3,179
MIDDLE SCHOOLS							
110	King	535	502	517	517	519	497
120	Lincoln	479	488	485	499	513	529
130	Moore	488	495	480	501	444	460
	Total Middle School	1,502	1,485	1,482	1,517	1,476	1,486
HIGH SCHOOLS							
310	Portland	871	862	793	734	756	774
340	Deering	923	937	901	908	913	939
340	Casco Bay	335	368	389	378	386	390
	Total High School	2,129	2,167	2,083	2,020	2,055	2,103
TOTAL SCHOOL ENROLLMENT		6,978	6,987	6,829	6,739	6,722	6,768
Change		23	9	-158	-90	-17	46
Percent change		0.3%	0.1%	-2.3%	-1.3%	-0.3%	0.7%
Subsidy (EPS) counts		6,951	6,962	6,789	6,740	6,695	6,695

Notes:

Only Portland resident PATHS students are included above, and are counted at their home school.

Bayside Learning Community students are also counted at their home school.

Counts reflect attending enrollment as certified by the Maine Department of Education.

~ Data provided by Maine Dept of Education at <https://www.maine.gov/doe/data-reporting/reporting/warehouse/student-enrollment-data>

Investment	Portland Pre-Kindergarten Promise	
Sponsor	Melea Nalli, Assistant Superintendent of Teaching & Learning	
FTE Additions	13.5 FTE	\$731,297
Non-FTE Additions	n/a	\$0
Revenue Offset	32 students x \$1,191	\$0 (State would have to agree to inc.)
Reduced Costs	Remove contracts for partnerships classes	(\$170,682)
Total Budget Impact		\$560,615 or \$0.070 on tax rate

FTE Detail

Position	Location	Total Cost (Salary & Benefits)
1.0 Teacher	Rowe (placeholder, not confirmed)	\$59,906
1.0 Teacher	East End (placeholder, not confirmed)	\$59,906
3.0 Teacher	Partner Site	\$179,718
1.0 Ed Tech	Rowe (placeholder, not confirmed)	\$38,719
1.0 Ed Tech	East End (placeholder, not confirmed)	\$38,719
3.0 Ed Tech	Partner Site	\$116,157
0.75 ELL Teacher	Rowe (placeholder, not confirmed)	\$44,930
0.75 ELL Teacher	East End (placeholder, not confirmed)	\$44,930
0.50 PCS	MLC	\$27,563
1.0 Pre-K Coordinator	Academics	\$90,441
0.50 Pre-K Admin Asst.	Academics	\$30,308
	Total	\$731,297

Narrative:

Portland's public pre-K program was established in 2010 with a grant from the Cohen Foundation and was folded into the district budget in 2011. Between 2010 and 2016, the program grew by one classroom per year via a mix of district-run classrooms staffed with PPS teachers and ed techs, and community-partner classrooms staffed primarily with

those providers' teachers and staff. As of today, the district runs eight classrooms (with an additional mixed pre-K/K class at Peaks Island Elementary School), serving a total of 124 students. Including the class at Peaks, six classrooms are located in elementary schools, two are operated by preschool providers Catherine Morrill Day Nursery School and Youth and Family Outreach, and one is operated through a partnership with The Opportunity Alliance Head Start program.

In 2016, we paused the expansion of the pre-K program in order to better understand our community's needs and to develop a clear understanding of our pre-K expansion goals, timeline, and strategy for getting there. We partnered with Starting Strong in a year-long process that helped us understand the need in our community in terms of the number and location of seats, and the barriers families face when trying to take advantage of this opportunity. The barriers include the need for an extended day, transportation, wrap-around services, and flexible enrollment. We also gained an understanding of the capacity needed to support a program of this scale and of the costs associated with expansion efforts.

Over the course of the past year, we articulated a five-year goal to create *at least* 140 high-quality additional seats with a target demographic mix that is representative of the district overall, staffed by Portland Public Schools teachers and providing before- and after-care. We also plan to increasingly address the transportation and wrap-around service needs of students and families.

Expanding pre-K will help with the Achievement goal in our Portland Promise because research shows that students who experience high-quality early childhood education perform better academically and attend college at greater rates. It also will help with our Equity goal because studies also show that access to high-quality pre-kindergarten reduces opportunity and academic achievement gaps for disadvantaged students.

The proposed investment allows us to launch our five-year pre-K expansion plan in the FY20 budget year, while continuing to work with community partners on a long-term funding strategy to support this work. This year's proposed investment provides staffing for two additional classrooms, assumes that existing staff working in community-partner locations will receive the same benefits as Portland Public Schools teachers and staff, and ensures that supports such as special education, English Language Learning, and administrative oversight are in place for existing and new classrooms.

The FY2020 budget impact would be \$560,615.

Investment	Core Instruction	
Sponsor	Melea Nalli, Assistant Superintendent of Teaching & Learning	
FTE Additions	1.5 FTE	\$44,841
Non-FTE Additions	n/a	\$231,409
Revenue Offset	n/a	\$0
Total Budget Impact		\$276,250 or \$0.035 on the tax rate

FTE Detail

Position	Location	Total Cost (Salary & Benefits)
1.0 Middle School Math Coach	Academics	\$103,511
Reduction of Middle School Math Coach Contract (FY2019 cost)	Academics	(\$107,000)
1.0 STEM Coordinator	Academics	\$96,660
Reduction of 0.50 Sabbatical Position	Academics	(\$48,330)
	Total	\$44,841

Non-FTE Detail

Elementary Math Curriculum	
Subs for Teachers attending Professional Development for Curriculum	\$9,500
Six Days of Illustrative Math Curriculum Professional Development	\$36,000
Middle School Math Curriculum	
Subs for Teachers attending Professional Development for Curriculum	\$4,750
Two Days of Illustrative Math Professional Development	\$6,000
Illustrative Math Curriculum (workbooks)	\$44,422
Classroom Consumable Kits	\$7,652
Elementary Phonics Curriculum	
Elem Literacy Support Professional Development focused on Early Literacy for Coaches	\$40,000
Phonics Instruction Professional Development	\$18,000

Elementary Literacy Phonics Kits	\$65,085
Total	\$231,409

Narrative:

Currently, about 50% of PPS students are proficient in English language arts (ELA) standards, and we see a significant gap between students who are economically disadvantaged and those who are not. In fact, as compared to peer districts in the state, we have the largest gap in achievement between these two subgroups. This is true for math as well. We plan to make progress toward our Achievement goal in our Portland Promise by strengthening core instruction in these content areas and others. Our investment in core instruction also will help address our Equity goal, by reducing achievement gaps.

The investment in core instruction is designed to deliver challenging instruction that is supportive of students at grade-level appropriate rigor. This is a departure from current practice, which tends to identify students who are not meeting standards and provide special interventions outside of the classroom setting.

The proposed core instruction investment is built on the following structural moves:

- **Focus on coherence and shared vision for instruction:** This will be accomplished through the creation of common beliefs about learning and descriptions of what that learning looks like in practice.
- **Teacher Leadership:** This will be accomplished through leveraging teacher expertise and learning from it, systematically. This includes having teachers become part of the district's Academic Team. This gives teachers exposure and informs system-wide work, and creates a pathway for teachers to experience leadership without leaving teaching. It also includes the development of preK-12 Content Leadership Teams, charged with articulating and helping to enact our instructional vision in each content area and identify the system-wide structures that can help accelerate learning in each content area.
- **Embedded Professional Learning:** The best professional learning is embedded and ongoing. We are investing in:
 - Coaching (which includes support to coaches on how to coach others).
 - Professional development on any new programs or tools (that is sustained and followed through).
 - Carving out time in the summer for teachers to collaborate, plan and build new knowledge (both optional and required for all).

Over the next three years, we want to **sustain and deepen our math work, grow our focus on early literacy, and expand our emerging work in science and social studies.** The associated investments include:

- **Math:**
 - Continue our middle school math curriculum investment. (Illustrative Math).
 - Continue our middle school math coaching investment.
 - Launch a new elementary math curriculum transition (Illustrative Math).
 - Provide professional development aligned to the new curricular resources.

- Create a preKK-12 Math Team (providing stipends for additional time outside the contract day and year).
- Early Literacy:
 - Launch a new phonics curriculum.
 - Provide professional development aligned to the new curricular resources.
 - Provide professional development for teachers around the science of reading development.
- Science, Technology, Engineering:
 - Teacher leader on special assignment to help coordinate preK-12 content area work.

Some of these efforts will be funded by grants for the next fiscal year (e.g. 0.5 teacher leader focused on social studies).

The FY2020 budget impact would be \$276,250.

Investment	Breathe Program	
Sponsor	Melea Nalli, Assistant Superintendent of Teaching & Learning	
FTE Additions	31.0 FTE	\$1,394,474
Non-FTE Additions	\$50,000 in Facilities	\$50,000
Revenue Offset		\$914,104
Total Budget Impact		\$530,370 or \$0.0664 on tax rate

FTE Detail:

Position	Location	Total Cost (Salary & Benefits)
1.0 Lead Social Worker	Breathe Program	\$79,916
5.0 Social Workers	Breathe Program	\$299,519
2.0 Special Education Teacher	Breathe Program	\$119,808
23.0 Ed Techs/Behavioral Health Professional	Breathe Program	\$877,917
Teacher Leader Stipends (1 level B, 2 level A)		\$17,314
	Total	\$1,394,474

Revenue Detail:

PPS Employee	Rate	Units	Gross Billing	SEED Withheld from EPS	Net to PPS
BHP	\$58.60	21,000	\$1,230,600	\$467,628	\$762,972
Social Worker	\$95.00	2,250	\$213,750	\$81,225	\$132,525
Psychologist	\$95.00	110	\$10,450	\$3,971	\$6,479
Transportation	\$0.33	36,750	\$12,128		\$12,128
			\$1,466,928	\$552,824	\$914,104

Narrative:

The Whole Student goal in our Portland Promise speaks to the importance of meeting the social-emotional development of students. Making sure that we are able to address all of the behavioral health needs in the district has emerged as a key priority because student stress, anxiety and trauma inhibit optimal learning.

Prompted by our efforts to develop a comprehensive behavioral health continuum across the district, and by the need to relocate our existing Bayside Community Learning Center day treatment program (due to issues with the building site), in 2018 we began a year-long process to examine our day treatment program. The result of this process is a two-pronged solution we are calling the Breathe Program. It calls for the district to

1. Strengthen the full continuum of least restrictive environment services for students with behavioral disabilities.
2. Maintain an in-district day treatment program. Change the location and make programmatic improvements.

The behavioral health continuum is a series of tiered supports ranging from consistent expectations for students and staff, skills development to that end, and cascading interventions to meet students' various levels of need.

At the center of this work is our universal implementation of positive behavior intervention and supports (PBIS). This decision-making framework is associated with the following outcomes:

- School cultures/climates that are effective, efficient, relevant, and durable
- Increases in prosocial behavior
- Increases in standardized test scores (tentative)
- Decreases in office discipline referrals (ODRs)
- Decreases in suspensions
- Decreases in reported bullying

Additionally, this investment provides for stronger school-based programming for students identified as having emotional and behavioral needs. This includes more consistent implementation of existing structures at the secondary school level, and the establishment of well-resourced in-school programs in two elementary schools.

For students with more acute needs who cannot learn optimally in traditional school settings, the plan calls for the continuation of a self-contained in-district day treatment program, but with a more robust clinical component than what is currently provided.

The investments associated with this effort support the hiring of additional social workers (5 FTE), classroom teachers (2 FTE) and behavioral health professionals (23 FTE). A significant portion of the investment is expected to be offset with additional revenue generated by billing MaineCare.

The FY2020 budget impact would be \$530,370.

Investment	Elementary Teacher Laptops	
Sponsor	Mostafa Rastampour, Executive Director of Data & Technology	
FTE Additions	n/a	\$0
Non-FTE Additions	n/a	\$92,500
Revenue Offset	n/a	\$0
Total Budget Impact		\$92,500 or \$0.012 on the tax rate

Non-FTE Detail

FY2020 Budget Impact	\$92,500
FY2021 Budget Impact	\$92,500
FY2022 Budget Impact	\$92,500
FY2023 Budget Impact	\$92,500
FY2024 Budget Impact	\$92,500
Total	\$462,500

Narrative:

Elementary (and sixth-grade) teachers and staff received their current MacBook Air laptops in late 2012 and early 2013. Most of those devices are encountering severe issues that are expensive to fix, including battery failures and software and update incompatibility.

This refreshment plan is for a five-year lease for all kindergarten-through-grade-6 teacher and staff devices, with a 10% buffer built into the plan to cover devices for new hires and also spare devices for the duration of any repairs, as well as safety cases and four-year AppleCare coverage.

Middle school and high school teachers currently receive new devices through the Maine Leadership in Technology Initiative (MLTI).

The impact on the FY2020 budget for the first year of the five-year lease would be \$92,500.

Investment	Transportation Salary Adjustments	
Sponsor	Xavier Botana, Superintendent	
FTE Additions	0.40 FTE + adjustments	\$65,794 salary, benefits, stipends
Incentives	Hiring incentives	\$7,500
Non-FTE Additions	n/a	\$0
Revenue Offset	n/a	\$0
Total Budget Impact		\$73,294 or \$0.009 on tax rate

Narrative:

The district experienced bus driver staffing shortages this year. This necessitated contracting bus routes with an outside provider. Contracted bus routes are significantly more expensive than those run by the district.

This investment allows the district to convert existing FTE positions that are budgeted as 30-hour, 30-week positions into 40-hour per week positions. We have experimented with this in the past couple of months and have been successful in filling vacant positions.

This proposal is to adjust the Van Driver and the Bus Driver 30/30 positions in the following ways:

- The Van Driver position would formally change from a .75 FTE position to a new Bus Driver Trainee 40/30 position (40 hours per week during the school year and 30 hours a week during the summer, or .9478 FTE), although stay at the same lower Van Driver rate. In total, cost per person could increase about \$21,895 for the year, or \$43,790 for both positions, based on FY19 costs. Adjusted for FY2020, the cost would be **\$45,980**.
- The Bus Driver 30/30 positions would be eliminated and two new Bus Driver 40/30 .9478 FTE positions would be added to our current seven bus driver positions, bringing the total to nine. We budgeted a total of \$400,341 for seven positions in FY19, so adding two new positions would cost approximately \$57,190 each, or \$114,380 in total. This would represent an increase of \$18,870 over what we budgeted for the Bus Driver 30/30 positions in FY19. Adjusted for FY2020, the cost would be **\$19,814**.

In addition, to facilitate and encourage hires and advancement, we propose to offer the following incentives:

- \$250 as a stipend to current drivers who assist a trainee to get a Maine Class A or B CDL with an 'S' endorsement (opportunities to train would rotate)
- \$1,000 as a hiring bonus for fully qualified new hires

- \$500 as a hiring bonus for new hires who are fully qualified within 6 months of their hire date
- \$500 as a referral bonus for bringing in a fully qualified driver, payable subsequent to 3 months of employment by the new hire
- \$250 as a referral bonus for bringing in a driver who becomes fully qualified within 6 months of their hire date, payable subsequent to 3 months of employment by the new hire

For budget purposes, we estimate these incentives would result in a total cost of **\$7,500**.

In total, this proposal could add approximately \$73,000. These additional costs would be an investment a more consistent transportation workforce that would hopefully eliminate the reliance on contracted services and temporary drivers.

Investment	Teacher Leader increase at Peaks Island	
Sponsor	Jeanne Crocker, Assistant Superintendent of School Management	
FTE Additions	0.50 FTE	\$19,301
Non-FTE Additions	n/a	\$0
Revenue Offset	n/a	\$0
Total Budget Impact		\$19,301 or \$0.002 on tax rate

Narrative:

In 2018, the teacher leader position at Peaks Island Elementary School assumed the role of special education resource teacher. This prevented a reduction in staffing that was necessitated by enrollment numbers.

When the previous teacher leader transitioned to a different school, the new teacher leader could not meet the special education staffing requirements, thus that position was filled with a .5 FTE special education teacher and the teacher leader position was reduced to .50 FTE. When filling the position, we were able to fill at a 0.75 FTE for the same total salary and benefits cost that was budgeted for the 0.50 FTE.

Over the course of this school year, it has become apparent that the school requires full time on-site leadership. This increase reinstates that level of support.

The FY2020 budget impact would be \$19,301.

Investment	Student Support Services Administrative Team Changes	
Sponsor	Melea Nalli, Assistant Superintendent of Teaching and Learning	
FTE Additions	0.60 FTE	\$46,974
Non-FTE Additions	n/a	\$0
Revenue Offset	n/a	\$0
Total Budget Impact		\$46,974 or \$0.006 on tax rate

Narrative:

During the 2018 budget, two teacher leader positions in the office of Student Support Services were eliminated. In their place, we created school-based stipends at each school to share a portion of the coordinator's duties. This was an overall savings of \$130,000. Over the past two years, we have experienced the need to reinstate coordinating roles to support school-based compliance with Individualized Educational Plan development and implementation as well as to be responsive to the needs of school staff. To that end, we are proposing a change to the Student Support Services Department's structure to address the need for additional coordination and support.

The proposal turns a planned retirement of an existing teacher leader who coordinates out-of-district placements and other administrative tasks into an Assistant Director position, taking advantage of a retirement transition at the end of the school year. We also propose to add 0.60 FTE to an existing teacher leader coordinating position to create a 1.0 FTE Student Support Services Coordinator position. The additional Coordinator position would ensure critical logistics support for special educators and building administrators in supporting the complex needs of students with exceptionalities.

The FY2020 budget impact would be \$46,974.

Investment	Community Eligibility Provision	
Sponsor	Xavier Botana, Superintendent	
FTE Additions	n/a	\$0
Non-FTE Additions	n/a	\$0
Revenue Loss		\$89,259
Total Budget Impact		\$89,259 or \$0.011 on the tax rate

Narrative:

The Community Eligibility Provision (CEP) is a non-pricing meal service option for schools and school districts in low-income areas. CEP allows the nation's highest poverty schools and districts to serve breakfast and lunch at no cost to all enrolled students without collecting household applications. Instead, schools that adopt CEP are reimbursed using a formula based on the percentage of students categorically eligible for free meals based on their participation in other specific means-tested programs, such as the Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF).

Applications to participate in CEP are done on a 4-year cycle. Portland Public Schools will need to re-apply to continue serving our most needy schools, East End, Presumpscot, Reiche, and Riverton elementary schools. Our current application qualifies us to be reimbursed at the 100% free rate for each student who participates in breakfast or lunch. In our next application, we are expecting our qualifying percentage rate to drop, which means we will be reimbursed at a lower percentage rate. We are anticipating a rate in the mid-80 percent level. This change in reimbursement will not mean any change for our students, only a change in our revenue. With a decrease in revenue, the local tax levy would need to pick up the accompanying revenue loss.

In budget preparation we used our 2018 participation number at our CEP schools, to estimate the loss of revenue in breakfast and free lunch. To continue this program, we would need district support of approximately \$90,000.

The FY2020 budget impact would be \$89,259.



PORTLAND PUBLIC SCHOOLS

prepared & empowered

Portland Public Schools FY2020 Budget Timeline

Tuesday, March 19, 2019

School Board Meeting
Superintendent Presents Recommended
FY20 Budget
7:00 City Hall Council Chambers

Thursday, March 21, 2019

School Finance Committee Budget Review
6:00 353 Cumberland Ave, Room 234

Tuesday, March 26, 2019

School Finance Committee Budget Review
Public Hearing
6:00 353 Cumberland Ave, Room 234

Wednesday, March 27, 2019

Joint Finance Committee Meeting
Budget Review
5:30 City Hall Room 209

Thursday, March 28, 2019

School Finance Committee Budget Review
Vote to Recommend to Board
6:00 353 Cumberland Ave, Room 234

Tuesday, April 2, 2019

School Board 1st Reading of Recommended
FY20 Budget and Public Hearing;
School Board Budget Workshop
7:00 City Hall Council Chambers

Thursday, April 4, 2019

Joint Finance Committee Meeting
Budget Review
5:30 City Council Room 209



PORTLAND PUBLIC SCHOOLS

prepared & empowered

Monday, April 8, 2019

School Board Vote to Recommend FY20
School Budget to City Council
7:00 Casco Bay High School

Monday, April 22, 2019

School Board Presents Recommended FY20
Budget to City Council
5:30 City Hall Council Chambers

Thursday, April 25, 2019

City Finance Committee
Review of Referred Board Budget and
Vote to Recommend to City Council
5:30 City Hall Room 209

Monday, May 6, 2019

City Council 1st Reading of FY2020 Budget
Public Hearing
5:30 City Hall Council Chambers

Monday, May 20, 2019

City Council 2nd Reading
Vote on School Budget for Referendum
5:30 City Hall Council Chambers

Tuesday, June 11, 2019

Public Referendum on FY20 School
Budget

Fwd: Speaking engagement

1 message

Ethan Strimling <estrimling@portlandmaine.gov>
To: Sonia Bean <stb@portlandmaine.gov>

Tue, Apr 16, 2019 at 9:14 AM

I'd like to do this if I can. Can you follow up?

----- Forwarded message -----

From: **MrMitchlet** <mrmitchlet@gmail.com>
Date: Thu, Apr 11, 2019 at 1:51 PM
Subject: Speaking engagement
To: <estrimling@portlandmaine.gov>

Good Afternoon Mr. Mayor.

My name is Mitchell Rosengarten, and I am both board chair and chairman of the scholarship committee for an lgbt organization here in Portland (www.rbpa.org).

On May 8th we will be awarding 3 scholarships to kids/young adults from Maine at the Cumberland Club.

Every year before the recipients speak we have a keynote speaker. The subject is either Equality or Education or some combination of both.

I was wondering if that was something you would be interested in doing. I very much appreciated what you said at Portland Sunrise Rotary, and was hoping you would be available.

Please let me know:
mrmitchlet@gmail.com
Or
(207)523-9391

Sincerely,

Mitch Rosengarten

Sent from my iPhone
--

Ethan Strimling
Mayor, Portland
[389 Congress Street](https://www.portlandmaine.gov/389/Congress-Street)
[Portland, ME 04101](https://www.portlandmaine.gov/04101)
207-874-8941

MEMORANDUM
City Council Agenda Item

FROM: Mary Davis, Division Director

DATE: April 10, 2019

SUBJECT: **Resolution 11-18/19 Adopting the Fiscal Year 2020 Annual Action Plan including appropriations for Community Development Block Grant Program, HOME Program, and Emergency Solutions Grant Program and certifications pertaining thereto -- Sponsored by Jon P. Jennings, City Manager**

SPONSOR: Jon P. Jennings, City Manager
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:
1st Reading **Final Action**

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

PRESENTATION: (List the presenter(s), type and length of presentation) HCD Staff are available for questions.

I. SUMMARY

This Resolution adopts the fiscal year 2020 HUD annual action plan and appropriates funds to the identified programs utilizing CDBG, HOME, ESG and other local resources.

II. AGENDA DESCRIPTION

This Resolution adopts the fiscal year 2020 annual action plan and appropriates funds the identified programs. **HUD announced final funding amounts for CDBG, HOME and ESG on April 12. The amounts noted below have been updated to reflect the final numbers.**

The 2019/2020 Housing and Community Development Program will report in the Annual Action Plan to HUD a total estimated budget of \$5,003,415 funded by a Community Development Block Grant allocation of \$1,893,566 plus \$120,000 in TIF funding and \$20,000 in Cotton Street proceeds, along with \$102,242 in CDBG Housing Program Income; a HOME Consortium Program Grant allocation of \$1,020,693; HOME Program Income of \$74,887; HOME Program Recapture Funds of \$74,093; Lead Safe Housing Program Income of \$268,741; local Housing Trust Funds of \$1,268,320; and an Emergency Solutions Grant (ESG) Allocation of \$160,873.

The CDBG Annual Allocation Committee, appointed by the City Council, reviewed each application and made funding recommendations. They are given an opportunity to make a presentation to the Council, and citizens may comment on the City's plan for the use of CDBG, HOME and ESG funds. The City Manager also reviewed the Committee's recommendations and has submitted his own funding recommendations to the City Council.

As required by the City's citizen participation process, two public hearings are held each spring to consider the City's Housing and Community Development Program proposal for the ensuing year. The public hearings allow an opportunity for citizens to comment on the City's Consolidated Annual Action Plan.

This item must be read on two separate days, and two public hearings must be held in order to comply with local and federal regulations. The first reading and public hearing on this item was held on March 18, 2019. This is its second reading and public hearing. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

Approval of the FY 2020 Allocation of Housing and Community Development Program Resources - CDBG, HOME, ESG and other local resources.

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis and Background that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Resolve CDBG Annual Action Plan for FY 2029-2020 4.18.2019
2. 0. FINAL HUD Funding Update Memo 04.17.19
3. 1. Memo to Council budget 19-20
4. 2. City Manager Recommendation Letter 2019
5. 3. Memo budget and cap calculations 2019-2020
6. 4. Allocation Committee Recommendation Letter 19-20
7. 5. Allocation Committee and City Manager allocations 19-20
8. 6. History of CDBG Attachment to Council Memo 19-20
9. 7. Housing Program Budget Memo 03.08.2019
10. 8. ESG budget 19-20 updated

Prepared by:

Mary Davis, Division Director

Date: 4/10/2019

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

KIMBERLY COOK (5)
PIOUS ALI (A/L)
JILL C. DUSON, (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

**RESOLUTION ADOPTING THE FISCAL YEAR 2020 ANNUAL ACTION PLAN
INCLUDING APPROPRIATIONS FOR COMMUNITY DEVELOPMENT BLOCK
GRANT PROGRAM, HOME PROGRAM, AND EMERGENCY SOLUTIONS GRANT
PROGRAM AND CERTIFICATIONS PERTAINING THERETO**

WHEREAS, the City of Portland, Maine has determined that there are pressing community and neighborhood needs for further federal assistance for housing and community development activities; and

WHEREAS, annual activities for the Consolidated Housing and Community Development Annual Action Plan have been recommended; and

WHEREAS, the City of Portland is anticipating an allocation from the United States Department of Housing and Urban Development (HUD) of \$1,893,566 of Community Development Block Grant (“CDBG”) Entitlement Funds, for the program year 2019-2020 under Title I of the Housing and Community Development Act of 1974 (Public Law 93-383) as amended from time to time; and the City has also received Community Development funds in the amount of \$102,242 in Housing Program income, along with \$20,000 in Cotton Street Proceeds, which is subject to the same regulations as the entitlement funds; and \$120,000 in TIF funds; a HOME Program Grant allocation of \$1,020,693, HOME Program income of \$ 74,887, HOME Recaptured Funds of \$74,093; Lead Safe Housing Program Income of \$268,741; local Housing Trust Funds of \$1,268,320; and \$160,873 of Emergency Shelter Grant funds; and

WHEREAS, the City Council of the City of Portland, Maine, desires to utilize these funds to support housing and community development activities;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Portland, Maine, hereby adopts the FY 2019-2020 Consolidated Housing and Community Development Annual Action Plan; and the sums of \$1,893,566 for the Community Development Block Grant Program, plus \$102,242 CDBG Housing Program funding; \$20,000 in Cotton Street Proceeds; \$120,000 in TIF funds; \$1,169,673 for the HOME Program, \$268,741 in Lead Safe Housing Program Income, \$1,268,320 in local Housing Trust Funds and \$160,873 for the Emergency Shelter Grant Program are hereby appropriated for the purposes approved in the attached Plan and budgets as provided in the Attached Exhibit A; and

BE IT FURTHER RESOLVED, that the City of Portland, Maine, possesses legal authority to apply for the above referenced Community Development Block Grant Program Funds, HOME Program funds and Emergency Shelter Grant Program funds for the Program Year 2019-2020; and

BE IT FURTHER RESOLVED, that the City Manager or his designee be authorized to:

- 1) Apply for, accept and expend the Community Development Block Grant Entitlement Funds of \$1,893,566 and to expend \$102,242 in CDBG housing program income funds, \$120,000 in TIF, and \$20,000 in Cotton Street proceeds; \$1,020,693 of HOME Program funds and to expend \$74,887 of program income and \$74,093 of recaptured funds for a total of \$1,169,673; \$268,741 in Lead Safe Housing program income; \$1,268,320 in local Housing Trust Funds; and \$160,873 of Emergency Shelter Grant funds; and
- 2) Officially represent the City of Portland, Maine, in connection with the application, including the execution of contracts on behalf of the City; and
- 3) Act as the certifying officer for HUD environmental documents related to these grants and to execute said documents and any other related documents necessary or convenient to carry out the intent of said grants; and

BE IT FURTHER RESOLVED, that the City of Portland, Maine certifies that it will comply with all of the attached assurances and provide such additional information as may be required by the U.S. Department of Housing and Urban Development; and

BE IT FURTHER RESOLVED, that the foregoing FY 2019-2020 Housing and Community Development Annual Action Plan funds are hereby appropriated pursuant to the Budget attached hereto.



CITY OF PORTLAND
Planning & Urban Development Department
Housing and Community Development Division

TO: Members of the Portland City Council

FROM: Mary Davis, HCD Division Director

DATE: April 17, 2019

SUBJECT: Update on HUD 2018 Formula Allocations for CDBG, HOME and ESG Programs

As of the first HCD Council Public Hearing held on March 18th, HUD had not yet released the 2019 formula allocations for the CDBG, HOME and ESG programs. We received the 2019 formula allocations from HUD on April 12.

	Estimated Allocation	Actual Allocation	Funding Difference	%
CDBG	\$1,895,922	\$1,893,566	(\$2,356)	(0.13)%
HOME	\$1,151,710	\$1,020,693	(\$131,017)	(11.4)%
ESG	\$157,131	\$160,873	\$3,742	2.4%

CDBG

The final HUD allocation for the CDBG program was \$1,893,566, which \$2,356 (0.13%) less than last year's allocation. As a result, the budget categories were decreased and the program allocations were adjusted.

	Original Allocation* Estimate	Actual Allocation* Amount	Difference
Admin and Planning	\$388,184	\$387,713	(\$471)
Social Services	\$650,776	\$649,998	(\$778)
Development Activities	\$8	\$864,855	(\$1,107)

(* not including program income, Cotton Street proceeds, **TIF**)

A copy of the CDBG Recommendations 2019-2020 spreadsheet is attached (Attachment #1) which shows the adjustment to the funding for each applicant.

HOME

The final HUD allocation for the HOME program was \$1,020,693, which was approximately 11% (\$131,017) less than the estimate. As a result, the budget categories were decreased and the program allocations were adjusted.

	Original Estimate*	Actual Amount*	Difference
City Program Funding	\$826,707	\$746,394	(\$80,313)
Admin	\$115,171	\$109,558	(\$5,613)
Housing Rehab	\$0**	\$0**	\$0.00
TBRA	\$162,000	\$143,571	(\$18,429)
Affordable Housing Development (including CHDO)	\$549,536	\$493,265	(\$56,271)
County Program Funding ***	\$473,929	\$423,225	\$50,704

*Includes Program Income and Recaptured Funds

**The FY19 Housing Rehab Program has a balance of \$65,000 that will be carried over into FY20.

***County Program Funding is not approved by the City Council; allocation of County Funds is done by the County's Municipal Oversight Committee.

A copy of the Housing Program Budget 2019-2020 spreadsheet is attached (Attachment #2).

ESG

The final HUD allocation for the ESG program was \$160,873 which was approximately 2.4% (\$3,742) more than the budget estimate. As a result, the funding category budgets were increased as noted below.

	Original Estimate	Actual Amount	Difference \$3,742
Operations Homeless Health	\$0	\$0	\$0
Essential Services: Family Shelter	\$51,200	\$52,064.50	\$864.50
Homeless Prevention: Family Shelter	\$27,000	\$27,864.50	\$864.50
Homeless Prevention: Oxford Street	\$12,950	\$13,814.50	\$864.50
Rapid Rehousing: Oxford Street	\$54,200	\$55,064.50	\$864.50
Administrative and HMIS*	\$11,781	\$12,065	\$284

*Capped at 7.5% of grant allocation

A copy of the ESG Budget 2019-2020 spreadsheet is attached (Attachment #3).

CDBG Recommendations 2019-2020

[illegible][illegible]

2019-2020 HOUSING PROGRAM BUDGET HUD Final Allocation Date: April 12, 2019

Total HUD HOME Entitlement Allocation	1,020,693
Portland Program Portion	523,616
Portland Admin Portion	102,069
County Program Portion	395,008

Recommended by HC (2-0) March 27, 2019
 Approved by Council XX, 2019
HUD Allocation April 12, 2019
 Adjusted for Final HUD Allocation 04.16.19

REVENUES- Housing Programs

2019-20 HOME Consortium Admin (10% of allocation)
2019-20 HOME Consortium Programming
2018-19 HOME Program Income
2018-19 HOME Program Income Recaptured Funds
2018-19 HOME Program Income and Recapture Deduction for County
Re-Allocated HOME Funds (funding from previous years)
2019-20 CDBG Administration
2019-20 CDBG Programming
2018-2019 Housing Trust Fund
2018-19 HDF Program Income
2018-19 Lead Safe Housing Program Income
REVENUE TOTALS (Portland)

HOME	CDBG	HDF**	LEAD Safe Housing Program Income***	Housing Trust Fund***	TOTAL BUDGET
102,069					102,069
523,616					523,616
74,887					74,887
74,039					74,039
-28,217					-28,217
					0
					0
					0
				1,275,820	1,275,820
		93,242			93,242
			268,741		268,741
746,394	0	93,242	268,741	1,275,820	2,384,197

2019-20 HOUSING Budget by Activity (Portland)

Administration PL1901/QS1901 (includes 10% of PI)
Housing Rehabilitation (18 Units @ \$15,000/unit) QM1800/QB1800
Homeownership Assistance QJ1900
Tenant-Based Rental Assistance QT1901
Affordable Housing Development QK1900/IN1114
CHDO QL1900
Lead Safe Housing PLL036

HOME	CDBG	HDF**	LEAD Safe Housing Program Income**	Housing Trust Fund**	TOTAL BUDGET
109,558		0			109,558
0		93,242			93,242
0					0
143,571					143,571
405,996				1,275,820	1,681,816
87,269					87,269
0			268,741		268,741
746,394	0	93,242	268,741	1,275,820	2,384,197

** Balance of Previously Budgeted Amounts + New Revenue

*** Balance of Previously Budgeted Amount

2019-20 HOME Consortium COUNTY - approved by MOC on 03.22.2019

County HOME Program budget provided for reference only; **adjusted for final HUD Allocation 04.16.19**

Allocation of County funds is done by the County's Municipal Oversight Committee

REVENUES- Housing Programs

2019-20 HOME Consortium Non-Portland Programming
2018-19 HOME County Program Income and Recapture

HOME County
395,008
28,217
423,225

2019-20 HOUSING Budget by Activity

Housing Rehabilitation (8 projects @ \$15,000/project) QP1900
Home Ownership QQ1900
Affordable Housing Development QD1900
CHDO QR1900

HOME County
0
0
357,390
65,835
423,225

Proposed 2019-2020 Budget for ESG

Emergency Solutions Grant 2014-2019

Program	ESG Budgeted Funding Amount by Fiscal Year						
	FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20
Operations: Homeless Health	\$28,993	\$35,391	\$0	\$0	\$0	\$0	\$0
Essential Services: Family Shelter	\$21,853	\$26,675	\$28,327	\$28,327	\$28,327	\$27,000	\$52,065
Homeless Prevention: Family Shelter	\$21,853	\$26,675	\$52,369	\$52,369	\$52,395	\$51,200	\$27,865
Homeless Prevention: Oxford Street	\$8,972	\$10,952	\$13,800	\$13,244	\$13,262	\$12,950	\$13,815
Rapid Rehousing: Oxford Street	\$35,888	\$43,807	\$55,200	\$55,200	\$55,200	\$54,200	\$55,065
Administration and HMIS	\$5,600	\$6,838	\$12,138	\$12,092	\$12,096	\$11,781	\$12,065
<i>Total (Actual)</i>	<i>\$123,159</i>	<i>\$150,338</i>	<i>\$161,834</i>	<i>\$161,232</i>	<i>\$161,280</i>	<i>\$157,131</i>	<i>\$160,873</i>
<i>Admin/HMIS cap</i>	<i>\$9,237</i>	<i>\$11,275</i>	<i>\$12,138</i>	<i>\$12,092</i>	<i>\$12,096.00</i>	<i>\$12,096</i>	<i>\$12,065</i>

Explanation

Operations: Homeless Health	This program is no longer administered by the City of Portland
Essential Services: Family Shelter	Funds pay for staff who provides housing assistance by seeking affordable units, applying for eligible subsidies and accessing transitional housing opportunities and follow-up case management services by assisting with budgets, tenant/ landlord negotiations, and connecting to area resources. There is a need in Portland to expand the essential services with the high number of families arriving. The budget is adjusted to cover 1 FTE, this will allow the case manager to work with 5-10 families (17-34 individuals).
Homeless Prevention: Family Shelter	Funds pay for staff who assist in preventing family homelessness. Services include advocating with their town of residency, landlord/tenant negotiations and family reunifications. The budget will cover .25 of a FTE
Homeless Prevention: Oxford Street Shelter	Funds pay for staff who assist in preventing individuals from becoming homeless and providing necessary case management and referrals.
Rapid Rehousing: Oxford Street Shelter	Funds pay for staff who assist persons who have become homeless by quickly moving them into permanent housing and providing the necessary case management and referrals the individual needs.
Administration and HMIS	Funding goes to pay for licenses to use HUD's Homeless Management and Information System. Licenses are provided by Maine Housing.
Budget Changes:	The PY19-20 HUD allocation has an increase of \$3,742 for ESG from our estimated budget this winter. The increase was first applied the administration and HMIS line item, by maxing out the 7.5% cap for administrative costs. This increase resulted in \$3,458 left to be allocated between the other programs. HCD staff divided \$3,458 by four to get \$864.50, this dollar amount was applied to each program to allocate for the increase in funding.

NOTE:

We have not received our 2019-2020 allocation from HUD. The 2019-2020 budget is an estimate based off last year's allocation. If our allocation from HUD increases or decreases the funded categories will increase or decrease proportionally.

City Council will take public comment on this budget at the March 18th and April 8th Council Meetings.



Memorandum

Planning and Urban Development Department Housing and Community Development Program

To: Mayor Strimling and the Portland City Council
Cc: Jon P. Jennings, City Manager
Jeff Levine, Planning and Urban Development Director
Mary Davis, Housing and Community Development Director
From: Amanda Methot, HCD Program Manager
Date: March 4, 2019
Re: HUD's Consolidated Annual Action Plan 2019-2020

The Consolidated Annual Action Plan includes budgets for the Community Development Block Grant, HOME Program and the Emergency Solutions Grant. The total amount of funding the City of Portland is expected to allocate for the Consolidated Annual Action Plan is \$5,133,228, which includes allocations from the Department of Housing and Urban Development, program income, and our local funding sources, detailed below:

1.	CDBG	\$ 1,895,922	Expected HUD Allocation 2019-2020
		\$ 9,000	CDBG Housing Program income for Administration
		\$ 0	CDBG Program Income
		\$ 120,000	TIF Funds for Development Activities (\$90,000) and Administration (\$30,000)
		\$ 20,000	Cotton Street Proceeds for Social Service Activities
		\$ 0	CDBG Reprogrammed Funds
		\$ 2,044,922	Total Expected CDBG funds to Allocate for 2019-2020
<i>CDBG Funds by Category for HUD Budget*(does not include TIF & Cotton St proceeds)</i>			
		\$ 388,184	Administration and Planning
		\$ 650,776	Social Services
		<u>\$ 865,962</u>	Development Activity
		\$1,904,922	

Attachments: (1a) CDBG recommendation letter from the City Manager; (1b) Staff Memo to City Manager, (1c) Recommendation Letter from the CDBG Allocation Committee; and (1d) Spreadsheet summarizing the recommendations of the Allocation Committee and City Manager; (1e) Overview of Portland's CDBG program

2.	HOME	\$ 1,151,710	Expected HUD Allocation 2019-2020
		\$ 74,887	Estimated HOME Program Income 2018-2019
		<u>\$ 74,093</u>	Estimated HOME Recaptured Funds 2018-2019
		\$ 1,300,690	Total Estimated HOME funds to Allocate for 2019-2020

Other Housing Funding

CDBG	\$ 93,424	CDBG Housing Program Income Funds
LEAD	\$ 268,741	Lead Safe Housing Program Income Funds
Trust	<u>\$ 1,268,320</u>	Local Housing Trust Funds
	\$ 1,630,485	

Attached you will find a Memo to the Mayor and City Council from Mary Davis explaining the Housing Budget (2 Housing Budget).

3. Emergency Solutions Grant:
\$157,131 Expected HUD Allocation 2019-2020

Attached you will find the proposed Emergency Solutions Grant budget (3 ESG Budget).



CITY OF PORTLAND
Executive Department
Jon P. Jennings, City Manager

March 8, 2019

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, 2019 to June 30, 2020.

I would like to commend the CDBG Allocation Committee on their hard work and dedication to the City's Community Development Program. I have reviewed the Allocation Committee's recommendations and I acknowledge the difficult scoring decisions that were made by the Committee. This year, I reviewed all of the applications, carefully considered the Allocation Committee's recommendations, and met with various city departments before forming my recommendations [*City Manager's Recommendations A1*]. As you will see from my recommendations, I tried to align my decisions with the Allocation Committee while still looking at the overall impact these programs have on the City.

1) *Social Services.* This year we had a wide array of competitive social service applications. As in past years, there are more deserving applicants than funds available. The City would need an additional half a million dollars to fund all of these programs. After reviewing the Allocation Committee's recommendations, I made some changes to insure that vital pieces of the city's social service safety net would not be missing. One of those pieces is the Preble Street Food Program. The food program provides necessary food security to homeless individuals in the City. Food security is a basic necessity, without this service, many individuals would go hungry on a daily basis. Reaching partial funding for this program required some tough decisions. I had to reduce funding from three City programs and an additional non-City program that is receiving funding. I understand that doing this will lower the number of individuals these organizations will be able to serve, but not funding the Preble Street Food Program could mean life or death for some of Portland's most vulnerable individuals.

Lastly, in 2017 the City Council allocated \$20,000 in proceeds from the sale of the Cotton Street Lot to be used for CDBG Social Service activities every year until the funds are exhausted. It is my recommendation that the City Council allocate the \$10,000 to the Florence House and \$10,000 to the Joe Kesler Teen Shelter so that both specialized shelters can operate at a sufficient level.

2) *Development Activities.* I was delighted to see that the number of development activity applications almost doubled this year from six to 11. These funds play a critical role in the physical infrastructure and the economic development of our city. I hope more organizations continue to take advantage of this funding opportunity in the future.

My recommendations align with the Allocation Committee's scores. The funds were able to stretch to fully fund nine of the 11 projects. The Elm Street Sidewalk project scored second to last and has a funding gap of \$97,113. I have decided to add the \$90,000 from TIF funding to the help fill the funding gap. The additional funds will bring the total project allocation to \$312,887, reducing the funding gap to \$7,113.

3) *Administration and Planning.* The Planning and Urban Development Department is required to submit a non-competitive application to the Allocation Committee. The Planning and Urban Development Department submitted a request of \$389,184 with the understanding that no more than the HUD imposed administration cap of 20% could be recommended for funding. These funds are used to both administer the program as well as fund long range planning work for the department. The staff have adjusted their budget to \$388,184 to meet the estimated FY19-20 cap; therefore, I am recommending full funding to administer the program.

As of the date of this memo, HUD has not announced FY 19/20 allocation amounts for the CDBG, HOME and ESG Programs. The CDBG Program recommendations and the HOME and ESG Program budgets were created assuming that FY 19/20 allocations would remain at the same level as FY 18/19 allocations. We do not know when the FY 19/20 allocations will be announced, although the federal spending bill requires that HUD notify grantees of the allocations no later than April 16. It is my recommendation that if the allocations decrease, activities under the CDBG, HOME and ESG Programs be proportionately decreased from the estimated funding levels to match the actual allocation amounts. In the event that the allocation is increased, I recommend that HOME and ESG Programs be proportionately increased to match budgeted allocation amounts. If the CDBG allocation increases, I recommend all partially funded projects be proportionately increased until fully funded.

I thank you for the opportunity to share my recommendations. As I have stated earlier, all of the programs requesting funds are worthy, unfortunately, there is not enough funds to support all of their efforts. I hope you accept my recommendations and join me in commending all of the good work being done in our city.

Sincerely,



Jon P. Jennings
City Manager



Memorandum

Planning and Urban Development Department Housing and Community Development Program

To: City Council

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

From: Amanda Methot, HCD Program Manager

Date: March 5, 2019

Subject: **2019-2020 CDBG Budget and Cap Calculations**

In past years, the CDBG budget submitted as part of the HCD Annual Action Plan matched the local CDBG budget presented on the allocation summary sheet. Starting in 2018, the budget differs due to the replacement of program income with TIF funds and Cotton Street proceeds. Staff would like to take the opportunity to address how these changes impact the overall CDBG budget and cap calculations.

CDBG budget and cap calculations: Each year staff calculate the HUD mandated funding caps for the following CDBG funding categories; Planning and Admin, Development Activities, and Social Services. The budget for our local CDBG program is created once the HUD mandated funding caps have been determined. The CDBG budget combines the CDBG entitlement funds with program income, reprogramed funds, and available local funds. These local resources are not included in the cap calculations nor are they required to be included in the HUD CDBG budget.

In past years, the CDBG program received program income from a parcel of land known as the Cotton Street garage. Following the HUD cap calculations, 20% of the program income went to Planning and Admin, 15% went to Social Services, and 65% went to Development Activities. In 2017 the City sold the Cotton Street parcel. In order to make up the loss of program income funds for each category, the City Council allocated \$120,000 of TIF revenue to be used for Planning and Administration (\$30,000) and for TIF-eligible public infrastructure projects (\$90,000). In addition, the City Council allocated \$20,000 from the Cotton Street proceeds to be used for social service activities.

The budget submitted to HUD in the HCD Annual Action Plan excludes local funding for the purposes of HUD mandated cap calculations. The TIF and Cotton Street funds are excluded from the HUD CDBG budget. The difference in the two budgets will be shown on the HUD's Consolidated Annual Action Plan 2019-2020 memo to the City Council.



March 1, 2019

Jon P. Jennings, City Manager
 City Hall
 389 Congress Street
 Portland, Maine 04101

Dear Mr. Jennings,

We are pleased to submit the CDBG Annual Allocation Committee's recommended budget allocations for Year 45 of the Community Development Block Grant (CDBG).

On a national level, HUD has not yet released the 2019-2020 allocations, but we are hopeful that the funding will remain level with the previous year's funding, as represented in the table below.

CDBG ALLOCATION	Year 45 FY 19-20
Planning and Administration Cap	\$388,184
Social Service Cap	\$650,776
Development Activities	\$865,962
TOTAL	\$1,905,922

As in past years, the need for CDBG funding continues to exceed the amount of funds available. The total funds requested are \$2,491,800, resulting in a gap of \$585,878 between CDBG funds anticipated and project 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 and the information provided in each application in order to be fair to all applicants.

The following sections of this letter outline our funding recommendations. The first section explains the history of Portland's CDBG Program and the changes that have been made in the allocation process over the past several 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 ten years, the CDBG program has undergone significant review resulting in many changes to the allocation process. In 2008, the City Council established the CDBG Allocation Committee and a CDBG Priority Task Force. The Priority Task Force was asked to create a Ten Point Plan for improving the CDBG process. Over the next few years, a CDBG Working Group helped to implement the goals outlined in the Ten Point Plan. Additionally, the CDBG Working Group, CDBG Allocation Committee, and City Staff continued to review and update the CDBG process in order to continue the evolution of the CDBG Program. Some ideas, such as the creation of bonus points, grants for small businesses, set asides for basic needs, economic development, and childcare were introduced

and then later removed. Other ideas, such as aligning with the City's purchasing ordinance, minimum and maximum grant requests for City projects as well as non-profits, and set-asides for community policing and public infrastructure have been effective and therefore remain in place. Though the Priority Task Force and CDBG Working Group have completed their tasks and no longer meet, the CDBG Allocation Committee along with City Staff are continually looking for ways to improve the reach and efficiency of the CDBG program. A full list of program changes along with dates and council order references are available on the City's CDBG website.

APPLICATION PROCESS AND REVIEW

CDBG Applications were made available on October 10, 2018. The mandatory applicant's meeting was held on October 9, 2018 at 5:30pm in Room 24 of City Hall. All applications were due on Tuesday, November 13, 2017 by 4:00pm.

We received eleven (11) Development Activities applications and twenty (20) Social Service applications, along with an Administration and Planning application, for a total of \$2,491,800 in funding requests. There was a total of \$998,075 requested for Development Activities with \$865,692 in anticipated funding, and \$1,104,541 in Social Service requests with \$650,776 of funding anticipated.

Allocation Committee Score Card Changes

As in past years, the Committee found that some of the scoring categories seemed to weigh more heavily toward larger, more established organizations and programs, versus newer or more innovative proposals. Prior to beginning the scoring process, the committee adjusted the scoring matrix within the major scoring categories, while being careful to remain within the guidelines of the City Council's stated goals and priorities. The Committee acknowledges that substantial changes to the scoring framework would require approval from the City Council. We plan to meet after the 2019-2020 allocation process has concluded to consider whether to recommend additional changes to the scoring process that may assist the City Council in formulating its five-year plan for the CDBG process beginning in 2021.

The Allocation Committee Review and Funding Methods

Our Committee first met for this funding year on December 5, 2018. 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 meeting. Each proposal was discussed individually during the meetings. If questions arose, staff documented the questions and forwarded them to the applicant to answer. The answers were then shared with the Committee. Allocation Committee members then scored each application individually, using the scoring matrix structured in accordance with the priorities established by the City Council.

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

Funding Caps

In past years, the funding caps were set at \$150,000 for social service applicants and \$250,000 for development activities. This year, the funding caps remain the same, with the exception of public infrastructure projects.

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 \$389,184 with the understanding that Administration and Planning funding is limited to 20% of the entire CDBG budget. This year, we anticipate the 20% cap to be 379,184.

Development Activities Funding

The Committee received eleven (11) Development Activities applications, which includes both construction activities and economic development, requesting a total of \$998,075, with only \$860,133 in anticipated funding. 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, with the remaining 15% reserved for outside organizations. In addition to the 85% rule a public infrastructure set aside was introduced last year and remains in effect. The Public Infrastructure set aside is up to 60% of the City's maximum 85% request. The Committee's recommendations fall within these guidelines. The following table outlines the highest scoring applications, their requests and the recommended allocation from the Committee.

Organization	Program	Request	Points	Committee Recommendation
COP- Economic Development	BAP- Business Assistance Program for Job Creation	\$205,000	94.17	\$205,000
COP and Portland Downtown	Bicycle and Pedestrian infrastructure improvement project for downtown/bayside	\$23,975	88.34	\$23,975
Mayo Street Arts	Wheelchair Access Ramp	\$75,000	87.18	\$75,000
Port Resources	Port Resources Group Home Rehab	\$75,000	86.34	\$16,100
CEI	PMAP- Portland Microenterprise Assistance Program	\$48,000	86	\$48,000
COP Public Works	Kennebec Street Lighting	\$103,000	78.84	\$103,000

Alpha One	Critical Access Ramp Program	\$40,000	78.66	\$40,000
Learning Works Boys and Girls Club of Greater Portland	Renovation of Historic Education Facility	\$82,000	78.49	\$82,000
	Energy Efficiency Improvements to Portland Club House	\$50,000	76.00	\$50,000
COP Public Works	Elm Street Sidewalk	\$320,000	74.84	\$222,887

This year the Committee was surprised to see a relatively small number of development applications for the second year in a row. Consequently, all but one of this year's pool of applications was recommended for funding.

Social Service Funding

The Committee received twenty (20) Social Service applications, including a \$150,000 request from Community Policing, which will be funded through a set-aside. In addition, Amistad is in its second year of a multi-year application and will be funded with level funding from PY 18. A total of \$1,104,541 in Social Service requests were received with only \$650,776 in funding anticipated. 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 applications, 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	Committee Recommendation
Police Department	Community Policing	\$150,000	Set Aside	\$150,000
Amistad (2 year)	Peer Outreach Worker (POW) Program	\$80,000	Set Aside 2 nd year	\$51,345 (level funding PY 18)
Catherine Morrill Day Nursery	Portland CDBG Child Care Voucher Collaborative	\$83,510	95.833	\$83,510
Milestone	Homeless Outreach and Mobile Engagement (HOME) team	\$114,000	95.000	\$114,000
COP Public Health Division	Mobile Medical Outreach	\$50,000	94.333	\$50,000
Wayside Foods	Direct Service Program	\$34,000	94.167	\$34,000

COP Oxford Street Shelter	Long Term Stayer Community Integration and Landlord Outreach	\$66,868	92.667	\$66,868
Portland Adult Education	New Mainers Resource Center Job Search Support Program	\$49,056	91.667	\$49,056
Spurwink	Spurwink Adult Behavioral Health Opioid Medication Assisted Treatment Program	\$75,444	91.000	\$51,997

Due to the continued decrease in funding, as well as the high number of deserving applicants, the CDBG Allocation Committee found it challenging to prioritize which projects would have the greatest impact. The committee was very focused on understanding the level of need within each community group seeking services. Though many applications contained strong anecdotal evidence of immediate needs, the committee tried to focus on specific performance data, social and societal trends, complementary vs. competing or duplicative programs, and the demand for services from different constituencies in the City.

In particular, the Committee was interested in fostering partnerships between organizations to maximize the impact of their programs. The Committee observed that partnerships reduce duplicative services and provide a positive indicator to ensure a project's outcome. In addition, the committee believes organizations working together are more likely to launch successful, sustainable programs.

ADDITIONAL CONSIDERATIONS

Overall, the Committee believes the Social Service scores reflect a balanced approach to addressing the range of community needs reflected by the applications. However, we want to call attention to the fact that the seven (7) applications falling just below those that received the Committee's recommendation for funding are separated by just over 2 points and were all highly valued by the Committee members as important to the City's overall social service resources. In particular, we recognize that the Committee's scoring conclusions omit any of the Preble Street programs from those recommended for funding, which may be problematic for a number of reasons. We want to emphasize that all members of the Committee acknowledge that the need for these programs is chronic and growing, and that Preble Street has consistently and ably demonstrated its capacity to deliver the needed services to the populations it serves. The Committee would also like to recommend that the Catholic Charities Immigrant Legal Services (ILAP) application be considered for funding in the event that you consider re-allocating any of the recommended funding, or if any additional funding sources are identified. We believe that this service is vital to the growing population of New Mainers, and is not available from other sources. We respect that you may have different priorities from those reflected in the Committee's allocation recommendations, and that you have flexibility that is not afforded by the structure of the Committee's scoring system. We look forward to learning of your and the City Council's conclusions regarding CDBG allocations.

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 each of the evaluation categories, and therefore in total points. A spreadsheet is attached which provides all scores for each application.

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 transitions. 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 6 and hearing your response.

Sincerely,

The CDBG Annual Allocation Committee for Program Year 2019-2020

Lucinda Pyne, Chair
Melanie Cahill, Vice Chair
Reverend Kenneth Lewis
D. Kelley Young
Shima Kabirigi
Matthew Purington
Samuel Martin

CDBG Recommendations 2019-2020

[illegible][illegible]

An Overview of Portland's Community Development Block Grant Program

The City of Portland, Maine is an Entitlement Community for the Community Development Block Grant (CDBG) from the federal Department of Housing and Urban Development.

The goal of the CDBG program is to develop viable communities by promoting integrated approaches that provide decent housing, a suitable living environment, and expanded economic opportunities for low and moderate income persons.

The program achieves this goal through the development of partnerships among all levels of government and the private sector, including for-profit and non-profit organizations.

CDBG: Overview

- CDBG is important tools for helping local governments tackle serious challenges facing their communities.
- The CDBG program works to ensure decent affordable housing, to provide services to the most vulnerable in our communities, and to create jobs through the expansion and retention of businesses.
- HUD provides grants on a formula basis to 1180 cities and counties throughout the country.
- Grantees carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, creating suitable living environments, providing decent housing, and improving community facilities and services.

CDBG: Goals or National Objectives

1. Benefit low and moderate income persons
2. Prevent or eliminate slum or blighted areas
3. Address an urgent or emergency community need

CDBG: Eligible Activities, including but not limited to:

- Planning and Administration
- Social Services
- Economic Development, Job creation
- Affordable Housing
- Public Infrastructure Improvements: Streets, Sidewalks, Parks, Gardens, Trees, Sewers, etc
- Public Facilities: Neighborhood centers, non-profit centers, and school building conversions for eligible purposes; Rehabilitation of residential and non-residential buildings, energy renovations; Historic Preservation

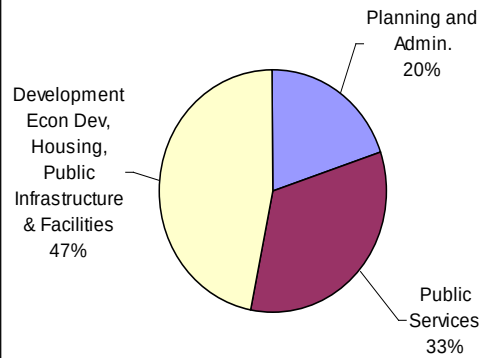
Funding Categories

20% Planning and Administration

33% Social Services

47% Development Activities:

- Economic Development
- Housing
- Public Infrastructure
- Public Facilities



Local Priorities

GOALS

- **Neighborhood Investment and Infrastructure- *Create strong, safe, accessible and vibrant neighborhoods***- Invest in infrastructure to improve neighborhood assets and build strong, safe, accessible and vibrant neighborhoods. Improve accessibility through ADA compliance. Build sidewalks and trails to improve connectivity, increase the use of bicycles as a mode of transportation, and redevelop streetscapes to create shared streets for cars, bikes, and pedestrians that integrate with the fabric of the neighborhood. Support programs that increase safety in neighborhoods for residents and visitors.
- **Housing Availability-*Increase housing availability and affordability***- Increase housing availability and affordability to all Portland residents regardless of income, race, ethnicity, and family size. Encourage housing development by removing barriers to traditional urban housing types while ensuring the inclusion of workforce housing in significant development projects.
- **Economic Opportunity- *Create economic opportunities to transition people out of poverty***- Invest in Portland businesses to enable them to expand to create jobs. Invest in persons wanting to create microenterprises. Engage job seekers in a continuum of services to increase their professional capacity, financial stability, and ability to maintain employment. Focus on difficult to employ populations including homeless, new Americans and single parent head of households. Combine resources and build partnerships between public and private entities to provide opportunities to transition Portland residents out of poverty to sustainable employment and financial stability.
- **Address the Needs of the Growing Homeless Population- *Prevent and reduce homelessness*** - Prevent individuals and families from becoming homeless and entering into the shelter system. Rapidly rehouse those who enter the shelter system. Provide necessary resources to assist vulnerable population's transition out of homelessness, including housing opportunities for chronically homeless or long-term stayers at homeless shelters.

GUIDING PRINCIPLES

- **Consistency.** All projects and programs will be reviewed with respect to the Consolidated Plan and other HUD requirements; City goals, priority impact initiatives, etc.
- **Measurable Community Impact.** Programs and projects will be evaluated based on how well they create a significant and measurable community impact.
- **Location.** Programs and projects should focus on targeted locations within the eligible neighborhoods, for example: neighborhood commerce districts, proximity to new affordable housing development, and identified troubled areas in the neighborhood.
- **Diversity and Inclusiveness.** Programs and projects shall address diversity and be inclusive in order to engage differences and create a culture of belonging.
- **Priority to Lower Incomes.** Priority will be given to projects and programs that serve the lowest income persons.
- **Leveraged Funding.** CDBG cannot be the only source of funding for a program or project; leveraging other funds is essential.
- **Sustainability.** Programs and projects must demonstrate positive impacts on the environment, financially feasible, supportive to the community, and/or energy efficient in approach.

History of the CDBG Program and Priorities

Beginning in 2006 the CDBG program has undergone significant review. In 2006 the City Council created the Housing and Community Development (HCD) Task Force. This Task Force created Ten Recommendations, which were adopted by Council in October 2007. Recommendations included the creation of a Priority Task Force and an ongoing Annual Allocation Committee. The Priority Task Force conducted an in-depth community process that resulted in a new goal, priority impact areas, and guiding principles for the program, which the Council adopted in October 2008. Phased implementation of these Recommendations has occurred over the next two years, being fully implemented in 2010. Further adjustments of the program were made for the 2011 program year.

For Program Year 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
- Projects are to be completed within two years of being funded

For Program Year 2009 the following steps were implemented:

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

- CDBG Application process should 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.

For Program Year 2010 all recommendations from the HCD Task Force and CDBG Priority Task Force were implemented, including:

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

- \$20,000 minimum request.
- Small grants available to social services for capacity building with a maximum request of \$7,500 and available to small businesses micro-enterprises for technical assistance with a maximum request of \$7,500.
- 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.

Additional Changes Implemented

- 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.

Council expressed concern over the final implementation and requested staff and the Allocation Committee to make recommendations for further improvement. After review by the Community Development Committee, Council reviewed and approved the following changes for Program Year 2011, including:

Council Order 46-10/11 (Staff memo based on recommendation from CDC, and CDCG AC)

- Eliminate the Basic Needs Set-Aside, Social Service Capacity Building and Small Business Start up Grants.
- Lower Minimum Grant award to \$10,000
- Set Maximum Grant awards: \$150,000 for social services, \$250,000 for development activities.
- Create a maximum cumulative award for City applications per funding category: 45% of the social service cap and 85% of the development activities amount.
- Create a set-aside/cap for economic development job creation of \$100,000 within the development activities amount.
- Priority focus areas for current program year per funding category: Work and Shop as a priority impact area focus for social services, and Libbytown CT 20.02 for development activities location focus.
- Create a formal appeals process

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

- Bonus points were awarded to child care and Basic Needs applications. The committee reviewed all applications and determined if they should receive the additional bonus points.
- Created a new Request for Proposals seeking a lead agency for the Employment Development Funds in the amount of \$400,000.

2015

- No Bonus Points
- New "Construction only" application
- Targeted Guiding Principles for Development, Economic Development and Construction applications.

2016

- Created New Needs-Goals and Priorities for 2016-2020 Con Plan
- Created Target Neighborhood Investment- Bayside Neighborhood
- No limit on “Public Infrastructure applications”

2017

- Bayside Neighborhood remains Target Neighborhood for Investment

2018

- Updated “Neighborhood Investment and Infrastructure” and “Addressing the Needs of the Growing Homeless Population” on the 2016-2020 Needs-Goals-Priorities Chart

Resources

2006 Shapiro, Boxer-Macomber Memo

2007 HCD Task Force Ten Point Plan, [Council Order 70-7/08](#)

2007 HCD Task Force Report

2009 CDBG Priority Task Force Priorities, [Council Order 91-08/09](#)

2012 CDBG Priority Task Force Recommendations, [Council Order 53-12/13](#)

2013 CDBG Working Group Recommendations, [Council Order 8-13/14](#)

2016 5 Year Consolidated Plan, New Needs-Goals-Priorities, [Council Order 197-15/16](#)

2017 Revisions to the Needs Goals and Priorities Chart, [Council Order 24-17/18](#)

Portland, Maine



Yes. Life's good here.

Mary Davis

Division Director, Housing & Community Development Division

TO: Councilor Duson, Chair
Members of the Housing Committee

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

DATE: March 8, 2019

SUBJECT: 2019-2020 Housing Program Budget

SUMMARY OF ISSUE – Review and recommendation to the City Council of the 2019-2020 Housing Program Budget.

REASON FOR SUBMISSION - The Housing Committee recommends the Housing Program Budget to the City Council for final approval.

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 \$20.8 million dollars in HOME funding. In 2009 the City became the lead entity in the Cumberland County HOME Consortium (CCHC). 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 the County’s portion of the HOME funds.

When the Consortium was formed in 2009, it included a “hold harmless” clause to ensure that the City, as an existing HOME grantee, would continue to receive funding equal to its allocation prior to the formation of the consortium. The “hold harmless” formula was based on a comparison ratio to the HOME funding for the Lewiston/Auburn (L/A) Consortium. The formula identified Portland’s “hold harmless” amount at 118% of the HOME allocation for the L/A Consortium. The Cumberland County HOME Agreement did allow for adjustments to be made if the current level of funding to the L/A HOME Consortium varied from historic levels. Over the years the L/A allocation has decreased which has resulted in the Portland “hold harmless” amount to decrease. As a result, by agreement with the other members of the CCHC, the annual allocation is divided with 57% of allocation, after the administrative set-aside, to the City and 43% of the funding to the County.



Mary Davis

Division Director, Housing & Community Development Division

As a point of reference, if the City were a stand-alone grantee, the estimated HOME allocation for Portland (using a HUD HOME Allocation estimated calculation) would be approximately \$567,149. Of that amount 10% would be set aside for administrative costs (\$56,715) leaving \$510,434 for program funding. Under the current consortium agreement, the city receives the administrative set-aside along with approximately \$590,000 in program funds. Participation in the HOME consortium benefits Portland as well as the county as a whole.

HUD has not announced the allocation amount for FY 2019-2020. The FY19 federal spending bill was approved on February 15. It requires HUD to notify grantees of their CDBG and HOME allocations within 60 days (by April 16). However, since we do not have the final allocation amounts, we are estimating the HUD HOME allocation at the same level as the previous year (\$1,151,710). \$445,712 is reserved for County projects. 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 four funding categories:

1. Administration
2. Housing Rehabilitation (single family and multi-family housing)
3. Tenant Based Rental Assistance (TBRA)
4. Affordable Housing Development [including the required Community Housing Development Organization (CHDO) set-aside mandated by HUD]

The Housing Rehabilitation Program has a significant balance remaining from FY2019 so we are recommending allowing the program time to spend down that balance and putting additional resources in Affordable Housing Development.

HOME Program Budget	FY 2018-2019 Budgeted (entitlement + program income)	FY 2019-2020 Budget proposal (entitlement + program income)
Administration	\$101,737	\$115,171
Housing Rehabilitation	\$100,000	\$65,000*
Tenant Based Rental Assistance	\$162,000	\$162,000
Affordable Housing Development includes CHDO requirement	\$493,174	\$564,954

*The FY19 Housing Rehab Program has a balance of \$65,000 that will be carried over into FY20.



Mary Davis

Division Director, Housing & Community Development Division

CDBG/HOUSING DEVELOPMENT FUND: HDF is the program income account funded by CDBG housing loan repayments. These funds can only be used for CDBG eligible housing activities. The FY20 budget proposal would fund an emergency loan program to assist eligible households (at or below 80% of the area median income) with repairs that are determined to be an immediate danger to the health or safety of the occupants of the household. This would supplement the remaining balance in the Housing Rehabilitation budget above. In future years, we are exploring moving from the current housing rehabilitation model to an emergency loan model that would focus smaller investments where significant health, safety or related issues exist. FY20 funding would allow us to explore this model while still retaining some Housing Rehabilitation funds.

Housing Development Fund (HDF) Budget	FY 2018-2019 Budgeted	FY 2019-2020 Budget Proposal
Administration	\$51,826	\$0
Housing Rehabilitation	\$165,270	\$93,242*

*\$36,000 of new program income for FY20 + FY19 balance remaining of \$57,242

LEAD SAFE HOUSING (Program Income): Lead Safe Housing Program Income is generated through repayment of loans given under prior Lead Safe Housing Grants. These funds can only be used for lead safe housing eligible activities.

Lead Safe Housing Program Income	FY 2018-2019 Budgeted	FY 2019-2020 Budget Proposal
	\$170,866	\$268,741

HOUSING TRUST FUND: Revenue for the Housing Trust Fund is generated from fees triggered by the City's Housing Preservation and Replacement Ordinance, fee-in-lieu contributions from the Inclusionary Zoning Ordinance and Hotel Inclusionary Zoning fee. Including the current balance of the Housing Trust Fund in the Housing Program Budget gives budget authority for the use of the funds. There are no projects or activities currently identified for these funds. The amount budgeted is the maximum that might be expended in FY20. However, staff continues to recommend a minimum balance in the Trust, so the effective budget would be \$775,820 (\$1,275,820 less \$500,000.) If additional funds are allocated to the Trust based on current discussions, this number might be adjusted based on the outcome.



Mary Davis

Division Director, Housing & Community Development Division

Housing Trust Fund (HTF) Budget	FY 2018-2019 Budgeted	FY 2019-2020 Budget Proposal
	\$913,502	\$1,275,820

STAFF ANALYSIS AND RECOMMENDATION – The proposed Housing Program Budget will be adjusted when HUD announces the fiscal year allocation for the HOME Program. This budget will be forwarded to the full City Council for two Public Hearings (March 18 and April 8), as part of the overall HCD budget. Typically the final budget allocations and Annual Action Plan are submitted to HUD 45 days in advance of the start of the fiscal year (May 15 for the fiscal year beginning July 1, 2019).

At this time staff is requesting Committee approval and recommendation to the City Council of the FY 19/20 Housing Program Budget as outlined above and summarized in the attached spreadsheet. If the HUD allocation amount is different from the estimate used in this budget, program budgets will be adjusted proportionately.

FY 19/20 Housing Program Budget - Attached

2019-2020 HOUSING PROGRAM BUDGET HUD Final Allocation Date: XX, 2019

Total HUD HOME Entitlement Allocation	1,151,710
Portland Program Portion	590,827
Portland Admin Portion	115,171
County Program Portion	445,712

Recommended by HC (x-x) XX, 2019
 Approved by Council XX, 2019
HUD Allocation XX, 2019
 Adjusted for Final HUD Allocation xx.xx.19

REVENUES- Housing Programs

2019-20 HOME Consortium Admin (10% of allocation)
2019-20 HOME Consortium Programming
2018-19 HOME Program Income
2018-19 HOME Program Income Recaptured Funds
2018-19 HOME Program Income and Recapture Deduction for County
Re-Allocated HOME Funds (funding from previous years)
2019-20 CDBG Administration
2019-20 CDBG Programming
2018-2019 Housing Trust Fund
2018-19 HDF Program Income
2018-19 Lead Safe Housing Program Income

REVENUE TOTALS (Portland)

HOME	CDBG	HDF**	LEAD Safe Housing Program Income***	Housing Trust Fund***	TOTAL BUDGET
115,171					115,171
590,827					590,827
74,887					74,887
74,039					74,039
-28,217					-28,217
					0
					0
					0
				1,275,820	1,275,820
		93,242			93,242
			268,741		268,741
826,707	0	93,242	268,741	1,275,820	2,464,510

2019-20 HOUSING Budget by Activity (Portland)

Administration PL1901/QS1901
Housing Rehabilitation (18 Units @ \$15,000/unit) QM1800/QB1800
Homeownership Assistance QJ1900
Tenant-Based Rental Assistance QT1901
Affordable Housing Development QK1900/IN1114
CHDO QL1900
Lead Safe Housing PLL036

HOME	CDBG	HDF**	LEAD Safe Housing Program Income**	Housing Trust Fund**	TOTAL BUDGET
115,171		0			115,171
0		93,242			93,242
0					0
162,000					162,000
450,794				1,275,820	1,726,614
98,742					98,742
0			268,741		268,741
826,707	0	93,242	268,741	1,275,820	2,464,510

** Balance of Previously Budgeted Amounts + New Revenue

*** Balance of Previously Budgeted Amount

2019-20 HOME Consortium COUNTY - approved by MOC on xx.xx.2019

County HOME Program budget provided for reference only; **adjusted for final HUD Allocation xx.xx.19**

Allocation of County funds is done by the County's Municipal Oversight Committee

REVENUES- Housing Programs

2019-20 HOME Consortium Non-Portland Programming
2018-19 HOME County Program Income and Recapture

HOME
County
445,712
28,217
473,929

2019-20 HOUSING Budget by Activity

Housing Rehabilitation (8 projects @ \$15,000/project) QP1900
Home Ownership QQ1900
Affordable Housing Development QD1900
CHDO QR1900

HOME
County
0
0
399,644
74,285
473,929

3 ESG Budget

Proposed 2019-2020 Budget for ESG

Emergency Solutions Grant 2014-2019

Program	ESG Budgeted Funding Amount by Fiscal Year						FY 19-20
	FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 17-18	FY 18-19	
Operations: Homeless Health	\$28,993	\$35,391	\$0	\$0	\$0	\$0	\$0
Essential Services: Family Shelter	\$21,853	\$26,675	\$28,327	\$28,327	\$28,327	\$27,000	\$51,200
Homeless Prevention: Family Shelter	\$21,853	\$26,675	\$52,369	\$52,369	\$52,395	\$51,200	\$27,000
Homeless Prevention: Oxford Street	\$8,972	\$10,952	\$13,800	\$13,244	\$13,262	\$12,950	\$12,950
Rapid Rehousing: Oxford Street	\$35,888	\$43,807	\$55,200	\$55,200	\$55,200	\$54,200	\$54,200
Administration and HMIS	\$5,600	\$6,838	\$12,138	\$12,092	\$12,096	\$11,781	\$11,781
<i>Total (Actual)</i>	<i>\$123,159</i>	<i>\$150,338</i>	<i>\$161,834</i>	<i>\$161,232</i>	<i>\$161,280</i>	<i>\$157,131</i>	<i>\$157,131</i>
<i>Admin/HMIS cap</i>	<i>\$9,237</i>	<i>\$11,275</i>	<i>\$12,138</i>	<i>\$12,092</i>	<i>\$12,096.00</i>	<i>\$12,096</i>	<i>\$11,785</i>

Explanation

Operations: Homeless Health	This program is no longer administered by the City of Portland
Essential Services: Family Shelter	Funds pay for staff who provides housing assistance by seeking affordable units, applying for eligible subsidies and accessing transitional housing opportunities and follow-up case management services by assisting with budgets, tenant/ landlord negotiations, and connecting to area resources. There is a need in Portland to expand the essential services with the high number of families arriving. The budget is adjusted to cover 1 FTE, this will allow the case manager to work with 5-10 families (17-34 individuals).
Homeless Prevention: Family Shelter	Funds pay for staff who assist in preventing family homelessness. Services include advocating with their town of residency, landlord/tenant negotiations and family reunifications. The budget will cover .25 of a FTE
Homeless Prevention: Oxford Street Shelter	Funds pay for staff who assist in preventing individuals from becoming homeless and providing necessary case management and referrals.
Rapid Rehousing: Oxford Street Shelter	Funds pay for staff who assist persons who have become homeless by quickly moving them into permanent housing and providing the necessary case management and referrals the individual needs.
Administration and HMIS	Funding goes to pay for licenses to use HUD's Homeless Management and Information System. Licenses are provided by Maine Housing.

NOTE:

We have not received our 2019-2020 allocation from HUD. The 2019-2020 budget is an estimate based off last year's allocation. If our allocation from HUD increases or decreases the funded categories will increase or decrease proportionally.

City Council will take public comment on this budget at the March 18th and April 8th Council Meetings.

MEMORANDUM
City Council Agenda Item

FROM: Jeff Levine, Director Planning & Urban Development Department

DATE: March 5, 2019

SUBJECT: **Order 162-18/19 Amendment to the Portland City Code Chapter 14 Re: Drive-throughs in the B-2, B-2b and B-2c Community Business Zones - Sponsored by the Planning Board, Sean Dundon, Chair**

SPONSOR: Portland Planning Board, January 22, 2019, Vote: 7-0
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

PRESENTATION: Sean Dundon, Chair, Portland Planning Board, 5 minute oral presentation.

I. SUMMARY

The Planning Board unanimously recommends adoption of text amendments to utilize the incentive of drive-throughs to those associated with a pharmacy or banking facility to produce additional housing in Portland. This amendment would limit drive-throughs to buildings with 3 or more stories where a majority of the upper stories is devoted to 3 or more dwelling units, as a conditional use in B-2, B-2b and B-2c zones.

II. AGENDA DESCRIPTION

The Planning Board unanimously recommends adoption of text amendments to the B-2, B-2b and B2c zones to allow bank and pharmacy drive-throughs in all B-2 zones, but only when they are in developments that include upper story housing. Currently, drive-throughs associated with permitted uses are allowed in B-2 and B-2c as a conditional use, but no drive-throughs are allowed in the B-2b zone. This proposed amendment would allow drive-throughs in all of these zones, but only in multiple story buildings with housing above. Specifically, the proposed text amendments revise the B-2 Table of Uses to limit drive-throughs to those associated with a pharmacy or banking facility in the three B-2 zones as a conditional use. A proposed footnote in the Use Table clarifies that drive-throughs are not permitted for restaurant, bakery or other food or beverage service uses. The conditional use standards for drive-throughs are revised to only permit a drive-through (associated with a bank or pharmacy) in a building of 3 or more stories where a majority of the upper stories is devoted to 3 or more dwelling units. Screening, location of drive-throughs, and stacking capacity for safe pedestrian and vehicle circulation on and off site are included in the location standard and the other existing 5 standards are retained.

This item must be read on two separate days. It received its first reading on February 20, 2019. On March 4, 2018, it was postponed to the April 22, 2019 City Council Meeting. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

The Community Business Zone- B-2, includes the B-2b and B-2c as subdistricts. The B-2 zones are located along major transportation corridors and encompass larger commercial districts. It is a zone where a wider range of businesses and more intensive commercial uses, including drive-throughs, have been allowed.

Starting in 1999, the B-2 zone has been revised multiple times in order to refine the zone to better accommodate policy initiatives for the redevelopment of Portland's commercial districts by supporting denser urban infill and transit-oriented development. In 2016, the Board recommended (6-1, Whited opposed) a map amendment from B-2 to B-2b for the section of Forest Avenue near the intersection of Forest Avenue, Preble Street Ext and Baxter Boulevard. During the public hearing discussion, the Board suggested exploring options to link the creation of new housing with proposals for new drive-throughs. The recommendation for the map amendment was placed on hold and not forwarded to the Council, pending development of the proposed text amendments.

The Planning Board and the City Staff are recommending proposed text amendments to the B-2 zones, which allow drive-throughs associated with banks and pharmacies, as a conditional use in the three B-2 zones. The locational standard for a drive-through requires a building with a minimum of 3 stories and the majority of the upper floors are to be residential units. The Board and the City are also now prepared to move forward with the proposed B-2b map amendment for a portion of Forest Avenue, which is a separate order and report on the Council's agenda.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

Portland's Plan 2030 includes the following economic and housing goals that are relevant to the proposed text amendments:

- Create economic prosperity by growing Portland's tax and employment base.
- Invest in, attract, and retain human capital to support a growing economy.
- Respect that our unique quality of place is key to our current and future economic success.
- Increase, preserve, and modify the overall supply of housing city-wide to meet the needs, preferences and financial capabilities of all Portland residents.
- Encourage additional contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods.
- Pursue policies to enable people who work in Portland to have the option to live in Portland.

V. FINANCIAL IMPACT

The proposed zoning amendments do not have a direct fiscal impact to the City.

VI. STAFF ANALYSIS AND BACKGROUND

Pharmacies and banks seek drive-through windows to serve their clientele. The intensity and impacts of the drive-throughs are generally less than those associated with fast food restaurants, coffee shops, bottle redemption centers, and other uses. While pharmacy and bank drive-throughs are less intensive, the auto-oriented use does impact the pedestrian environment and Portland's goal for a walkable city. In addition, Portland has a stated goal to provide for more housing on upper floors, particularly along major transit corridors. The proposal to require bank and pharmacy drive-throughs to provide housing supports economic development objectives of the comprehensive plan and creates an incentive for more housing along transportation corridors. This proposed amendment balances concerns about drive-throughs as stand-alone uses and instead proposes allowing them as incentives to produce multiple story buildings that include housing. The text amendments will allow well capitalized tenants to help cross-subsidize other City goals.

Allowing drive throughs in projects that provide other significant policy and design benefits will also leverage well-funded and motivated retail users – such as pharmacies – to make major investments in City policy goals. By allowing a well-screened drive through on the first floor, there is much more likely to be such investment,

which would include good urban design elements in a multistory building, and also produce housing. Limiting the drive through types to pharmacies and banks minimize the negative externalities of other drive through uses while leveraging this private investment that might not occur otherwise.

This proposal is an innovative approach to regulating drive-throughs in an urban area. Local examples, include the Bangor Savings Bank on Marginal Way, which has a drive-through facility at the rear of the 3-story structure meeting the conditional use standards for the B-5 zone. Bangor Savings also has a drive-through facility at their two-story building on Middle Street. While it does not have a drive-through facility, the c-Port Credit Union on the corner of India and Middle met the minimum height requirements of the India Street Form Based Code by including a third-floor residential unit over the retail and office facilities located on the first and second floors. Examples of larger scale development incorporating these design principles are found in Edina, Indianapolis, and Milwaukee.

VII. RECOMMENDATION

On January 22, 2019, the Planning Board voted unanimously to find that the proposed text amendments to the Section 14-182, Permitted Uses, and Section 14-183- Conditional Uses of the B-2, B-2b, and B-2c zones of the Land Use Code are consistent with the Comprehensive Plan and recommends adoption of the proposed amendments to the City Council.

VIII. LIST ATTACHMENTS

1. Drive-throughs in B-2 and B-2b 2.20.2019
2. Report and Attachments (B-2 Drive Throughs)

Prepared by:

Jeff Levine, Director Planning & Urban Development Department

Date: 3/5/2019

Order 162-18/19

Motion to postpone to April 22, 2018: 7-2 (Costa, Ray) on 3/4/2019

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

AMENDMENT TO PORTLAND CITY CODE CHAPTER 14
RE: DRIVE-THROUGHS IN B-2, B-2b AND B-2c COMMUNITY BUSINESS
ZONES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:

*That Chapter 14, Sections 14-182 and 14-183 are hereby
amended to read as follows:*

Sec. 14-182. Table of uses.

Group ¹	Use	B-2 ²	B-2b	B-2c
R	Single family home	Y	Y	Y
	...			
A	Drive-throughs associated with a permitted or conditional <u>a pharmacy or</u> <u>banking facility</u> use ⁴	C	<u>NC</u>	C

. . .

1 Uses within the same group lettering may be substituted without being considered a change of use under zoning, provided all dimensional and other requirements of this section are met. Other reviews may be required under City regulations, including but not limited to building permit, subdivision and site plan reviews. However, no additional parking shall be required for changes within the same use group for a change in total floor area up to 10,000 sf, except for the provision of additional housing units.

Use Groups include the following:

R = Residential
B = Business
I = Institutional
O = Other
U = Utility

A = Auto related

M = Manufacturing/Processing/and other Industrial

2 Y-Permitted N-Not Permitted

C-Conditional use, see section 14-183 for specific standards in addition to the general conditional use standards

3 Expansion of accessory uses into space used by a permitted use shall not be considered a change of use

4 See conditional use standards for drive-throughs. Drive-throughs are not permitted for restaurant, bakery, or other food or beverage service uses.

Sec. 14-183. Conditional uses.

The following uses are permitted in the B-2, B-2b and B-2c zone, as provided in section 14-474 (conditional uses), if they meet the following requirements:

(a) "A" group conditional uses. Notwithstanding section 14-474(a) of this article or any other provision of this code, the Planning Board shall be substituted for the Board of Appeals as the reviewing authority and shall apply the following standards in addition to the provisions of section 14-474:

6. Drive-throughs: Notwithstanding section 14-474(a) of this article or any other provision of this code, the Planning Board shall be substituted for the Board of Appeals as the reviewing authority and shall apply the following standards in addition to the provisions of section 14-474:

a. Location of Drive-throughs: ~~Features, such as windows, vacuum cleaners and menu/order boards, stacking lanes, must be placed, where practicable, to the side and rear of the principal building except where such placement will be detrimental to an adjacent residential zone or use, and shall be located no nearer than forty (40) feet from any adjoining property located in a residential zone. This distance shall be measured from the outermost edge of the outside drive-through feature to such property line. In addition, drive-through features shall not extend nearer than twenty-five (25) feet to the street line. The site must have adequate stacking capacity for vehicles waiting to use~~

~~these service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets.~~

Drive-throughs are only permitted in buildings of 3 or more stories where a majority of the upper stories is devoted to 3 or more dwelling units. The drive-through shall be screened as much as practical from the front of the building and shall be no closer than 40 feet from abutting residential zones and 25 feet from the street line. Adequate stacking capacity much be provided on site without impeding vehicular circulation or creating hazards to pedestrian or vehicle circulation on or off site.

. . .



CITY COUNCIL REPORT FROM PLANNING BOARD PORTLAND, MAINE

Text Amendments for Drive-Throughs in the B-2, B-2b and B-2c Zones
Zoning Text Amendments
City of Portland, Applicant

Submitted to: Portland City Council: First Reading Date: February 20, 2019 Second Reading Date: March 4, 2019	Prepared by: Jeff Levine, Director, Dept. of Planning and Urban Development and Barbara Barhydt, Development Review Services Manager Date: January 31, 2019
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I. PLANNING BOARD RECOMMENDATION

The Portland Planning Board held a public hearing on January 22, 2019. The Board unanimously recommends (7-0) to City Council the adoption of the proposed text amendments regarding drive-throughs in the B-2, B-2b and B-2c zones. The proposal limits drive-throughs as a conditional use in the B-2 zones to those facilities associated with a bank or a pharmacy use in a building with a minimum of 3 stories and a majority of the upper floors devoted to a minimum of 3 residential units. David Silk noted that the proposed amendments are consistent with the adopted goals and policies of the Comprehensive Plan and that the language, as proposed, reflects the Board's discussion at the December workshop. Austin Smith stated that the proposed amendments are a great way to limit the high intensity impacts of drive-throughs and provide incentives for more housing along the City's major transportation corridors and neighborhood centers. Chair Dundon concurred.

There was no public comment provided at the public hearing; however, Mr. Rheault spoke in favor of the text amendments at the Board's December 11, 2018 workshop. He noted that the proposal is an example of good urban planning and asked how the proposal would incentivize housing, whether mixed use projects would be allowed, and how many units would be required.

II. PROPOSED AMENDMENTS (full text in Council Order and Attachment A)

A. INTRODUCTION

The Community Business Zone- B-2, includes the B-2b and B-2c as subdistricts. The B-2 zones are located along major transportation corridors and encompass larger commercial districts. It is a zone where a wider range of businesses and more intensive commercial uses, including drive-throughs, have been allowed.

Starting in 1999, the B-2 zone has been revised multiple times in order to refine the zone to better accommodate policy initiatives for the redevelopment of Portland's commercial districts by supporting denser urban infill and transit-oriented development. In 2016, the Board considered and recommended (6-1, Whited opposed) a map amendment from B-2 to B-2b for the section of Forest Avenue near the intersection of Forest Avenue, Preble Street Ext and Baxter Boulevard. During the public hearing discussion, the Board suggested exploring options to link the creation of new housing with proposals for new drive-throughs. The recommendation for the map amendment was placed on hold at that time pending the additional ordinance work. The City is now prepared to move forward with

the proposed map amendment (separate order and report for the City Council's consideration) along with the Planning Board's recommendation for the B-2, B-2b, and B-2c zoning text amendments. The full text of the proposed amendments is included as Attachment A.

B. SUMMARY OF PROPOSED TEXT AMENDMENTS

A. Table of Use:

The proposal is to amend Section 14-182. Table of Uses, so a drive-through associated with a pharmacy or banking facility use is a conditional use in all three B-2 zones. This would add drive-throughs for banks and pharmacies into the B-2b zone and would narrow the option for drive-throughs in the B-2 and B-2c zones.

A	Drive-throughs associated with <u>a pharmacy or banking facility</u> use ⁴	C	<u>NC</u>	C
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The footnote related to the drive-through use cross references the standards for drive-throughs and clarifies that drive-throughs are not allowed with restaurants, bakeries, or other food or beverage service uses. The specific language is as follows:

4 See conditional use standards for drive throughs. Drive throughs are not permitted for restaurant, bakery, or other food or beverage service uses.

B. Conditional Uses.

The current standards for a conditional use review of a drive-through would be retained, with the first standard modified to only allow drive-throughs in buildings of 3 or more stories where the majority of the upper stories is devoted to a minimum of 3 or more dwellings units. The language would allow other upper floor uses, such as offices, subject to the majority of the upper floors being residential. The standards b through f would remain unchanged and are listed above on pages 3 and 4. Standard a is proposed as follows:

6. Drive-throughs: Notwithstanding section 14-474(a) of this article or any other provision of this code, the Planning Board shall be substituted for the Board of Appeals as the reviewing authority and shall apply the following standards in addition to the provisions of section 14-474:

a. a. —Location of Drive-throughs: Features, such as windows, vacuum cleaners and menu/order boards, stacking lanes, must be placed, where practicable, to the side and rear of the principal building except where such placement will be detrimental to an adjacent residential zone or use, and shall be located no nearer than forty (40) feet from any adjoining property located in a residential zone. This distance shall be measured from the outermost edge of the outside drive-through feature to such property line. In addition, drive-through features shall not extend nearer than twenty-five (25) feet to the street line. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets.

Drive throughs are only permitting in buildings of 3 or more stories where a majority of the upper stories is devoted to 3 or more dwelling units. The drive through shall be screened as much as practical from the front of the building and shall be no closer than 40 feet from abutting residential zones and 25 feet from the street line. Adequate stacking capacity must be provided on site without impeding vehicular circulation or creating hazards to pedestrian or vehicle circulation on or off site.

III. CURRENT LAND USE CODE DEFINITIONS AND REGULATIONS

A. Definitions of Drive-Throughs and Use Regulations

Portland's zoning code includes definitions for drive-through facility and drive-through features, as follows:

Drive-through facility: A commercial facility which provides a service directly to a motor vehicle occupant and where the customer drives a motor vehicle onto the premises and to a window or mechanical device through or by which the customer is served with or without exiting the vehicle. Drive-throughs do not include major or minor auto service stations.

Drive-through features: Features associated with drive-throughs including but not limited to designated travel or stacking lanes, intercom systems, menu boards, service windows, kiosks, mechanical devices, etc.

Drive-throughs are treated in a variety of ways within the other business zones in Portland. Attachment B is a chart with the business zones and the regulations pertaining to drive-throughs. In summary, drive throughs are permitted as an accessory use in the B-4 zone and in B-5 locations outside of the area between Forest Ave and Franklin St. The zones in which drive-throughs are not permitted include the following:

- Neighborhood Business B-1
- Community Business – B-2b
- Airport Business A-B
- Island Business – IB
- Urban Mixed-Use B-5b
- India Street Form Based Code (ISFBC)

Drive-throughs are listed as conditional uses with specific design standards or in some cases are limited in where they can be located in the following zones:

- Community Business B-2 and B-2c – Currently, listed as a conditional use associated with permitted or conditional uses, which includes specific standards.
- Downtown Business B-3 – Drive-throughs with restaurants are not permitted and drive-up for a bank facility is a conditional use with specific standards.
- Urban Mixed-Use B-5- Drive-throughs are prohibited in the area between Forest Avenue and Franklin Street. Drive-throughs for a banking facility located between Forest Avenue and Franklin Street is a conditional use.
- Eastern Waterfront Mixed Use B-6 – Drive-up facilities for banks are a conditional use and must be located in the interior of parking structures.

B. Purpose Statement for B-2, B-2b and B-2c Districts

The purpose statements for each of the three (3) B-2 zones are excerpted below. The revisions to the B-2 zone, particularly with the dimensional standards, have made the B-2 and B-2b more similar and designed to support an urban form of redevelopment.

Sec. 14-181. Purpose.

(a) B-2 Community Business Zone

The purpose of the B-2 community business zone is:

1. To provide appropriate locations for the development and operation of community centers offering a mixture of commercial uses, housing and services serving the adjoining neighborhoods and the larger community.
2. The variety, sites and intensity of the permitted commercial uses in the B-2 zone are intended to be greater than those permitted in the B-1 neighborhood business zone.
3. The B-2 zone will provide a broad range of goods and services and general businesses with a mixture of large and small buildings such as grocery stores, shops and services located in major shopping centers and along arterial streets.

Such establishments should be readily accessible by automobile, by pedestrians and by bicycle. Development in the B-2 zone should relate to the surrounding neighborhoods by design, orientation, and circulation patterns.

4. The B-2 and B-2b will provide locations for moderate to high density housing in urban neighborhoods along arterials.

(b) B-2b Community Business Zone

The B-2b zone is intended to provide neighborhood and community retail, business and service establishments that are oriented to and built close to the street. The B-2b zone is appropriate in areas where a more compact urban development pattern exists such as on-peninsula or in areas off-peninsula where a neighborhood compatible commercial district is established which exhibits a pedestrian scale and character. Such locations may include the peninsula and other arterials and intersections with an existing urban or neighborhood-oriented building pattern.

(c) B-2c Community Business Zone

To protect and enhance the quiet enjoyment of adjoining residential neighborhoods from the impacts of businesses that serve liquor and from other uses that are incompatible with adjoining neighborhoods due to noise.

C. Permitted and Conditional Use Provisions for Drive-throughs in B-2 Zones

Drive-throughs associated with a permitted or a conditional use are listed as an auto oriented use on the table of permitted uses (Attachment A). Drive-throughs are not permitted in the B-2b zone and are listed as a conditional use associated with permitted or conditional uses in the B-2 and B-2c zones. In addition to the general conditional use standards contained in Section 14-474 of the Land Use Code, the specific conditional use standards of the B-2 zone for auto related uses are below with specific provisions for drive-throughs found under subsection 6:

Sec. 14-183. Conditional uses.

The following uses are permitted in the B-2, B-2b and B-2c zone, as provided in section 14-474 (conditional uses), if they meet the following requirements:

(a) "A" group conditional use. Notwithstanding section 14-474(a) of this article or any other provision of this code, the Planning Board shall be substituted for the Board of Appeals as the reviewing authority and shall apply the following standards in addition to the provisions of section 14-474:

1. Signs: Signs shall not adversely affect visibility at intersections or access drives. Such signs shall be constructed, installed and maintained so as to ensure the safety of the public. Such signs shall advertise only services or goods available on the premises.
2. Circulation: No ingress and egress driveways shall be located within thirty (30) feet from an intersection. No entrance or exit for vehicles shall be in such proximity to a playground, school, church, other places of public assembly, or any residential zone that the nearness poses a threat or potential danger to the safety of the public.
3. Conditions specific to major or minor auto service stations, car washes and automobile dealerships:
 - a. A landscaped buffer, no less than 5 feet wide, shall be located along street frontages (excluding driveways). The buffer shall consist of a variety of plantings in accordance with the City of Portland Technical Manual; and
 - b. Car washes shall be designed to avoid the tracking of residual waters into the street.
4. Reserved.
5. Reserved.
6. Drive-throughs: Notwithstanding section 14-474(a) of this article or any other provision of this code, the Planning Board shall be substituted for the Board of Appeals as the reviewing authority and shall apply the following standards in addition to the provisions of section 14-474:
 - a. Location of Drive-throughs: Features, such as windows, vacuum cleaners and menu/order boards, stacking lanes, must be placed, where practicable, to the side and rear of the principal building except where such placement will be detrimental to an adjacent residential zone or use, and shall be located no nearer than forty (40) feet from any adjoining property located in a residential zone. This distance shall be measured from the outermost edge of the outside drive-through feature to such property line. In addition, drive-through features shall not extend nearer than twenty-five (25) feet to the street line. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets.
 - b. Noise: Any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other

noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater.

- c. Lighting: Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.
- d. Screening and Enclosure: Where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and
- e. Pedestrian access: Drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.
- f. Hours of Operation: The Board, as part of its review, may take into consideration the impact hours of operation may have on adjoining uses.

IV. Planning Board and Staff Analysis

Pharmacies and banks seek drive-through windows to serve their clientele. The intensity and impacts of the drive-throughs are generally less than those associated with fast food restaurants, coffee shops, bottle redemption centers, and other uses. While pharmacy and bank drive-throughs are less intensive, the auto-oriented use does impact the pedestrian environment and Portland's goal for a walkable city. In addition, Portland has a stated goal to provide for more housing on upper floors, particularly along major transit corridors. The proposal to require bank and pharmacy drive-throughs to provide housing supports economic development objectives of the Comprehensive plan and creates an incentive for more housing along transportation corridors.

Housing above food related drive-throughs is less viable than over banks and pharmacies and food related drive-throughs generate the most traffic and impacts on the urban streetscape. Allowing drive throughs in projects that provide other significant policy and design benefits will also leverage well-funded and motivated retail users – such as pharmacies – to make major investments in City policy goals. By allowing a well-screened drive through on the first floor, there is much more likely to be such investment, which would include good urban design elements in a multistory building, and also produce housing. Limiting the drive through types to pharmacies and banks minimize the negative externalities of other drive through uses while leveraging this private investment that might not occur otherwise.

This proposal is an innovative approach to regulating drive-throughs in an urban area. Local examples, include the Bangor Savings Bank on Marginal Way, which has a drive-through facility at the rear of the 3-story structure meeting the conditional use standards for the B-5 zone. Bangor Savings also has a drive-through facility at their two-story building on Middle Street. While it does not have a drive-through facility, the c-Port Credit Union on the corner of India and Middle met the minimum height requirements of the India Street Form Based Code by including a third-floor residential unit over the retail and office facilities located on the first and second floors.

There are examples in other urban areas where drive-throughs are incorporated in larger scale developments. Here are examples from Edina, Indianapolis, and Milwaukee.

<https://finance-commerce.com/2015/08/semper-plans-apartments-atop-walgreens-store-in-edina/>

<https://www.ibj.com/blogs/3-property-lines-scott-olson/post/43955-update-drugstore-drive-through-gets-city-clearance>

<https://patch.com/wisconsin/shorewood/relocation-of-walgreens-a-key-part-of-plans-for-32-mi311b24c213>

V. Comprehensive Plan

The central vision of Portland's Plan 2030 is represented by the Venn diagram demonstrating the integral interrelation of the community's core belief that Portland is equitable, sustainable, connected, dynamic, authentic and secure. The vision conveys the message of the City's need to balance many competing needs to assure the advance of the vision as a unified concept. In this instance, that the City's goals for job growth and transforming Portland through orderly growth and development be balanced with needs for connectivity of the street grid, sustainability of infrastructure and the ability to maintain that infrastructure, and security in the sense of public safety.



The comprehensive plan includes the following economic and housing goals that are relevant to the proposed text amendments:

- Create economic prosperity by growing Portland's tax and employment base.
- Invest in, attract, and retain human capital to support a growing economy.
- Respect that our unique quality of place is key to our current and future economic success.
- Increase, preserve, and modify the overall supply of housing city-wide to meet the needs, preferences and financial capabilities of all Portland residents.
- Encourage additional contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods.
- Pursue policies to enable people who work in Portland to have the option to live in Portland.

VI. PLANNING BOARD RECOMMENDATION

Vice Chair Mazer moved and Maggie Stanley seconded a motion that on the basis of the material provided in the Planning Board report, dated January 18, 2019, public testimony, a review of applicable policies, and other information, the Planning Board finds that the proposed text amendments to the Section 14-182, Permitted Uses, and Section 14-183- Conditional Uses of the B-2, B-2b, and B-2c zones of the Land Use Code are consistent with the Comprehensive Plan and recommends adoption of the proposed amendments to the City Council. The vote was 7-0.

Attachments:

- A. Proposed Ordinance Amendments
- B. Drive-through Chart for Business Zones
- C. B-2 Zone Locations- Off Peninsula
- D. B-2 Zone Locations- On Peninsula

DIVISION 10. B-2 AND B-2b COMMUNITY BUSINESS ZONES*

Sec. 14-181. Purpose.

(a) B-2 Community Business Zone

The purpose of the B-2 community business zone is:

1. To provide appropriate locations for the development and operation of community centers offering a mixture of commercial uses, housing and services serving the adjoining neighborhoods and the larger community.
2. The variety, sites and intensity of the permitted commercial uses in the B-2 zone are intended to be greater than those permitted in the B-1 neighborhood business zone.
3. The B-2 zone will provide a broad range of goods and services and general businesses with a mixture of large and small buildings such as grocery stores, shops and services located in major shopping centers and along arterial streets. Such establishments should be readily accessible by automobile, by pedestrians and by bicycle. Development in the B-2 zone should relate to the surrounding neighborhoods by design, orientation, and circulation patterns.
4. The B-2 and B-2b will provide locations for moderate to high density housing in urban neighborhoods along arterials.

(b) B-2b Community Business Zone

The B-2b zone is intended to provide neighborhood and community retail, business and service establishments that are oriented to and built close to the street. The B-2b zone is appropriate in areas where a more compact urban development pattern exists such as on-peninsula or in areas off-peninsula where a neighborhood compatible commercial district is established which exhibits a pedestrian scale and character. Such locations may include the peninsula and other arterials and intersections with an existing urban or neighborhood oriented building pattern.

(c) B-2c Community Business Zone

To protect and enhance the quiet enjoyment of adjoining residential neighborhoods from the impacts of businesses that serve liquor and from other uses that are incompatible with adjoining neighborhoods due to noise.

(Ord. No. 293-88, 4-4-88; Ord. No. 25, 7-07-99: emergency enactment of 120-day moratorium, effective 7/07/99 thru 11/04/99; Ord. No. 94A, 11-01-99: emergency enactment of 44-day extension of moratorium enacted on 7-07-99, effective date 11/01/99 thru 12/15/99; Ord. No. 94-99, 11-15-99; Substitute Ord. No. 189-00, §2, 4-24-00; Ord. No. 151-03/04, 02/23/04; Ord. No. 244-09/10, 6-21-10)

*Editor's Note: Order No. 25, adopted 7-07-99, enacted an emergency 120-day moratorium on drive-through facilities on lots in B-2 Zone adjacent to lots with residential uses effective 7-07-99 through 11-1-99; Ord. No. 94A, adopted 11-01-99 extended the moratorium on said drive-through facilities through December 15, 1999.

Sec. 14-182. Table of uses.

Group ¹	Use	B-2 ²	B-2b	B-2c
R	Single family home	Y	Y	Y
R	Two family home	Y	Y	Y
R	Three family home	Y	Y	Y
R	Multifamily housing	Y	Y	Y
R	Combined live/work spaces provided the living space is at least 33% of the total net floor area	Y	Y	Y
B	General business and professional offices, as defined in section 14-47, and offices of trades	Y	Y	Y
B	Personal services, as defined in section 14-47	Y	Y	Y
B	General retail establishments	Y	Y	Y
B	Pharmacies with retail sales	Y	Y	Y
B	Banking Facilities	Y	Y	Y
B	Restaurants, except that restaurants shall close for all purposes including the service of alcohol no later than 11:00 p.m. unless otherwise authorized by the City Council	Y	Y	Y
B	Drinking establishments, as defined in section 14-47	Y	Y	N
B	Billiard parlors	Y	Y	Y

Group ¹	Use	B-2 ²	B-2b	B-2c
B	Funeral homes	Y	Y	Y
B	Miscellaneous repair services, excluding motor vehicle repair services	Y	Y	Y
B	Communication studios or broadcast and receiving facilities	Y	Y	Y
B	Health clubs and gymnasiums	Y	Y	Y
B	Veterinary hospitals and clinics provided there is no outdoor kennel	Y	Y	Y
B	Theaters and performance halls	Y	Y	Y
B	Hotels, Motels and Inns	Y	Y	Y
B	Bakeries, breweries, distilleries, commercial kitchens and similar uses with a retail component and with a total floor area under 10,000 net sf.	Y	Y	Y
B	Bakeries, breweries, distilleries, commercial kitchens and similar uses with a retail component and with a total floor area of 10,000 net sf. or greater	Y	N	N
B	Expansion of existing dairies	Y	Y	Y
B	Registered medical marijuana dispensaries	Y	C	C
I	Long term, extended and intermediate care facility	Y	Y	Y
I	Clinics, as defined in section 14-47	Y	Y	Y
I	Places of assembly	Y	Y	Y
I	Kindergarten, elementary, middle and secondary schools	Y	Y	Y
I	College, university, trade schools	Y	Y	Y
I	Municipal buildings and uses	Y	Y	Y
O	Lodging houses	Y	Y	Y
O	Day care facilities	Y	Y	Y
O	Accessory uses, as provided in section 14-404 ³	Y	Y	Y
O	Bed and breakfast, subject to the standards of article V (site plan), sections 14-522 and 14-523 notwithstanding. A bed and breakfast may include a meeting facility if for weddings, seminars, receptions, business	Y	Y	Y

Group ¹	Use	B-2 ²	B-2b	B-2c
	meetings and the like and if the facility is less than 4,000 net sf.			
O	Studios for artists and craftspeople, less than 4,000 net sf. per space	Y	Y	Y
W	Wind energy systems, as defined and allowed in Article X, Alternative Energy	Y	Y	Y
U	Utility substations, as defined in section 14-47, subject to the requirements of article V (site plan), sections 14-522 and 14-523 notwithstanding	Y	Y	Y
A	Drive-throughs associated with a permitted or conditional <u>a pharmacy or banking facility</u> use ⁴	C	NC	C
A	Auto service stations	C	N	N
A	Expansion of auto service stations in existence as of November 15, 1999	C	C	C
A	Car washes	C	C	C
A	<u>Automobile dealerships</u>	C	C	C
M	Printing and publishing establishments of 10,000 gross sf. or less	C	C	C
M	Expansion of existing printing and publishing establishments of greater than 10,000 gross sf. in existence since April 4, 1988	C	C	C
M	Wholesale distribution establishments of 10,000 gross sf. or less	C	C	C
M	Research and development and related production establishments of 10,000 gross sf. or less	C	C	C

¹ Uses within the same group lettering may be substituted without being considered a change of use under zoning, provided all dimensional and other requirements of this

section are met. Other reviews may be required under City regulations, including but not limited to building permit, subdivision and site plan reviews. However, no additional parking shall be required for changes within the same use group for a change in total floor area up to 10,000 sf, except for the provision of additional housing units.

Use Groups include the following:

R = Residential
B = Business
I = Institutional
O = Other
U = Utility
A = Auto related
M = Manufacturing/Processing/and other Industrial

2 Y-Permitted N-Not Permitted

C-Conditional use, see section 14-183 for specific standards in addition to the general conditional use standards

3 Expansion of accessory uses into space used by a permitted use shall not be considered a change of use

4 See conditional use standards for drive throughs. Drive throughs are not permitted for restaurant, bakery, or other food or beverage service uses.

(Ord. No. 293-88, 4-4-88; Ord. No. 39-96, § 2, 10-7-96; Ord. No. 125-97, § 6, 3-3-97; Ord. No. 164-97, § 2, 12-1-97; Ord. No. 25, 7-07-99: emergency enactment of 120-day moratorium, effective 7/07/99 thru 11/04/99; Ord. No. 94A, 11-01-99: emergency enactment of 44-day extension of moratorium enacted on 7-07-99, effective date 11/01/99 thru 12/15/99; Ord. No. 94-99, 11-15-99; Ord. No. 118-00, 11-20-00; Ord. No. 151-03/04, 02/23/04; Ord. No. 127-09/10, 1-4-10 emergency passage; Ord. No. 244-09/10, 6-21-10; Ord. No. 283-09/10, 7-19-10 emergency passage; Ord. 10 10/11, 8-2-10; Ord. No. 279-09/10, 6-6-11; Ord. No. 33-11/12, 1-18-12; Ord. No. 113-11/12, 2-22-12; Ord. No. 41-12/13, 9-5-12; Ord. No. 263-13/14, 6-16-14; Ord. 90-14/15, 11-17-2014; Ord. 100-15/16, 11-16-2015; Ord. 159-16/17, 3-20-2017)

Sec. 14-183. Conditional uses.

The following uses are permitted in the B-2, B-2b and B-2c zone, as provided in section 14-474 (conditional uses), if they meet the following requirements:

...

6. Drive-throughs: Notwithstanding section 14-474(a) of this article or any other provision of this code, the Planning Board shall be substituted for the Board of Appeals as the reviewing authority and shall apply the following standards in addition to the provisions of section 14-474:

~~a. a. Location of Drive-throughs: Features, such as windows, vacuum cleaners and menu/order boards, stacking lanes, must be placed, where practicable, to the side and rear of the principal building except where such placement will be detrimental to an adjacent residential zone or use, and shall be located no nearer than forty (40) feet from any adjoining property located in a residential zone. This distance shall be measured from the outermost edge of the outside drive-through feature to such property line. In addition, drive-through features shall not extend nearer than twenty-five (25) feet to the street line. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets.~~

Drive throughs are only permitting in buildings of 3 or more stories where a majority of the upper stories is devoted to 3 or more dwelling units. The drive through shall be screened as much as practical from the front of the building and shall be no closer than 40 feet from abutting residential zones and 25 feet from the street line. Adequate stacking capacity much be provided on site without impeding vehicular circulation or creating hazards to

pedestrian or vehicle circulation on or off site.

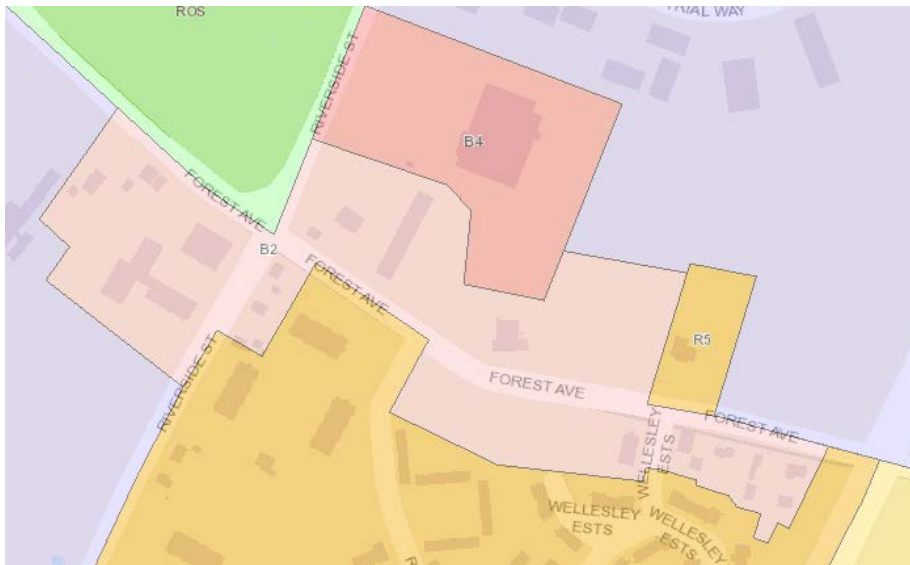
- b. Noise: Any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater.
- c. Lighting: Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.
- d. Screening and Enclosure: Where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and
- e. Pedestrian access: Drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.
- f. Hours of Operation: The Board, as part of its review, may take into consideration the impact hours of operation may have on adjoining uses.

Drive-Through Regulations for Portland's Business Zones				
Business Zones	Not Permitted	Permitted	Conditional Use	Regulatory Provisions
Neighborhood B-1	✓			
Community Business- B-2			✓	Drive-throughs associated with a permitted or conditional use - Conditional Use reviewed by Planning Board and zonespecific standards address, signs, circulation, location of drive-through features, noise, lighting, screening and enclosure, pedestrian access, and hours of operation. (see complete list of standards in report on pages 3 and 4)
B-2b	✓			
B-2c			✓	(same as B-2)
Airport Business	✓			
Downtown Business B-3, B-3b & B-3c	✓ Restaurants – no drive-through allowed			
			✓ Conditional use for banking facilities (only) by PB	Drive-up banking services, provided that drive-up features, such as automated teller machines and service windows, shall not extend nearer than twenty-five (25) feet to the street line. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular or pedestrian circulation or creating hazards to vehicular or pedestrian circulation on adjoining streets. Such uses shall also be in compliance with the applicable standards contained in the Downtown Urban Design Guidelines, a copy of which is on file in the department of planning and urban development. No other type of drive-up use shall be permitted.
Island Business	✓			
Commercial Corridor B-4		✓		Accessory uses, as provided in section 14-404; and

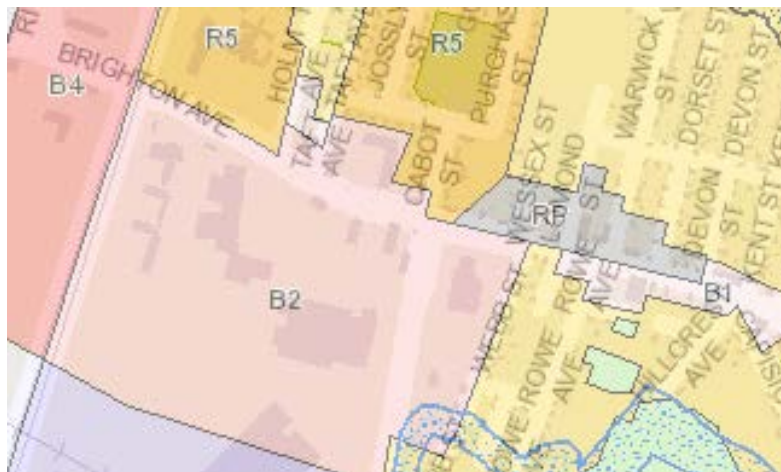
Urban Commercial Mixed Use- B-5	✓ Not permitted between Franklin and Forest	✓	✓ Banking Services	Accessory uses customarily incidental and subordinate to the location, function and operation of permitted uses, excluding in the B-5b all drive-up services for retail, banking, or automotive repair uses. In the B-5 zoning district between Forest Avenue and Franklin Street, all drive-up services for all retail or drive-up automotive repair uses are prohibited. In the B-5 zone between Forest Avenue and Franklin Street, surface parking lots shall be considered a conditional use subject to the conditional use section of the B-5 zone.
B-5b	✓			Excerpt - Accessory uses customarily incidental and subordinate to the location, function and operation of permitted uses, excluding in the B-5b all drive-up services for retail, banking, or automotive repair uses.
Eastern Waterfront Mixed B-6		✓ May allow as an accessory use	✓	Banking services, excluding vehicular drive-up services Drive-up banking facilities located in the interior of parking structures, subject to the following criteria: i. All drive-up features, such as automated teller machines and service windows, shall not extend nearer than twenty-five (25) feet to the street line; ii. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular or pedestrian circulation or creating hazards to vehicular or pedestrian circulation on adjoining streets; iii. Drive-up vehicle circulation shall not create an impediment for retail or mixed-use development for the first floor of the subject garages along any adjacent public streets.
ISFBC	✓			1 . Prohibited uses: Drive-through facilities;
Mixed Use- B-7	✓		✓	Banking services, excluding vehicular drive-up services (see also conditional use section, [c][3]; Accessory uses customarily incidental and subordinate to the location, function and operation of permitted uses. All drive-up services for all retail

				or drive-up repair facilities are prohibited except that bank drive-up services, where permitted, area conditional use. c. Drive-up banking provided that: i. The drive-up is accessory to a banking service occupying a minimum floor area of four thousand (4,000) square feet; and ii. The drive-up is attached to or included within a building with a minimum floor area of twenty thousand (20,000) square feet, except that for lots of less than 20,000 square feet and in existence as of March 9, 2005, a drive-up may be included in a building of less than 20,000 sq ft.; and iii. The drive-up facility is attached or included within a building and/or addition meeting the minimum height of four stores in the Bayside Height District A and three stories in the Bayside Height Districts B and C. For the purposes of this conditional use, the minimum height exceptions contained in Section 14-298 (h) 5, 7, and 8 shall not apply; and iv. The first floor of the building shall include banking or other retail storefront uses with storefront windows, entries, and interior public space oriented to and visible from the street, with front entry access facing the street and directly accessible from the public sidewalk; and v. All drive-up features, such as automated teller machines and service windows, shall not extend nearer than twenty-five (25) feet to the street right-of-way line; and vi. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular or pedestrian circulation or creating hazards to vehicular or pedestrian circulation on adjoining streets; and vii. Drive-up vehicle circulation shall not be located between the building and any adjacent public streets; and viii. The drive-up shall be limited to two vehicle drive-up lanes; and ix. The location of any drive-up shall be limited to the geographic area between Somerset/Kennebec Streets/ I-295/Franklin Street/Forest Avenue.
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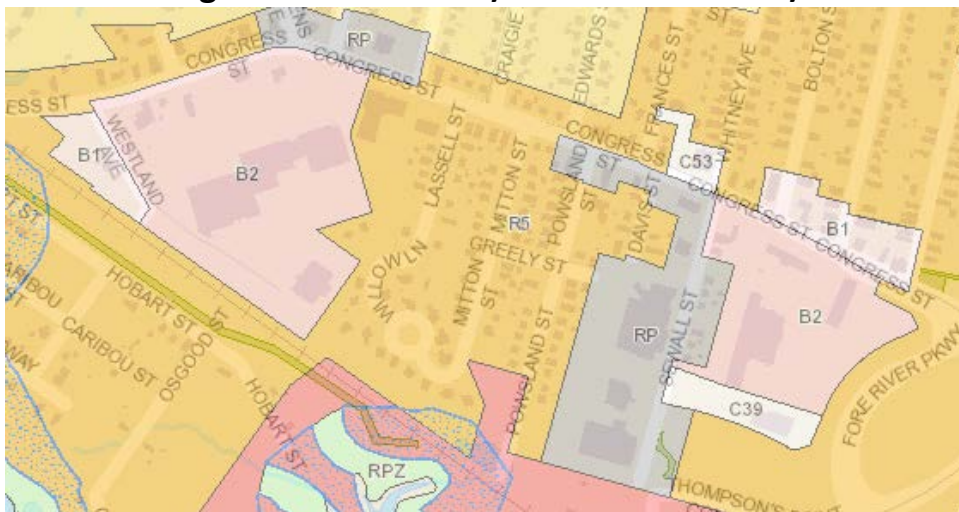
Outer Forest near Westbrook Line



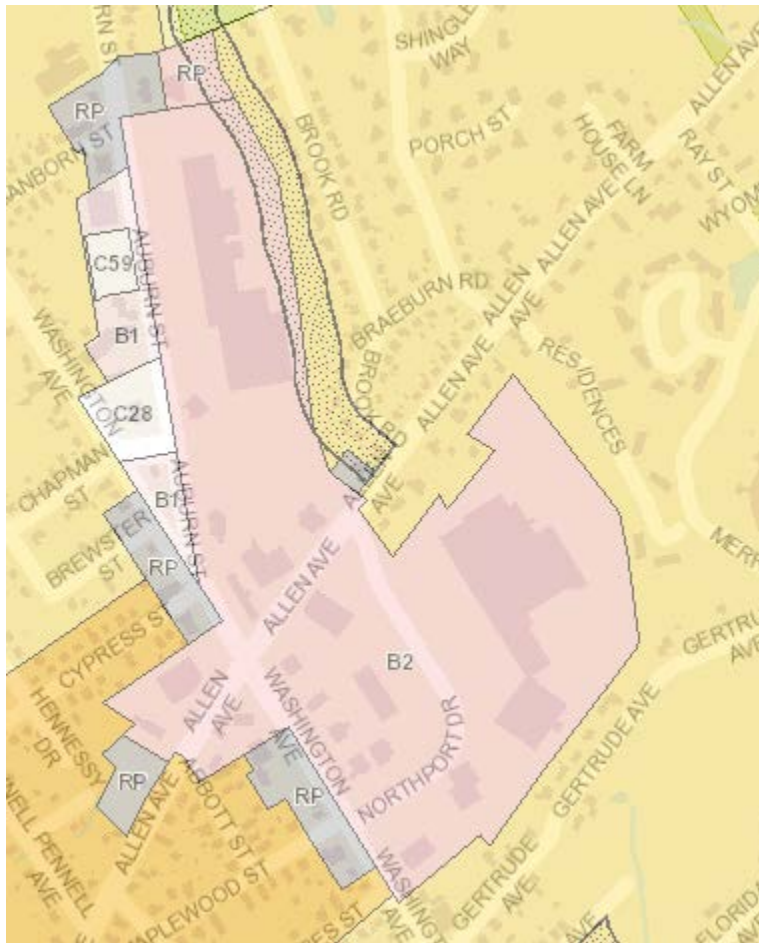
Brighton Avenue



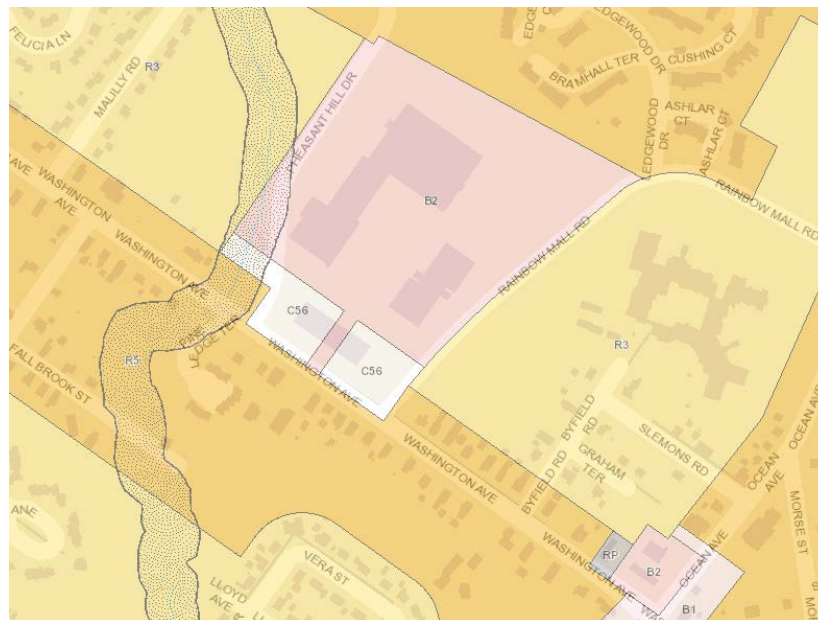
Off-Peninsula Congress Street Vicinity of Fore River Parkway and Stevens Avenue



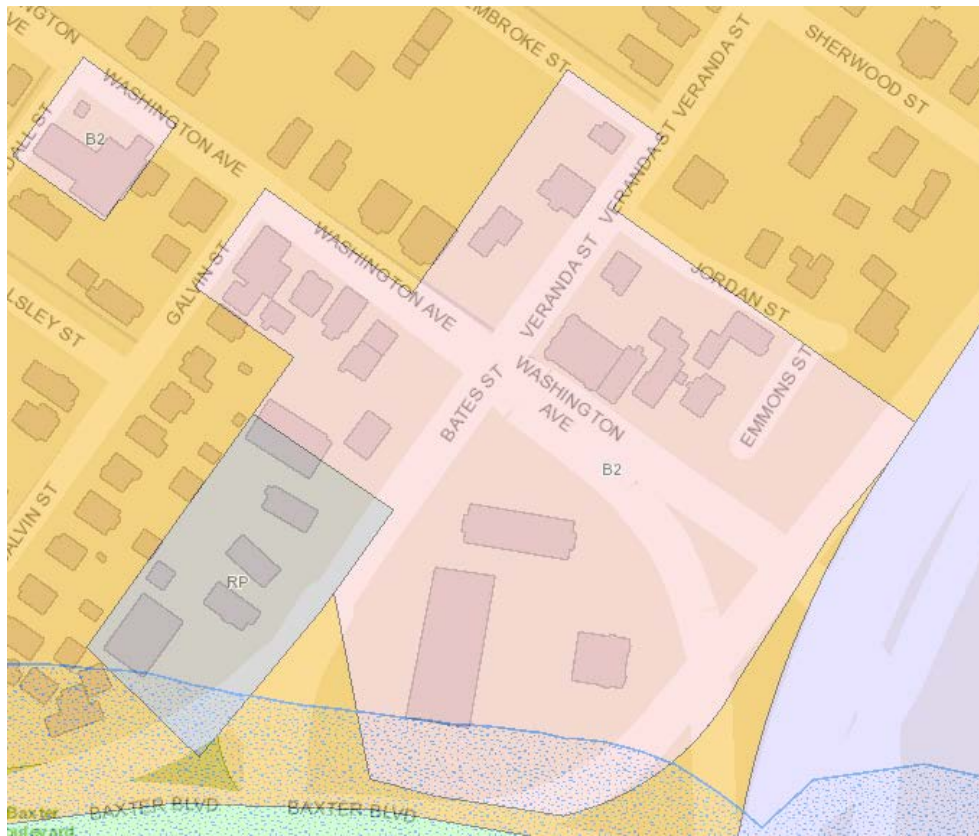
Washington Avenue Corridor - Washington, Allen Avenue, Northport and Northgate



Washington Ave at Rainbow Mall Road and Ocean Avenue

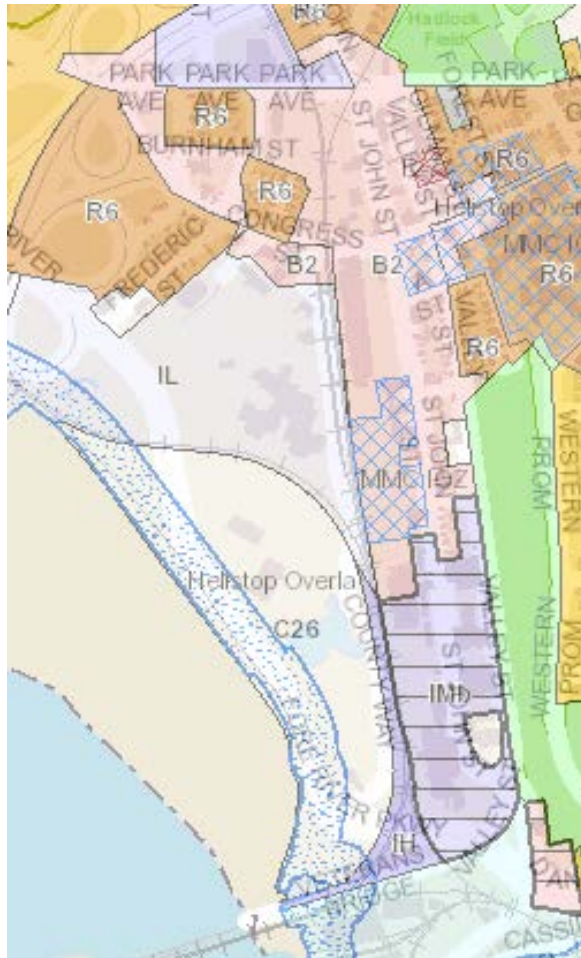


Washington Ave -Vicinity of Veranda Street

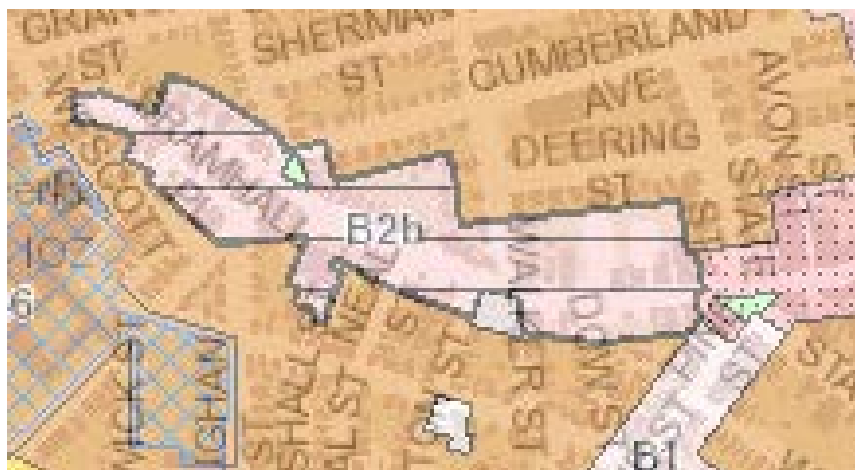


**Community Business B-2 Zones in Portland
Peninsula Locations**

Libbytown - St. John , Congress and Park



Congress Street between Westcott and Park



Bayside – Forest, Park and Cumberland



Washington Avenue Corridor



MEMORANDUM
City Council Agenda Item

FROM: Jennifer Thompson

DATE: April 5, 2019

SUBJECT: **Order 221-18/19 Accepting Two Pedestrian Easements and a Quitclaim Deed Relating to the Whole Foods Building at Franklin and Somerset Streets - Sponsored by Jon P. Jennings, City Manager.**

SPONSOR: Jon P. Jennings, City Manager
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action 4/22/2019

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

PRESENTATION: (List the presenter(s), type and length of presentation)

I. SUMMARY

In connection with the approval granted by the Planning Board in 2005 to Whole foods for construction of its store on Franklin and Somerset Streets, Whole Foods was to provide the City with two pedestrian easements along Pearl Street and ownership of land along Somerset and Fox streets for the widening of those streets.

II. AGENDA DESCRIPTION

This order accepts a deed from GBD Properties, Inc. to the City of Portland for a parcel of land along Somerset and Fox Streets and acceptance of pedestrian easements for the sidewalk along Pearl Street.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

In 2005, the City's Planning Board approved a site plan for the development of property that is now occupied by the Whole Foods store. That approval contemplated the grant by the owner of the property (now, GBD Properties, Inc.) of certain interests in land. First, the owner was to convey ownership of a portion of land abutting Somerset and Fox Streets in order to facilitate the widening of those streets. Second, the owner was to convey pedestrian easements for the sidewalk along Pearl Street.

Although the City and the owner of the property had negotiated and nearly finalized the conveyance documents, it appears that they were never executed or recorded. The owner of the property has now signed the documents. This proposed Order seeks acceptance of these conveyances by the City so that they may be recorded.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

Final acceptance by the City of interests in land in connection with the Whole Foods Store constructed at Somerset and Pearl Streets.

V. FINANCIAL IMPACT

None

VI. STAFF ANALYSIS AND BACKGROUND

This action will complete land conveyances that were intended to be finalized in 2006. Acceptance of these conveyances, particularly the deed to land along Somerset and Fox Streets is necessary because those streets were widened based on the expectation that the City owned the land. The City's ability to proceed with planned improvements to other streets in the area depend on its ability to demonstrate that it has right, title and interest to Somerset and Fox streets. These deeds will satisfy that requirement.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Whole Foods Easements and deed accepted 4.22.2019
2. Easement Deed for Pedestrian easement - Pearl Somerset St (2019)
3. Easement Deed for Pedestrian easement - Pearl St (2019)
4. QuitClaimDeed.GBDProperties
5. 00959_039_004 (2)

Prepared by:

Jennifer Thompson

Date: 4/5/2019

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER ACCEPTING TWO PEDESTRIAN ACCESS EASEMENTS
AND APPROVING A QUITCLAIM DEED FROM GBD PROPERTIES, INC.
RE: WHOLE FOODS MARKET**

ORDERED, that the attached easements from GBD Properties, Inc. are hereby approved in substantially the form attached hereto; and

ORDERED, that the attached quitclaim deed from GBD Properties, Inc., for land along Somerset and Fox Streets, is hereby approved in substantially the form attached hereto; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or his or her designee to record said documents in the Cumberland County Registry of Deeds.

EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **GBD PROPERTIES, INC.**, a Delaware corporation (successor by merger to Franklin & Somerset Portland ME, LLC, a Delaware limited liability company), whose mailing address is 550 Bowie Street, 6th Floor, Austin, Texas 78703-4644 (hereinafter called "Grantor"), in consideration of One Dollar and other good and valuable consideration paid by the **CITY OF PORTLAND**, a body politic and corporate, with a place of business at 389 Congress Street, Portland, Maine 04101 (hereinafter called "Grantee"), the receipt of which is hereby acknowledged, does hereby **GIVE, GRANT, BARGAIN, SELL and CONVEY** unto the **CITY OF PORTLAND**, its successors and assigns forever, the perpetual rights and easements for the following described purposes across the portion of land of the Grantor, bounded and described as follows:

A certain pedestrian easement located along the northeasterly side of Pearl Street and the southeasterly side of Somerset Street in the City of Portland, Cumberland County, State of Maine, being over land of Grantor as described in a deed recorded at the Cumberland County Registry of Deeds in Book 11083, Page 143, said easement being more particularly bounded and described as follows:

Beginning at a point on the northeasterly sideline of Pearl Street as shown on a plan titled "Site Plan of Somerset Marketplace" for The Gottesman Company, dated July 27, 2004, revised through December 16, 2005, and on file with Sebago Technics, Inc. as Project No. 04187, said point being N 40°-59'-38" W along said northeasterly sideline, a distance of 40.82 feet from the first angle point in said Pearl Street lying southeast of Somerset Street as shown on said site plan;

Thence continuing N 40°-59'-38" W, along said northeasterly sideline, a distance of 121.14 feet to a point of curvature;

Thence continuing along said northeasterly sideline, generally northwesterly and northerly, along a curve to the right having a radius of 50.00 feet, an arc distance of 78.54 feet to a point of tangency on the southeasterly sideline of said Somerset Street as shown on said site plan;

Thence N 49°-00'-22" E, along said southeasterly sideline, a distance of 39.73 feet;

Thence S 40°-52'-38" E, a distance of 13.44 feet across land of the Grantor to a point;

Thence S 49°-00'-28" W, a distance of 54.00 feet across land of the Grantor to a point of curvature;

Thence generally southwesterly and southerly along a curve to the left having a radius of 30.00 feet, an arc distance of 47.12 feet across land of the Grantor to a point of tangency;

Thence S 40°-59'-32" E, a distance of 127.70 feet, across land of the Grantor;

Thence S 49°-00'-22" W, a distance of 5.69 feet to the point of beginning.

Meaning and intending to describe a certain pedestrian easement, as shown on said plan, said easement contains 1,760 square feet, more or less.

Bearings are Grid North American Datum (NAD) 1983.

Being a portion of the premises conveyed to Grantor by Porman One 2004, LP, by quitclaim deed with covenant dated April 8, 2005 and recorded in the Cumberland County Registry of Deeds in Book 22507, Page 54, and by Somerset Properties, Inc., by quitclaim with warranty covenant deed dated January 3, 2006 and recorded in said Registry of Deeds in Book 23571, Page 336.

TO HAVE AND TO HOLD, the aforegranted rights and easements, with all the privileges and appurtenances thereof to the said **CITY OF PORTLAND**, its successors and assigns, to it and their use and behoof forever. And it does covenant with the said Grantee, its successors and assigns, that Grantor is lawfully seized in fee of the premises; that they are free of all encumbrances; that it has good right to sell and convey said easement to the said Grantee to hold as aforesaid; and that it and its successors and assigns shall and will warrant and defend the same to the said Grantee, its successors and assigns, forever against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said GBD Properties, Inc. has caused this instrument to be signed and sealed in its corporate name by James Sud, its Executive Vice President, thereunto duly authorized, this _____ day of _____, 2019.

Signed, Sealed and Delivered
in the Presence of:

GBD PROPERTIES, INC.

Witness

By: _____
James Sud, Executive Vice President

STATE OF TEXAS
COUNTY OF TRAVIS ss.

Personally appeared the above James Sud, the Executive Vice President of GBD Properties, Inc., a Delaware corporation, and acknowledged the foregoing to be his/her free act and deed in his/her said capacity and the free act and deed of said corporation.

Before me,

Notary Public
Print name: _____
My commission expires: _____

EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **GBD PROPERTIES, INC.**, a Delaware corporation (successor by merger to Franklin & Somerset Portland ME, LLC, a Delaware limited liability company), whose mailing address is 550 Bowie Street, 6th Floor, Austin, Texas 78703-4644 (hereinafter called "Grantor"), in consideration of One Dollar and other good and valuable consideration paid by the **CITY OF PORTLAND**, a body politic and corporate, with a place of business at 389 Congress Street, Portland, Maine 04101 (hereinafter called "Grantee"), the receipt of which is hereby acknowledged, does hereby **GIVE, GRANT, BARGAIN, SELL and CONVEY** unto the **CITY OF PORTLAND**, its successors and assigns forever, the perpetual rights and easements for the following described purposes across the portion of land of the Grantor, bounded and described as follows:

A certain pedestrian easement located along the northeasterly side of Pearl Street in the City of Portland, Cumberland County and State of Maine, being over land of Grantor, as described in a deed recorded in the Cumberland County Registry of Deeds in Book 11083, Page 143, said easement being more particularly bounded and described as follows:

Beginning at a PK Nail at the intersection of the northeasterly sideline of Pearl Street and the former northwesterly sideline of Lancaster Street, said point being the southerly corner of land of Grantor;

Thence, N 43°-02'-38" W, along said northeasterly sideline of Pearl Street, a distance of 166.06 feet to an angle point in said northeasterly sideline;

Thence, N 40°-59'-38" W, continuing along said northeasterly sideline, a distance of 4.50 feet;

Thence leaving said sideline, N 49°-00'-22" E, a distance of 1.16 feet;

Thence, S 43°-21'-31" E, a distance of 170.60 feet;

Thence, S 48°-58'-52" W, a distance of 2.26 feet to the Point of Beginning.

Meaning and intending to describe a certain pedestrian easement containing 305 square feet, more or less.

Bearings are Grid North American Datum (NAD) 1983.

Being a portion of the premises conveyed to Grantor by Somerset Properties, Inc., by quitclaim with warranty covenant deed dated January 3, 2006 and recorded in the Cumberland County Registry of Deeds in Book 23571, Page 336.

TO HAVE AND TO HOLD, the aforegranted rights and easements, with all the privileges and appurtenances thereof to the said **CITY OF PORTLAND**, its successors and assigns, to it and their use and behoof forever. And it does covenant with the said Grantee, its successors and assigns, that Grantor is lawfully seized in fee of the premises; that they are free of all encumbrances; that it has good right to sell and convey said easement to the said Grantee to hold as aforesaid; and that it and its successors and assigns shall and will warrant and defend the same to the said Grantee, its successors and assigns, forever against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said GBD Properties, Inc. has caused this instrument to be signed and sealed in its corporate name by James Sud, its Executive Vice President, thereunto duly authorized, this ____ day of _____, 2019.

Signed, Sealed and Delivered
in the Presence of:

GBD PROPERTIES, INC.

Witness

By: _____
James Sud, Executive Vice President

STATE OF TEXAS
COUNTY OF TRAVIS ss.

Personally appeared the above James Sud, the Executive Vice President of GBD Properties, Inc., a Delaware corporation, and acknowledged the foregoing to be his/her free act and deed in his/her said capacity and the free act and deed of said corporation.

Before me,

Notary Public
Print name: _____
My commission expires: _____

QUITCLAIM DEED

(With Covenant)

KNOW ALL PERSONS BY THESE PRESENTS, that **GBD PROPERTIES, INC.**, a Delaware corporation (successor by merger to Franklin & Somerset Portland ME, LLC, a Delaware limited liability company), whose mailing address is 550 Bowie Street, 6th Floor, Austin, Texas 78703-4644 (hereinafter called "Grantor"), in consideration of One Dollar and other valuable consideration paid by the **CITY OF PORTLAND**, a body politic and corporate, with a place of business at 389 Congress Street, Portland, Maine 04101 (hereinafter called "Grantee"), the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE, BARGAIN, SELL AND CONVEY and forever QUITCLAIM unto the said **CITY OF PORTLAND**, its successors and assigns forever, the following described real estate:

A certain parcel of land situated on the southeasterly side of Fox and Somerset Streets, in the City of Portland, Cumberland County, State of Maine, being over land of Franklin & Somerset Portland ME, LLC, as described in deeds recorded at the Cumberland County Registry of Deeds in Book 22507, Page 54 and Book 23571, Page 336, said parcel being more particularly bounded and described as follows:

Beginning at point on the southeasterly sideline of Somerset and Fox Streets, said point being the first angle point in Somerset Street lying northwesterly of Pearl Street as shown on a plan titled "Site Plan of Somerset Marketplace" for The Gottesman Company, dated July 27, 2004, revised through December 16, 2005 and on file with Sebago Technics, Inc. as Project No. 04187;

Thence N 35°-14'-52" E, by and along said southeasterly sideline, a distance of 194.54 feet;

Thence N 70°-47'-24" E, by and along said southeasterly sideline, a distance of 40.60 feet;

Thence S 35°-36'-44" W, leaving said southeasterly sideline, a distance of 143.96 feet to a point of curvature of a non-tangent curve, of which the radius point bears S 22°-46'-46" E, said point also being on the exterior of a proposed building wall as shown by said site plan;

Thence generally southwesterly along said proposed exterior building wall and a curve to the left having a radius of 33.75 feet, an arc distance of 37.22 feet, and through a central angle of 63°- 11' -24";

Thence S 49°-07'-22" W, leaving said exterior building wall, a distance of 247.53 feet to a point of curvature;

Thence generally southwesterly and southeasterly along a curve to the left having a radius of 45.00 feet, an arc distance of 70.78 feet, and through a central angle of 90°-07'-00" to a point on the northeasterly sideline of Pearl Street as shown by said site plan;

Thence N 40°-59'-38" W, by and along said northeasterly sideline of Pearl Street, a distance of 4.82 feet to a point of curvature;

Thence generally northwesterly and northeasterly along a curve to the right having a radius of 50.00 feet, an arc distance of 78.54 feet through a central angle of 90°-00'-00" to a point on said southeasterly sideline of Somerset Street;

Thence N 49°-00'-22" E, by and along said southeasterly sideline of Somerset Street, a distance of 190.41 feet to the point of beginning;

Meaning and intending to describe a certain parcel of land containing 6,727 square feet, or 0.15 acre, more or less, being depicted as a proposed roadway widening by said site plan.

The above described parcel being subject to and benefited by all matters as depicted on described on said plan;

Bearings are Grid North American Datum (NAD) 1983.

Being a portion of the premises conveyed to this Grantor by Porman One 2004, LP, by quitclaim deed with covenant dated April 8, 2005 and recorded in the Cumberland County Registry of Deeds in Book 22507, Page 54.

TO HAVE AND TO HOLD, the same, together with all the privileges and appurtenances thereunto belonging, to the said **CITY OF PORTLAND**, its successors and assigns forever, to use and behoof forever.

AND Grantor **COVENANTS** with the said Grantee, its successors and assigns forever, that Grantor will **WARRANT AND FOREVER DEFEND** the premises to the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under it.

IN WITNESS WHEREOF, the said GBD Properties, Inc. has caused this instrument to be signed and sealed in its corporate name by James Sud, its Executive Vice President, thereunto duly authorized, this _____ day of _____, 2019.

Signed, Sealed and Delivered
in the Presence of:

GBD PROPERTIES, INC.

Witness

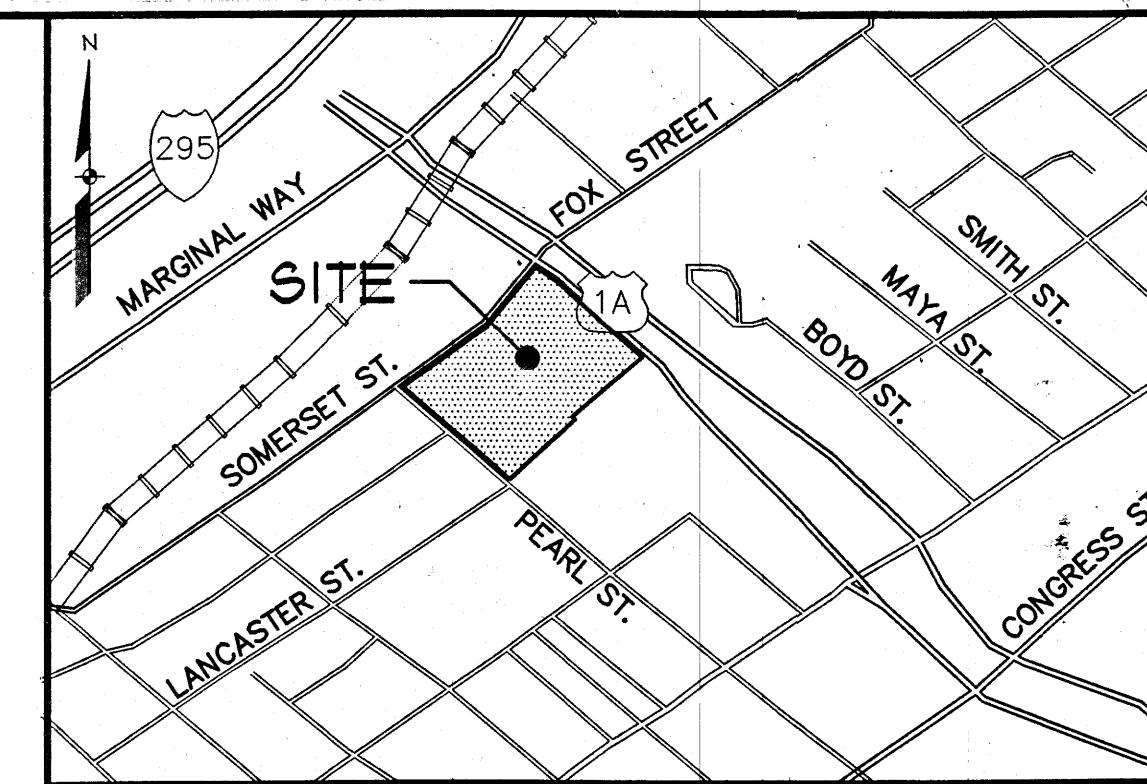
By: _____
James Sud, Executive Vice President

STATE OF TEXAS
COUNTY OF TRAVIS ss.

Personally appeared the above James Sud, the Executive Vice President of GBD Properties, Inc., a Delaware corporation, and acknowledged the foregoing to be his/her free act and deed in his/her said capacity and the free act and deed of said corporation.

Before me,

Notary Public
Print name: _____
My commission expires: _____



1. AFFILIANT: THE GOTTESMAN COMPANY, INC.
600 CONGRESS AVE, SUITE 400
AUSTIN, TEXAS 78701
2. RECORD OWNER: MAP 24 BLOCK D LOT 1: LOCAL YOKEL, LLC
P.O. BOX 821
YARMOUTH, ME 04096

MAP 24 BLOCK D LOT 2: SCHERMSET PROPERTIES
P.O. BOX 2525
PORTLAND, ME
- DEED REFERENCE: LOT 1: BOOK 18496, PG 20
LOT 2: BOOK 11083, PG 143
3. BUILDING SUMMARY: PHASE I: 46,116 SF. RETAIL,
PHASE II: 9,820 SF. RETAIL (1ST FLOOR)
9,820 SF. OFFICE (2ND FLOOR)
4. PARKING SPACE REQUIREMENTS:
REQUIRED: NONE REQUIRED
PROPOSED: 235 SPACES - 9x18 = 125 SPACES
9x19 = 54 SPACES
HC = 5 SPACES
5. TOTAL LOT AREA: 458 ACRES
6. ZONING DISTRICT: B5 URBAN COMMERCIAL
7. EXISTING USE: WHOLESALE, PROPOSED USE: RETAIL & OFFICE
8. SPACE AND BULK CRITERIA:
FRONT SETBACK, NONE
SIDE SETBACK, NONE
REAR SETBACK, NONE
MAX. BUILDING HEIGHT, 65'
9. SIDEWALK WITHIN THE RIGHT OF WAY SHALL BE BRICK (EXCEPT ALONG FRANKLIN STREET) - SIDEWALKS INTERIOR TO THE SITE WILL BE CONCRETE.
10. THE BOUNDARY SURVEY WAS PERFORMED BY: CIVEN HASKEL, INC. TOPOGRAPHIC SURVEY BY SEBAGO TECHNICS, INC.
11. THE FACILITY IS SERVICED BY CITY SEWER, WATER, GAS, UNDERGROUND ELECTRIC, TELEPHONE AND CABLE.
12. METHODS AND MATERIALS USED IN THE CONSTRUCTION OF THE IMPROVEMENTS WITHIN THE CITY RIGHT OF WAY SHALL CONFORM TO THE CURRENT CITY CONSTRUCTION STANDARDS AND SPECIFICATIONS AND/OR CURRENT M.D.O.T. STANDARDS AND SPECIFICATIONS.
13. THE CONTRACTOR OR DEVELOPER IS REQUIRED TO NOTIFY THE CITY OF PORTLAND PARKS AND PUBLIC WORKS INSPECTION SERVICES DIVISION IN WRITING THREE (3) DAYS PRIOR TO THE BEGINNING OF CONSTRUCTION (814-8300 EXT. 8338) SHOULD THE IMPROVEMENTS BE OF SIGNIFICANT CONCERN OR IN A SENSITIVE AREA, A PRE-CONSTRUCTION MEETING MAY BE REQUIRED AT THE DISCRETION OF THE PUBLIC WORKS AUTHORITY.
14. AN APPROVED SET OF PLANS AND ALL APPLICABLE PERMITS MUST BE AVAILABLE AT THE CONSTRUCTION SITE. THE DEVELOPER, OR AN AUTHORIZED AGENT, MUST BE AVAILABLE AT ALL TIMES DURING CONSTRUCTION.
15. WARNING SIGNS, MARKERS, BARRICADES OR FLAGMEN, APPROPRIATE FOR THE TYPE OF CONSTRUCTION MUST BE EMPLOYED TO REGULATE TRAFFIC.
16. CONSTRUCTION DEBRIS SHALL BE CONTAINERIZED AND DISPOSED OF IN ACCORDANCE WITH CITY OF PORTLAND'S SOLID WASTE ORDINANCE CHAPTER 12.
17. ANY DAMAGE TO PUBLIC OR PRIVATE PROPERTY RESULTING FROM CONSTRUCTION ACTIVITIES SHALL BE REPAIRED BY THE DEVELOPER/CONTRACTOR AT THEIR EXPENSE.
18. PROPERTY MARKERS AND STREET LINE MONUMENTS SHALL BE PROPERLY PROTECTED AT ALL TIMES DURING CONSTRUCTION TO INSURE THEIR INTEGRITY. IF DISTURBED THEY SHALL BE REPLACED BY A SURVEYOR REGISTERED IN THE STATE OF MAINE AT THE CONTRACTOR/DEVELOPER'S EXPENSE.
19. ALL SANITARY SERVICES AND APPURTENANCES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF THE CITY OF PORTLAND PARKS AND PUBLIC WORKS SEWER DIVISION.
20. ALL NEW CONNECTIONS, RECONNECTIONS, ETC. TO SANITARY OR STORM SEWERS SHALL REQUIRE A CONNECTION PERMIT PRIOR TO BEGINNING ANY WORK. THE CITY OF PORTLAND PARKS AND PUBLIC WORKS DEPARTMENT MUST BE NOTIFIED AT LEAST 24 HOURS PRIOR TO COMMENCEMENT TO ALLOW FOR INSPECTION.
21. A PERMIT MUST BE OBTAINED FROM THE CITY OF PORTLAND PARKS DEPARTMENT AND PUBLIC WORKS DEPARTMENT PRIOR TO BEGINNING ANY WORK WITHIN THE CITY RIGHT-OF-WAY.
22. THE ENTIRE SITE SHALL BE DEVELOPED AND/OR MAINTAINED AS DEPICTED ON THE SITE PLAN, APPROVAL OF THE PLANNING AUTHORITY OR PLANNING BOARD SHALL BE REQUIRED FOR ANY ALTERATIONS TO OR DEVIATIONS FROM THE APPROVED SITE PLAN, INCLUDING, WITHOUT LIMITATION, TOPOGRAPHY, DRAINAGE, LANDSCAPING, RETENTION OF WOODED OR LAWN AREAS, ACCESS, SIDE, LOCATION AND SURFACING OF PARKING AREAS, AND LOCATION AND SIZE OF BUILDINGS.
23. THE OWNER AGREES TO ENTER INTO A STANDARD CITY OF PORTLAND DRAINAGE MAINTENANCE AGREEMENT FOR THE MAINTENANCE OF THE PROPOSED STORMWATER TREATMENT DEVICES.
24. THE DEVELOPER WILL INSTALL STREET LIGHTS ALONG THE NEW SIDEWALKS ALONG SCHERMSET, PEARL AND FOX STREETS.
25. LANDSCAPING SHALL MEET THE "ARBORICULTURAL SPECIFICATION AND STANDARDS OF PRACTICE AND LANDSCAPE GUIDELINES" OF THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.
26. ALL POWER LINE UTILITIES SHALL BE UNDERGROUND.
27. SIDEWALKS AND CURBING SHALL BE DESIGNED AND BUILT WITH TIP DOWN RAMPS AT ALL STREET CORNERS, CROSSWALKS AND DRIVEWAYS IN CONFORMANCE WITH THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.
28. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE DESIGNED IN ACCORDANCE WITH MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION, BEST MANAGEMENT PRACTICES.
29. ALL APPROPRIATE EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY SITE EXCAVATION OR REGRADING.
30. ALL DISTURBED AREA ON THE SITE NOT COVERED BY BUILDINGS OR PAVED AREA SHALL BE STABILIZED WITH LOAM AND SEED OR OTHER MATERIALS AS REQUIRED BY BEST MANAGEMENT PRACTICES.
31. PRIOR TO CONSTRUCTION, A PRE-CONSTRUCTION MEETING SHALL BE HELD AT THE PROJECT SITE WITH THE CONTRACTOR, DEVELOPER, CITY COORDINATOR, PUBLIC WORKS REPRESENTATIVE AND OWNER TO REVIEW THE CONSTRUCTION SCHEDULE AND CRITICAL ASPECTS OF THE SITE WORK. AT THAT TIME, THE SITE/BUILDING CONTRACTOR SHALL PROVIDE THREE (3) COPIES OF A DETAILED CONSTRUCTION SCHEDULE AT ATTENDING CITY REPRESENTATIVE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE A MUTUALLY AGREEABLE TIME FOR THE PRE-CONSTRUCTION MEETING.

EASEMENT LINE CURVE DATA			
CURVE	LENGTH	RADIUS	DELTA
EC3	51.85'	50.00'	59°25'08"
EC4	48.96'	83.00'	33°47'47"

LEGEND					
EXISTING	DESCRIPTION	PROPOSED	EXISTING	DESCRIPTION	PROPOSED
---	PROPERTY ROW	---	⌘	GATE VALVE	⌘
---	EASEMENT	---	☆	LIGHT POLE	☆
	BUILDING		⊖	UTILITY POLE	⊖
	SIGN		⊕	HYDRANT	⊕
=====	EDGE PAVEMENT	=====	⌚	CATCH BASIN	⌚
=====	CURBLINE	=====	Ⓢ⑩	MANHOLE	●
⊙ B-9	BORING	⊙	-----○-----	CHAIN LINK FENCE	-----○-----
	ELEC. 4 TEL.		-----x-----	BARB WIRE FENCE	-----x-----
				STOCKADE FENCE	-----□-----

PAVEMENT TREATMENTS	
	BRICK SIDE WALK
	CONCRETE SIDEWALK
	HEAVY DUTY BITUMINOUS
	HEAVY DUTY CONCRETE

REV:	A	11-02-04	ISSUED FOR SITE PLAN REVIEW
B:	NJS	12-09-04	REVISED PER STAFF COMMENTS
C:	JBSW	01-04-05	REVISED PER PROJECT COORDINATION
D:	JBSW	02-01-05	REVISED FOR FINAL APPROVAL
E:	JBSW	12-02-05	REVISED PER APPROVAL CONDITIONS
F:	JBSW	12-16-05	RELEASED FOR DEMOLITION AND FOUNDATION



Sebago Techniques

Engineering Expertise You Can Build On

One Chubb Street
Westbrook, Me 04098-1339
Tel (207) 856-0277

SITE PLAN
 OF:
SOMERSET MARKETPLACE
 FROM AVE. MATERIAL & FOX STREET
 PORTLAND, MAINE
 FOR:
THE GOTTESMAN COMPANY
 ONE AMERICAN CENTER, 600 CONGRESS AVE.
 SUITE 400, AUSTIN, TX 78701

MEMORANDUM
City Council Agenda Item

FROM: Finance Committee
Nick Mavodones
Chair

DATE: April 11, 2019

SUBJECT: **Order 222-18/19 Appropriating \$45,000 from the Community Support Fund for General Assistance - Sponsored by the Finance Committee, Nick Mavodones, Chair**

SPONSOR: Finance Committee. On April 4, 2019 the Finance Committee voted unanimously (3-0) to recommend this appropriation to the full City Council.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 4/22/2019

Final Action 4/22/2019

Can action be taken at a later date: No Staff recommends waiving the second reading and passing as an Emergency, in order to be effective immediately, to provide support for rental payments.

PRESENTATION: (List the presenter(s), type and length of presentation)

I. SUMMARY

The Finance Committee voted unanimously at their Thursday, April 4th meeting to recommend that the City Council appropriate \$45,000 in donations to the Community Support Fund to be used to cover rental payments for those currently enrolled in the program.

II. AGENDA DESCRIPTION

On April 4, 2019 the Finance Committee voted unanimously (3-0) to recommend this appropriation for approval by the full City Council.

During 2015 the City Council established the Portland Community Support Fund (“the PCSF”). Beginning July 1, 2015, asylum seekers who had received General Assistance from Portland as of June 30, 2015 were entitled to receive assistance from the PCSF. In the current year (FY19) the program budget of \$200,000 has been overexpended and the City Manager and Finance Committee have both recommended utilizing \$45,000 in donations to the PCSF to cover rental payments for those currently enrolled in the program, which this order authorizes.

Staff recommends waiving the second reading and passing as an Emergency, in order to be effective immediately and provide support for rental payments. Seven votes are required to waive the second reading, and seven votes are also required for passage as an emergency, following public comment.

III. BACKGROUND

During 2015 the City Council established the Portland Community Support Fund (“the PCSF”). Beginning July 1, 2015, asylum seekers who had received General Assistance from Portland as of June 30, 2015 were entitled to receive assistance from the PCSF. In the current year (FY19) the program budget of \$200,000 has been significantly overexpended – with total spending through March 2019 exceeding \$235,000. In order to

ensure the overall City appropriation is not overexpended the City Manager has recommended utilizing \$45,000 in donations to the PCSF to cover rental payments for those currently enrolled in the PCSF. According to City Social Services staff rental payment funding is the most essential component of the program, the other benefits provided by the City are available from other providers in the Community.

On April 4, 2019 the Finance Committee voted unanimously (3-0) to recommend this appropriation to the full City Council. Although all donations to the City must be both accepted and appropriated the City Council has already provided authorization for the Finance Director to accept donations (Order 174-18/19, passed 9-0 on 3/4/19).

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

To appropriate \$45,000 in donations for the PCSF.

V. FINANCIAL IMPACT

None – These are private donations.

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis and Background that will not appear in the Agenda Description.

VII. RECOMMENDATION

To appropriate \$45,000 in donations for the PCSF.

VIII. LIST ATTACHMENTS

1. Appropriation of Community Support Fund 4.22.2019

Prepared by:

Finance Committee
Nick Mavodones
Chair
Date: 4/11/2019

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROPRIATING \$45,000 FROM
THE COMMUNITY SUPPORT FUND FOR GENERAL ASSISTANCE**

ORDERED, that \$45,000 in donations to the Community Support Fund is hereby appropriated for use in the General Assistance program; and

BE IT FURTHER ORDERED, that this appropriation is enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to make it effective immediately and make the funds immediately available.