KATE SNYDER (MAYOR)
PIOUS ALI (A/L)
APRIL FOURNIER (A/L)
ROBERTO RODRÍGUEZ (A/L)

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK N. DION (5)

CITY COUNCIL MEETING - JUNE 5, 2023 AT 5:00 PM

The Portland City Council will hold a City Council Meeting in Council Chambers. The Honorable Kate Snyder, Mayor, will preside.

To submit written public comment on an agenda item, email publiccomment@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the Council meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the order number (see below).

REMOTE ACCESS INFORMATION:

The City Council will conduct this meeting from Council Chambers, located on the second floor of City Hall. The public may attend the meeting in person, however space in Council Chambers is limited. The public is therefore strongly encouraged to participate remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the Agenda Center following the meeting.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

Please click the link below to join the webinar:
https://portlandmaine-gov.zoom.us/j/84536489671?pwd=R0NHMmlyRXdPWXVKYUNYdDBoVlU3UT09
Passcode: 649486
Or One tap mobile :
+19292056099,,84536489671#,,,,*649486# US (New York)
+13017158592,,84536489671#,,,,*649486# US (Washington DC)
Or Telephone:
Dial(for higher quality, dial a number based on your current location):
+1 929 205 6099 US (New York)
+1 301 715 8592 US (Washington DC)
+1 305 224 1968 US
+1 309 205 3325 US
+1 312 626 6799 US (Chicago)
+1 646 931 3860 US
+1 386 347 5053 US
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+1 669 444 9171 US
+1 669 900 6833 US (San Jose)
+1 689 278 1000 US
+1 719 359 4580 US
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+1 346 248 7799 US (Houston)
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Webinar ID: 845 3648 9671
Passcode: 649486
International numbers available: https://portlandmaine-gov.zoom.us/u/k7A9UqyZ5

PLEDGE OF ALLEGIANCE:

ROLL CALL:

5:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

ANNOUNCEMENTS:

RECOGNITIONS:

Recognizing Deering Center Neighborhood Association, Board Member Bobbi Cope, and the Veterans of Foreign Wars Post 6859 for their leadership in honoring and mourning the U.S. military personnel who died while serving in the United States Armed Forces, and organizing this observation of Memorial Day 2023 - Mark Dion, Councilor

This item is to recognize the commitment of DCNA's Memorial Day Committee, led by Chair Bobbi Cope, and VFW Post 6859 in organizing the 2023 Deering Center Memorial Day Procession & Commemoration. This effort was begun in 2014 by Bobbi Cope, when she served as a Friends of Evergreen board member. In recent years, DCNA has sponsored the procession.

Recognizing Public Works employees Stan Mason and Justin Cusak for their first-place finish in the 2023 State Snow Plow Rodeo competition - Kate Snyder, Mayor

The Maine State Snow Plow Rodeo is a timed obstacle course for trucks and drivers, held annually at the Skowhegan Fairgrounds and hosted by the American Public Works Association. Portland Public Works employees Stan Mason and Justin Cusak bested 19 other municipal teams from across the State to win first place; as the top team, they will represent the State of Maine at the annual National Snow Plow Rodeo Competition in Colorado, in September.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

City Council Meeting- May 15, 2023

PROCLAMATIONS:

Proclamation 28-22/23 Recognizing June 2023 as LGBTQ+ Pride Month - Sponsored by Kate Snyder, Mayor

Proclamation 29-22/23 Recognizing June 19, 2023 as Juneteenth - Sponsored by Kate Snyder, Mayor

Proclamation 30-22/23 Recognizing the Month of June 2023 as Immigrant Heritage Month - Sponsored by Pious Ali, Councilor

APPOINTMENTS:

Order 225-22/23 Appointing William Needelman a Class E Director of the Portland Fish Exchange - Sponsored by Danielle P. West, City Manager

By this order, Bill Needelman, Waterfront Coordinator with the Department of Housing and Economic Development, would be reappointed to the Board of Directors for the Portland Fish Exchange as the Class E Member representing the City Manager. Mr. Needelman has held this position since June of 2022, when he was appointed to fill a midterm vacancy; the expiration of this term would be 10/31/2024. Mr. Needelman currently serves as the Board's Vice President.

Five affirmative votes are required for passage after public comment.

Order 226-22/23 Appointing Constables for the Parks, Recreation & Facilities and Police Departments and Jetport Garage Employees for 2023 - Sponsored by Danielle P. West, City Manager

This order appoints Police Cadets Trie Yale, Gabby Daniels, Kevin Van Wert, and Julie Olsen constable, and Park Rangers Shana Tinkle, Madison Ellingsworth, Teagan Moon, Ekaterina Clarke, Corinne Couch, Maria Goodstein, and Joseph Moore constable, in order to enforce ordinances in the Portland City Code. Jetport garage SP Plus employees Shawn McGovern, Timothy Welsh. John Taylor, Brittnee Gauna, and Jo Hafford would also be appointed constables.

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This appointment is effective from 12:01 a.m. on January 1, 2023 until 12:00 midnight, December 31, 2023, and is made pursuant to Portland City Code, Sections 2019 and 2019.5. Constables are not allowed to carry a firearm, concealed or unconcealed, in the performance of their duties, or to make arrests or issue parking tickets.

Five affirmative votes are required for passage after public comment.

Order 227-22/23 Confirming Governor Mills' Appointment of John Henshaw to the Board of Harbor Commissioners - Sponsored by Danielle P. West, City Manager

Consistent with state statute, P.&S. Law 1993, c. 34., the City Council is asked to provide concurrence to the appointment by Governor Janet T. Mills of John Henshaw to the Board of Harbor Commissioners for Portland Harbor.

Mr. Henshaw served as Executive Director of the Maine Port Authority and Director of Ports and Marine Transportation at MaineDOT from 2007 to 2017. He is a Past President of the North Atlantic Ports Association, and currently serves as Senior Advisor and as a member of the Advisory Board of the International Association of Maritime and Port Executives. At MaineDOT, Mr. Henshaw oversaw the Maine Pilotage Commission, CruiseMaine, and dredging projects in the state.

During his tenure at the Maine Port Authority, the Authority operated the International Marine Terminal in Portland from 2009 to 2017 and oversaw its redevelopment as an international shipping hub. In 2009, Mr. Henshaw was selected as Maritime Person of the Year by the Propeller Club, Port of Portland, Maine.

Five affirmative votes are required for passage after public comment.

CONSENT ITEMS:

Order 228-22/23 Declaring July 4, 2023 the July 4th Festival - Sponsored by Danielle P. West, City Manager

The City of Portland is prepared to host a fireworks display on the 4th of July again this year. The City has sponsored the July 4th Fireworks and activities on the Eastern Promenade for a number of years. The display will be held on Tuesday, July 4th in its usual spot on the Eastern Promenade with the fireworks set to go off at approximately 9:15pm. A rain date is scheduled for Wednesday, July 5, 2023.

Like last year, the celebration will be based around the fireworks display presented by Central Maine Pyrotechnics. There will be no musical performance, VIP Area, or ticketed element to this year's celebration. The City will not be providing or managing food vendors as has happened in the past. Approved and licensed food trucks will be allowed to operate in the designated area in the middle parking lot on Cutter Street, following Food Truck Rules and Regulations and City ordinances.

Order 229-22/23 Declaring Sundays from June 16 to September 23, 2023 the Open Air Sundays Festival on Lower Exchange Street - Sponsored by the Sustainability & Transportation Committee, Councilor Andrew Zarro, Chair

On Wednesday, May 24, 2023, the Sustainability & Transportation Committee voted (2-0, Pelletier absent) to recommend this item for Council consideration and passage.

Portland Downtown has applied for a permit to close lower Exchange Street (Middle to Fore streets) every Sunday from June 16 to September 23, 2023, in order to hold an event called 'Open Air Sundays'. It is proposed that restricting use of the roadway to pedestrians and bicyclists will benefit the community economically and socially.

Portland Downtown plans to purchase, install, and remove barricades at the Exchange and Middle and Exchange and Fore streets intersections before and after each Sunday. The organization also plans to study the performance of the street closure and produce a report in conjunction with a third party.

Portland Downtown has confirmed that, by June 5, outreach will have been conducted to businesses and property owners on lower and upper Exchange, Middle Street, Milk Street, and Fore Street, either in writing, in person, or by email. Portland Downtown also hosted a public meeting on May 31, 2023 to discuss their proposal.

City staff have confirmed that, due to the proposed schedule, no parking meter revenue will be lost as a result of the temporary closure. In addition, emergency responders have confirmed that Portland Downtown's proposal will allow sufficient emergency vehicle access to Exchange Street if needed.

Five affirmative votes are required for passage of the Consent Calendar after public comment.

LICENSES:

Order 230-22/23 Granting Municipal Officers' Approval of Kirara Inc, dba N to Tail. Application for Parklet Outdoor Dining at 29 Exchange Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/19/23. New City and State applications. Establishment currently holds a Class XI Restaurant/Lounge. Moving outdoor dining from sidewalk to closed street.

Five affirmative votes are required for passage after public comment.

Order 231-22/23 Granting Municipal Officers' Approval of Green Elephant SA Inc, dba Green Elephant Vegetarian Bistro. Application for Class III & IV FSE at 608 Congress Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/24/23. New City and State applications. Change of ownership of existing establishment.

Five affirmative votes are required for passage after public comment.

Order 232-22/23 Granting Municipal Officers' Approval of DJZ LLC, dba The Portland Beer Hub. Application for Class I FSE with Outdoor Dining on Public Property at 320 Fort Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/24/23 New City and State applications. Change of ownership of existing establishment.

Five affirmative votes are required for passage after public comment.

Order 233-22/23 Granting Municipal Officers' Approval of Scarlet Ribbons LLC, dba The Henry. Application for Indoor Entertainment at 375 Fore Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/21/23 New City application. Establishment was recently approved for Class A Lounge.

Five affirmative votes are required for passage after public comment.

Order 234-22/23 Granting Municipal Officers' Approval of Commercial Street Pub, Inc, dba Commercial Street Pub. Application for Indoor Entertainment at 129 Commercial Street - Sponsored by Danielle P. West, City Manager

Application was filed on 5/5/23. New City application. Establishment currently holds Class A Lounge.

Five affirmative votes are required for passage after public comment.

Order 235-22/23 Granting Municipal Officers' Approval of Riverton Station LLC, dba Riverton Station. Application for Outdoor Dining on Private Property at 1569 Forest Avenue - Sponsored by Danielle P. West, City Manager

Application was filed on 5/12/23. New City and State applications. Establishment currently holds a Class I FSE.

Five affirmative votes are required for passage after public comment.

Order 236-22/23 Granting Municipal Officers' Approval of Small Axe LLC, dba East Ender. Application for Class XI Restaurant/Lounge with Outdoor Dining on Public Property and Indoor Entertainment at 47 Middle Street - Sponsored by Danielle P. West, City Manager

Application was filed on 5/10/23. New City and State applications. Change of license classification. Establishment currently holds a Class I FSE.

Five affirmative votes are required for passage after public comment.

Order 237-22/23 Granting Municipal Officers' Approval of Thanh Thanh LLC, dba Thanh Thanh 2. Application for Class I FSE at 782 Forest Ave - Sponsored by Danielle P. West, City Manager

Application was filed on 5/11/23. New City and State applications. Change of ownership and upgrade of license classification of existing establishment.

Five affirmative votes are required for passage after public comment.

BUDGET ITEMS:

PUBLIC COMMENT WILL BE TAKEN AT THIS COUNCIL MEETING ON ALL MUNICIPAL BUDGET ORDERS.

THIS IS THE SECOND PUBLIC HEARING ON THE CITY BUDGET. STAFF IS REQUESTING THAT ALL BUDGET ORDERS BE POSTPONED TO JUNE 26, 2023, TO PROVIDE TIME FOR THE MAINE STATE LEGISLATURE TO DETERMINE GENERAL ASSISTANCE REIMBURSEMENT LEVELS.

Order 209-22/23 Approving Fiscal Year 2024 Administrative Fees for City Parking Garages and the Parks, Recreation, and Facilities Department - Sponsored by Danielle P. West, City Manager

This order authorizes administrative charges in the Parking Division (Elm and Spring Street Garage monthly fees) and Parks, Recreation & Facilities (Recreation and Aquatic).

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 210-22/23 Authorizing the City Manager To Enter into Certain Agreements To Implement the Fiscal Year 2024 Human Resources and Certain Fringe Benefits Budgets - Sponsored by Danielle P. West, City Manager

This order authorizes the City Manager to enter into standard agreements and amendments to standard agreements with providers of services for Fiscal Year 2024 to implement portions of human resources, medical, workers' compensation, and liability budgets.

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 211-22/23 Approving the Fiscal Year 2024 Self-insured Liability Program - Sponsored by Danielle P. West, City Manager

This order establishes the limit of the City's liability as $400,000 as required by the Maine Tort Claims Act and states the City's commitment to "self-insure" for such liability by approving funds for this purpose.

This item was postponed at the May 15, 2023 City Council meeting to coincide with consideration of the Appropriation Resolve. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 212-22/23 Authorizing the Director of Parks, Recreation and Facilities to Set Fees and Enter Rental Agreements for City Facilities - Sponsored by Danielle P. West, City Manager

This order would authorize the Director of Parks, Recreation and Facilities or their designee to sign rental contracts and set associated fees. This authorization is required annually.

Staff has historically set fees and signed rental agreements for City facilities including but not limited to Merrill Auditorium, the Portland Exposition Building, Ice Arena, Riverside Golf Course, Portland cemeteries, and Ocean Gateway. These facilities host hundreds of events annually, and fees are determined based on the unique staffing levels and services they require.

The City's Legal Department has created a standard rental agreement. Any changes to the terms of standard agreement, other than pricing, are reviewed by legal prior to being changed.

Venues/programs overseen by this Department are run in a business-like manner and need the flexibility to offer specials and adjust pricing based on market conditions. This order will further reaffirm the practice of these fees being set administratively.

This item was postponed at the May 15, 2023 City Council meeting to coincide with consideration of the Appropriation Resolve. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 213-22/23 Authorizing the City Manager to Enter into Certain Agreements to Implement Fiscal Year 2024 Health & Human Services Budget - Sponsored by Danielle P. West, City Manager

This order authorizes the City Manager to enter into standard agreements and amendments to those standard agreements to receive reimbursement for services by the Health and Human Services Department. In addition, the City enters into agreements with service providers and landlords to provide services for department programs.

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine

State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 214-22/23 Authorizing the City Manager to Accept Scholarship and Trust Donations and Bequests and Enter into Trust Agreements - Sponsored by Danielle P. West, Interim City Manager

This order authorizes the City Manager to accept and appropriate existing and new scholarship trusts and to enter into standard form trust agreements as approved by Corporation Counsel.

This item was postponed to June 5, 2023 to be be considered at the same time as the Appropriation Resolve. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 215-22/23 Authorizing the Director of Parks, Recreation and Facilities to Accept Donations up to $10,000 for Parks, Recreation & Facilities Department Programs and City Funds - Sponsored by Danielle P. West, City Manager

The Parks, Recreation & Facilities Department receives frequent donations for many of the programs it works on and with, like the Land Bank, the Portland Youth Corps, and the Tree Trust. This order will allow the department director to accept donations as much as $10,000 without needing to receive approval from the City Council.

This item was postponed at the May 15, 2023 City Council meeting to coincide with consideration of the Appropriation Resolve. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 216-22/23 Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored by Danielle P. West, City Manager

This item will give Corporation Counsel a standing authorization to undertake civil actions to collect any delinquent personal property taxes that arise during the course of the fiscal year. Otherwise, it would be necessary for the City Council to specifically authorize each individual legal action. This general authorization will take the place of the case-by-case approach.

This item was postponed at the May 15, 2023 City Council meeting to coincide with consideration of the Appropriation Resolve. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 217-22/23 Authorizing Non-Union Wage Adjustment - Sponsored by Danielle P. West, City Manager

This Order authorizes the City Manager to utilize a 4.0% Cost of Living Adjustment (COLA) for pay adjustments for non-union employees, elected officials, the City Clerk and Corporation Counsel.

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 218-22/23 Designating Fiscal Year 2024 Funds for Specific Island Services - Sponsored by Danielle P. West, City Manager

The municipal budget includes $45,000 for use on Peaks Island in addition to the funds used to pay for direct and indirect city services. Pursuant to a request from the Peaks Island Council these funds will be used as follows in FY24:

Item A: Peaks Island Summer Bike Ticket Program $250
Item B: PI Needs-Based Boat Tickets $1,000
Item C: PI Portland Public Middle & High School Student Boat Passes $3,500
Item D: PI Full Time College Students (Portland Area) 3 Monthly Stickers $300
Item E: PI Children Attending Private Schools Vouchers $300
Item F: PI ITS (Island "Taxi"): Island Transportation System $22,500
Item G: PI PEAT (PI Environmental Team: Signage and equipment) $2,000
Item H: PI Administrative Expenses $2,150
Item I: Brackett Church (Community Arts & Play Recreation Programs) $1,000
Item J: Island Compost Project $3,500
Item K: New Brackett Church for utilities for community programs $2,000
Item L: Illustration Institute for Island Resident Programming $1,500
Item M: Fifth Maine Museum Institute Program, code compliance $1,500
Item N: Peaks Island Children's Workshop building repairs $3,500

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 219-22/23 Appropriating $3,611,343 in Fund Balance - Sponsored by Danielle P. West, City Manager

This order appropriates $2,850,000 from Assigned Fund Balance for pension obligation bond debt service payments due in Fiscal Year 2024. It also appropriates $761,313 from Unassigned Fund Balance for additional Cumberland County tax payments due in Fiscal Year 2024 resulting from the County's change from a calendar to a fiscal year.

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 220-23/24 Appropriating $276,000 From Excess Fund for Casco Bay Island Transit District - Sponsored by Danielle P. West, City Manager

Pursuant to the agreement between the lease agreement between the City of Portland and the Casco Bay Island Transit District ("CBITD") dated October 1, 2018, this item appropriates funding from the Excess Fund in the amount of $276,000. $250,000 is being requested by CBITD for capital costs associated with their public transportation operations in Casco Bay and $26,000 is being requested by the City for other mass transportation needs related to summer shuttle service from the Marginal Way Park and Ride lot to the Casco Bay Lines Ferry Terminal.

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 221-22/23 Amendment to Portland City Code Chapters 24 and 28 Re: Various Fee Increases for Fiscal Year 2024 - Sponsored by Danielle P. West, City Manager

This amendment increases the impoundment fee associated with a "boot" immobilizing a vehicle from $50 to $70 (Section 28-101 of the Portland City Code). It also allows an increase in the sewer user charges from $12.30 per hundred cubic feet of volume (hcf) to $12.75 hcf (Section 24-72 of the Portland City Code) and an increase in the stormwater service charge from $7.50 per one thousand two hundred (1,200) square feet of impervious surface area to $7.75 (Section 24-84). All increases would be effective July 1, 2023, the start of Fiscal Year 2024.

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

Order 222-22/23 Fiscal Year 2023-2024 Appropriation Resolve - Sponsored by Danielle P. West, City Manager

The Appropriation Resolve contains the City Manager's recommended budget for Fiscal Year 2024 for general municipal purposes in the amount of $332,799,323. In addition, it contains the Portland Board of Education’s FY2024 recommended budget of $143,810,343.

The tax levy based upon the City Manager's recommended budget is $103,559,653 and $110,850,008 for the Portland Board of Education’s recommended School Budget. The City Manager’s budget recommendations for municipal purposes and the Portland Board of Education's recommended School Budget result in a combined tax levy of 214,409,661 for Fiscal Year 2024.

The Appropriation Resolve also directs the Assessor of Taxes to assess a tax upon all real and personal property liable to be taxed as of April 1, 2023 and sets 30 Days after Tax Commitment 2023 as the tax due date, which may be paid in two installments due 30 Days after Tax Commitment 2023, and on March 15, 2024.

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

COMMUNICATIONS:

Com 34-22/23 Communication re: City Council's Ad Hoc Search Committee - Sponsored by Kate Snyder, Mayor

This communication is intended to clarify the purpose of the Ad Hoc Search Committee, as well as to appoint its current members.

As a communication this item requires no public comment or formal Council action.

Com 35-22/23 Communication regarding decommissioning of the Portland Expo as a temporary emergency shelter - Kristen Dow, Director of Health & Human Services

As a communication this item requires no public comment or formal Council action.

Com 36-22/23 Regarding the City of Portland Encampment Crisis Response Team - Kristen Dow, Director of Health & Human Services

As a communication this item requires no public comment or formal Council action.

RESOLUTIONS:

Resolve 9-22/23 Reaffirming a Sister City Relationship with Cap-Haitien, Haiti - Sponsored by Pious Ali, Councilor

On September 18, 2002, the Portland City Council voted to pass a resolution (Resolve 3-02/03) "Supporting the Establishing of a Sister City Relationship with Cap-Haitien, Haiti." This resolution seeks to reaffirm the City of Portland's commitment to that relationship.

Five affirmative votes are required for passage after public comment.

UNFINISHED BUSINESS:

Order 224-22/23 Authorizing Amendment to Downtown Transit Oriented Development and Omnibus Tax Increment Financing District to Increase Funding for Creative Portland - Sponsored by Danielle P. West, City Manager

As part of the FY24 City budget process, the Interim City Manager has recommended that Downtown Transit Oriented Development and Omnibus Tax Increment Financing District (DT TOD TIF) funding in the amount of $200,000 be provided to Creative Portland (CP).

The Downtown TOD TIF currently has a cap of $100,000 annually to support CP. Currently, costs associated with two full time positions assigned to support the work of the CP Board has primarily been funded through the DT TOD TIF. The Proposed TIF District Amendment would establish an annual level of funding for CP in the amount of $200,000. CP would use the funding to support staff, programs and services. See below

funding table:

CP Funding Table		
Timeframe and Use	**Source**	**Total**
Existing – City Staff Costs - CP Programs and Services	$172,496 – DT TOD TIF $25,000 - DT TOD TIF	$197,496
Budget Amendment Request: - CP Staff, Programs and Services	$200,000 – DT TOD TIF	$200,000

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

ORDERS:

Order 238-22/23 Accepting the Cumberland County and City of Portland Analysis of Impediments to Fair Housing - Sponsored by Housing & Economic Development, Councilor Pious Ali, Chair

On April 25, 2023, the Housing & Economic Development Committee voted 4-0 to forward this item to the City Council for consideration.

In 2021, the City of Portland and Cumberland County jointly engaged Root Policy, a consulting firm out of Colorado, to undertake an assessment of fair housing process to inform the 2022-2026 Consolidated Plan. Frankie Lewington and Heidi Aggeler conducted analysis of local zoning and land uses, a survey, and several focus groups to identify greatest barriers within Cumberland County and Portland. Through this process, they have created the Portland and Cumberland County Analysis of Impediments to Fair Housing.

Five affirmative votes are required for passage after public comment.

Order 239-22/23 Approving Changes to the Tax Increment Financing Policy - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

On April 25, the Housing & Economic Development Committee voted 3-1, Phillips opposed, to forward this to the City Council for consideration.

The Portland Tax Increment Financing (TIF) Policy requires developers of affordable housing in Portland who receive Affordable Housing TIF (AHTIF) to use the greater of state prevailing wage rates and Portland minimum wage for workers during housing construction. Many of the projects receiving a TIF also have other funding sources which require the use of Davis-Bacon wages. The double requirement can be costly for developers, both in reporting time and in practice. The proposed change would allow developers who are required to use Davis-Bacon wages for other funding sources to also use these wages to meet the TIF Policy requirements.

Five affirmative votes are required for passage after public comment.

Order 240-22/23 Approving Residential Parking for Islanders - Sponsored by Danielle P. West, City Manager

This order makes permanent the previous annual extension of the Islander Residential Parking Zone with 12 spaces on Thames Street and 10 spaces on Hancock Street surrounding the AC Hotel and the new condominiums The zone had been approved annually since 2008 while the area was being developed. This order also includes 42 parking spaces on the north side of Marginal Way between the Park & Ride Lot and Cove Street, which were added in 2019.

This item must be read on two separate days. This is its first reading.

Order 241-22/23 Accepting and Appropriating a United States Environmental Protection Agency Brownfield Assessment Grant of up to $500,000 - Sponsored by Danielle P. West, City Manager

This item accepts and appropriates $500,000 in Brownfield Assessment Grant funding. At this time, approximately $5,000 remains in the City's Brownfields Assessment Fund. While awaiting this new award, the City has been funding Brownfields Assessment Grant requests using closed-out United States Environmental Protection Agency (USEPA) Brownfield Program Income administered by the Portland Development Corporation. With this new award from the USEPA, the City can replenish its Brownfields Assessment Grant funding and support more environmental assessments.

This item must be read on two separate days. This is its first reading.

Order 242-22/23 Adopting Development Program for Portland Downtown for Fiscal Year 2023-2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

The Portland Downtown District (PD) was originally established by the City Council on March 16, 1992. Since then, each year in June, for the following fiscal year starting July 1, City Council authorization to establish the special assessment and approval of the documents is needed.

For FY2024, City Council authorization is needed for the continued operation of PD, which documents include: (1) Adopting the Development Program for the PD; (2) Assessing Maintenance and Implementation Assessments in the PD District; and, (3) authorizing the Agreement for work to be done by PD and work to be done by the City.

The budget for PD is funded largely from special assessments on all real estate in the current District. The revenue raised through the special assessment will fund the PD development program expenses for FY2024. The proposed mil rate to raise this assessment is estimated at $.67 per $1,000 of property value in the current district in order to raise the PD Board approved budget of $1,249,349.

Portland Downtown representatives provided a presentation to the Finance Committee at its May 23, 2023, meeting. This item must be read on two separate days. This is its first reading.

Order 243-22/23 Establishing Maintenance and Implementation Assessments for Portland Downtown for Fiscal Year 2023-2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

This is a companion order with the order above.

This item must be read on two separate days. This is its first reading.

Order 244-22/23 Approving Agreement between the City of Portland and Portland Downtown for Fiscal Year 2023-2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

This is a companion order with the two orders above.

This item must be read on two separate days. This is its first reading.

Order 245-22/23 Approving the Amended Wage Scale to the Collective Bargaining Agreement with the Police Benevolent Association -- Sponsored by Danielle P. West, City Manager

This item amends the negotiated collective bargaining agreement between the City and the Portland Police Benevolent Association ("PBA") which is currently in effect for the period of January 1, 2021 through December 31, 2023. The proposed amendment would increase wages for all PBA employees by 14.5% effective as of July 2, 2023, to bring wages in line with surrounding communities. This proposal is presented after previously receiving guidance from the Finance Committee in executive session on two separate occasions and following negotiations with the PBA.

This item must be read on two separate days. This is its first reading.

Order 246-22/23 Approving the Amended Wage Scale to the Collective Bargaining Agreement with the Portland Police Superior Officers Association - Sponsored by Danielle P. West, City Manager

This item amends the negotiated collective bargaining agreement between the City and the Portland Police Superior Officers Association ("PPSOA") which is currently in effect for the period of January 1, 2021 through December 31, 2023. The proposed amendment would increase wages for all PPSOA employees by 14.5% effective as of July 2, 2023, in accordance with the proposed wage increases for the Portland Police Benevolent Association, and to make wages more competitive with the surrounding communities. This proposal is presented after previously receiving guidance from the Finance Committee in executive session on two separate occasions and following negotiations with the PPSOA.

This item must be read on two separate days. This is its first reading.

ADJOURNMENT:

ZOOM INFORMATION:

The City Council will conduct this meeting from Council Chambers, located on the second floor of City Hall. The public may attend the meeting in person, however space in Council Chambers is limited. The public is therefore strongly encouraged to participate remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the Agenda Center following the meeting.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

Please click the link below to join the webinar:
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+19292056099,,89911473409#,,,,*115765# US (New York)
+13017158592,,89911473409#,,,,*115765# US (Washington DC)
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+1 312 626 6799 US (Chicago)
+1 646 931 3860 US
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 360 209 5623 US
+1 386 347 5053 US
+1 507 473 4847 US
+1 564 217 2000 US
+1 669 444 9171 US
+1 669 900 6833 US (San Jose)
+1 689 278 1000 US
+1 719 359 4580 US
+1 253 205 0468 US
Webinar ID: 899 1147 3409
Passcode: 115765
International numbers available: https://portlandmaine-gov.zoom.us/u/koJo6UgHX

PLEDGE OF ALLEGIANCE:

Mayor Snyder led all present in the Pledge of Allegiance.

ROLL CALL:

Mayor Snyder called the meeting to order at 5:00pm.
City Councilors Present: Councilor Rodriguez, Councilor Dion, Councilor Ali, Councilor Zarro, Councillor

Trevorrow, Councilor Pelletier, Councilor Phillips, Mayor Snyder.
Councilors Absent: Councilor Fournier

Point of Order: Councilor Fournier arrived at 5:19pm

5:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

Mayor Snyder opened the floor for public comment. The following individuals spoke:
Tim Bassett (57 Brandon Way, Westbrook), George Rheault (Hanover Street), Viviando (231 State Street)

ANNOUNCEMENTS:

The following Councilors gave an annoucement: Councilor Ali

RECOGNITIONS:

Recognizing Chelsea Hoskins and the staff of the Resettlement Program of the City of Portland for receiving the Community Partners Award from Immigrant Legal Advocacy Project - Kate Snyder, Mayor

Mayor Snyder recognized Chelsea Hoskins and the staff of the Resettlement Program of the City of Portland for receiving the Community Partners Award from Immigrant Legal Advocacy Project

Recognizing Ryan Gorneau, Social Services Program Manager, for receiving the "Maine Welfare Director of the Year" award - Kate Snyder, Mayor

Mayor Snyder recognized Ryan Gorneau, Social Services Program Manager for receiving the Maine Welfare Director of the Year Award

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Meeting Minutes from May 1, 2023

Motion was made by Councilor Ali and seconded by Councilor Zarro for approval of the City Council Meeting minutes, May 1, 2023. Passage 8-0 (Fournier absent)

PROCLAMATIONS:

Proclamation 22-22/23 Recognizing National EMS Week - Sponsored by Kate Snyder, Mayor

Mayor Snyder read Proclamation 22-22/23 Recognizing National EMS Week into the record.

Proclamation 23-22/23 Recognizing National Peace Officers Memorial Day and National Police Week - Sponsored by Kate Snyder, Mayor

Mayor Snyder read Proclamation 23-22/23 Recognizing National Peace Officers Memorial Day and National Police Week into the record.

Proclamation 24-22/23 Recognizing National Public Works Week - Sponsored by Kate Snyder, Mayor

Mayor Snyder read Proclamation 24-22/23 Recognizing National Public Works Week into the record.

Proclamation 25-22/23 Recognizing Jewish American Heritage Month - Sponsored by Kate Snyder, Mayor

Mayor Snyder read Proclamation 25-22/23 Recognizing Jewish American Heritage Month National into the record.

Proclamation 26-22/23 Recognizing National Skilled Nursing Care Week - Sponsored by Kate Snyder, Mayor

Mayor Snyder read Proclamation 26-22/23 Recognizing National Skilled Nursing Care Week into the record.

Proclamation 27-22/23 Recognizing Asian American, Native Hawaiian, and Pacific Islander Heritage Month - Sponsored by Pious Ali, Councilor

Councilor Ali read Proclamation 27-22/23 Recognizing Asian American, Native Hawaiian, and Pacific Islander Heritage Month into the record.

APPOINTMENTS:

Order 203-22/23 Appointing Sustainability Director Troy Moon Constable - Sponsored by Danielle P. West, Interim City Manager

Motion was made by Councilor Ali and seconded by Councilor Zarro for passage. Passage 9-0.
Mayor Snyder opened the floor for public comment. No one spoke.

Order 204-22/23 Appointing Danielle P. West City Manager - Sponsored by the City Manager Search Subcommittee, Mayor Kate Snyder, Chair

Motion was made by Mayor Snyder and seconded by Councilor Ali to wave the second read. Passage 9-0.
Motion was made by Mayor Snyder and seconded by Councilor Zarro for passage as an emergency. Passage 9-0. Item passed as an emergency.
Mayor Snyder opened the floor for public comment.The following individuals spoke: Belinda Ray (District 1), Vivianda (231 State Street), (Tae Chong, District 4), George Rheault (Hanover Street), Justin Costa (Elizabeth Road), Corp Counsel former employee, Brian Batson (Capisic Street),
Spencer Thibodeau (Former resident and City Councilor), Nick Mavodones (Chenery Street), Gary Wood (Vannah Ave), Councilor Zarro, Councilor Phillips, Councilor Dion, Councilor Fournier, Councilor Rodriguez, Councilor Trevorrow, Councilor Pelletier, Councilor Ali, Mayor Snyder

City Clerk, Ashley Rand immediately swore Danielle P. West in as City Manager.

CONSENT ITEMS:

Order 205-22/23 Declaring June 17, 2023 the Pride Portland! Parade & Festival - Sponsored by Danielle P. West, Interim City Manager

Motion was made by Councilor Ali and seconded by Councilor Rodriguez for passage. Passage 9-0.

City Manager, Danielle West gave an overview of the item.
Mayor Snyder opened the floor for public comment. No one spoke.

LICENSES:

Order 206-22/23 Granting Municipal Officers' Approval of The Pig Exchange LLC, dba The Thirsty Pig. Application for Class I FSE with Outdoor Dining on Private Property and Combined Entertainment at 37 Exchange Street - Sponsored by Danielle P. West, Interim City Manager

Motion was made by Councilor Trevorrow and seconded by Councilor Rodriguez to postpone the item to City Council meeting held on 6/26/23. Passsed 9-0. Item postponed.

Order 207-22/23 Granting Municipal Officers' Approval of Scarlet Ribbons LLC, dba The Henry. Application for Class A Restaurant/Lounge at 375 Fore Street - Sponsored by Danielle P. West, Interim City Manager

Motion was made by Councilor Zarro and seconded by Councilor Ali for passage. Passage 8-0. (Dion stepped away)
Mayor Snyder opened the floor for public comment. No one spoke.

Order 208-22/23 Granting Municipal Officers' Approval of Eighteen Exchange LLC, dba Papi Portland. Application for Parklet Outdoor Dining at 18 Exchange Street - Sponsored by Danielle P. West, Interim City Manager

Motion was made by Councilor Fournier and seconded by Councilor Rodriguez for passage. Passage 9-0.
Mayor Snyder opened the floor for public comment. The following individuals spoke: Councilor Rodriguez, Councilor Phillips

BUDGET ITEMS:

PUBLIC COMMENT WILL BE TAKEN AT THIS COUNCIL MEETING ON ALL MUNICIPAL BUDGET ORDERS.

Order 209-22/23 Approving Fiscal Year 2024 Administrative Fees for City Parking Garages and the Parks, Recreation, and Facilities Department - Sponsored by Danielle P. West, Interim City Manager

*Point of Order, Orders 209-22/23 through 222-22/23 were read into the record at the same time. Public comment was taken together for these items.
Mayor Snyder opened the floor for public comment. The following individuals spoke: Heidi (Portland Resident and Employee of Maine Medical Center), Philip Matthew (20 Crosby Street)

The item is a first read item. No Council action taken.

Order 210-22/23 Authorizing the City Manager To Enter into Certain Agreements To Implement the Fiscal Year 2024 Human Resources and Certain Fringe Benefits Budgets - Sponsored by Danielle P. West, Interim City Manager

The item is a first read item. No Council action taken.

Order 211-22/23 Approving the Fiscal Year 2024 Self-insured Liability Program - Sponsored by Danielle P. West, Interim City Manager

Motion was made by Mayor Snyder and seconded by Councilor Ali to postpone the item to the City Council meeting held on June 5, 2023. Passed 9-0. Item postponed.

Order 212-22/23 Authorizing the Director of Parks, Recreation and Facilities to Set Fees and Enter Rental Agreements for City Facilities - Sponsored by Danielle P. West, Interim City Manager

Motion was made by Mayor Snyder and seconded by Councilor Fournier to postpone the item to the City Council meeting held on June 5, 2023. Passed 9-0. Item postponed.

Order 213-22/23 Authorizing the City Manager to Enter into Certain Agreements to Implement Fiscal Year 2024 Health & Human Services Budget - Sponsored by Danielle P. West, Interim City Manager

The item is a first read item. No Council action taken.

Order 214-22/23 Authorizing the City Manager to Accept Scholarship and Trust Donations and Bequests and Enter into Trust Agreements - Sponsored by Danielle P. West, Interim City Manager

Motion was made by Mayor Snyder and seconded by Councilor Ali to postpone the item to the City Council meeting held on June 5, 2023. Passed 9-0. Item postponed.

Order 215-22/23 Authorizing the Director of Parks, Recreation and Facilities to Accept Donations up to $10,000 for Parks, Recreation & Facilities Department Programs and City Funds

Motion was made by Mayor Snyder and seconded by Councilor Rodriguez to postpone the item to the City Council meeting held on June 5, 2023. Passed 9-0. Item postponed.

Order 216-22/23 Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored by Danielle P. West, Interim City Manager

Motion was made by Mayor Snyder and seconded by Councilor Rodriguez to postpone the item to the City Council meeting held on June 5, 2023. Passed 9-0. Item postponed.

Order 217-22/23 Authorizing Non-Union Wage Adjustment - Sponsored by Danielle P. West, Interim City Manager

The item is a first read item. No Council action taken.

Order 218-22/23 Designating Fiscal Year 2024 Funds for Specific Island Services - Sponsored by Danielle P. West, Interim City Manager

The item is a first read item. No Council action taken.

Order 219-22/23 Appropriating $3,611,343 in Fund Balance - Sponsored by Danielle P. West, Interim City Manager

The item is a first read item. No Council action taken.

Order 220-23/24 Appropriating $276,000 From Excess Fund for Casco Bay Island Transit District - Sponsored by Danielle P. West, Interim City Manager

The item is a first read item. No Council action taken.

Order 221-22/23 Amendment to Portland City Code Chapters 24 and 28 Re: Various Fee Increases for Fiscal Year 2024 - Sponsored by Danielle P. West, Interim City Manager

The item is a first read item. No Council action taken.

Order 222-22/23 Fiscal Year 2023-2024 Appropriation Resolve - Sponsored by Danielle P. West, Interim City Manager

The item is a first read item. No Council action taken.

THE CITY COUNCIL HELD A FIRST READ ON THE FISCAL YEAR 2024 SCHOOL BUDGET AT THE MAY 1, 2023 COUNCIL MEETING AND ACCEPTED PUBLIC COMMENT. THE SECOND READ AND A PUBLIC HEARING ON THE SCHOOL BUDGET WILL BE HELD DURING THE MAY 15, 2023 COUNCIL MEETING.

Order 195-22/23 Approving State/Local EPS Funding Allocation for Public Education from Kindergarten to Grade 12 for Portland Public Schools for Fiscal Year 2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

*Point of Order, Orders 195-22/23 through 201-22/23 were read into the record at the same time. Public comment was taken together for these items.
Mayor Snyder opened the floor for public comment. The following individuals spoke: Ryan McMan (East Deering), (Councilor Dion), George Rheault (Hanover Street),

Motion was made by Councilor Dion and seconded by Councilor Rodriguez for passage. Passage 9-0.
Mayor Snyder opened the floor for public comment. No one spoke.

Order 196-22/23 Approving Non-State Funded School Construction Debt Service for Portland Schools for Fiscal Year 2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

Motion was made by Councilor Trevorrow and seconded by Councilor Rodriguez for passage. Passage 9-0.
Mayor Snyder opened the floor for public comment. No one spoke.

Order 197-22/23 Order Raising and Appropriating Additional Local Funds for Portland Schools for Fiscal Year 2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

Motion was made by Councilor Rodriguez and seconded by Councilor Zarro for passage. Passage 9-0.
Mayor Snyder opened the floor for public comment. No one spoke.

Order 198-22/23 Approving Total School Operating Budget for Portland Schools for Fiscal Year 2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

Motion was made by Councilor Dion and seconded by Councilor Zarro for passage.
Passage 9-0.
Mayor Snyder opened the floor for public comment. No one spoke.

Order 199-22/23 Appropriating and Raising Funds for Adult Education for Fiscal Year 2024 as required by the Maine Revised Statutes, Title 20-a §8603-a(1) - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

Motion was made by Councilor Dion and seconded by Councilor Zarro for passage.
Passage 9-0.
Mayor Snyder opened the floor for public comment. No one spoke.

Order 200-22/23 to Raise and Appropriate Local Funds for Food Service in the Portland Public Schools for Fiscal Year 2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

Motion was made by Councilor Rodriguez and seconded by Councilor Ali for passage.
Passage 9-0.
Mayor Snyder opened the floor for public comment. No one spoke.

Order 201-22/23 Order Authorizing the Disposition of Any Additional State Subsidy Received for Portland Schools in Fiscal Year 2024 Sponsored by the Finance Committee, Councilor Mark Dion, Chair

Motion was made by Councilor Ali and seconded by Councilor Rodriguez for passage.
Passage 9-0.
Mayor Snyder opened the floor for public comment.The following individuals spoke: Councilor Fournier, Councilor Dion, Mayor Snyder

COMMUNICATION:

Communication 33-22/23 Regarding Encampment Removal and Remediation - Danielle P. West, Interim City Manager

Danielle West, City Manager gave an update regarding Encampment Removal and Remediation.
As a communication, this item requires no public comment or formal Council action.

ORDERS

Order 223-22/23 Approving the Agreement between Top Trumps USA, Inc. and the City of Portland for a Portland Monopoly Game - Sponsored by Danielle P. West, Interim City Manager

Motion was made by Councilor Zarro and Seconded by Councilor Ali for passage.Passage 9-0.
Mayor Snyder opened the floor for public comment.The following individuals spoke: Steven Scharf (Brackett Street), Councilor Fournier, Councilor Phillips, Councilor Zarro, Councilor Pelletier, Councilor Ali, Councilor Dion

Order 224-22/23 Authorizing Amendment to Downtown Transit Oriented Development and Omnibus Tax Increment Financing District to Increase Funding for Creative Portland

The item is a first read item. No Council action taken.

ADJOURNMENT:

Motion was made by Councilor Zarro and seconded by Councilor Fournier to adjourn. Passage 9-0 at 7:55pm.

A TRUE RECORD

_____

Ashley Rand, City Clerk

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA PELLETIER (2)
REGINA PHILLIPS (3)
ANDREW ZARRO (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

PROCLAMATION

RECOGNIZING JUNE 2023 AS LGBTQ+ PRIDE MONTH

WHEREAS, the city of Portland Maine is committed to being a safe, welcoming, and equitable community for all people across race, ethnicity, socioeconomic status, age, sexual orientation, gender identification, country of origin, or any other identity; and

WHEREAS, many of the residents, students, city employees, and business owners who contribute to the enrichment of our City are a part of the LGBTQ+ community, which includes people who identify as lesbian, gay, bisexual, transgender, queer/questioning, two-spirit, and more; and

WHEREAS, Portland, Maine has a strong LBGTQ+ community because it has truly been a safe haven for the queer community over the years; and

WHEREAS, the Stonewall riots began in New York on June 28, 1969, and are regarded as a catalyst for the LGBTQ+ movement for civil rights in the United States; and

WHEREAS, BIPOC trans activists Sylvia Rivera, Marsha P. Johnson, and Miss Major Griffin-Gracy are credited as the foremothers of the clashes with the authorities at Stonewall that night, launching queer liberation as we know it; and

WHEREAS, June 26, 2023 marks the 8th anniversary of the U.S. Supreme Court's decision in Obergefell v. Hodges that the Fourteenth Amendment requires all states to grant same-sex marriages and recognize same-sex marriages granted in other states; and

WHEREAS, June 28, 2023 marks the 53rd anniversary of the first Gay Pride marches in the history of United States, and June is now celebrated as LGBTQ+ Pride Month nationwide; and

WHEREAS, June 28, 2023 marks the 54rd anniversary of the Stonewall uprising, on which occasion the LGBTQ+ community recognizes more than a half-century of the LGBTQ+ movement, celebrates and honors its accomplishments, and raises awareness of its ongoing struggles:

NOW, THEREFORE, BE IT RESOLVED, that I, Kate Snyder, Mayor of the City of Portland, Maine and members of the City Council do hereby recognize June as LGBTQ+ Pride Month in the city of Portland, Maine and invite citizens of Portland to honor the history of the fight for equality, celebrate how far we've come, and recognize the work we have in front of us.

Signed and sealed this 5th day of June, 2023

Kate Snyder, Mayor

City of Portland

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA PELLETIER (2)
REGINA PHILLIPS (3)
ANDREW ZARRO (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER (A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

PROCLAMATION

RECOGNIZING JUNE 19, 2023 AS JUNETEENTH

WHEREAS, the Emancipation Proclamation signed on January 1, 1863 declared "that all persons held as slaves" within the rebellious states "are, and henceforward shall be free"; and

WHEREAS, more than two years later, on June 19, 1865, the last group of enslaved Americans, located in the City of Galveston, Texas, learned that the Civil War had ended, and that they were free from bondage; and

WHEREAS, Black Americans commemorate Juneteenth as the day they were first recognized as citizens of this country. It is a day of enormous significance, weight, and power in which we remember the moral stain of chattel slavery on this country, as well as its long legacy of systemic racism, inequality, and inhumanity; and

WHEREAS, Juneteenth is a day in which we also recognize the many significant achievements and successes of Black Americans throughout our nation's history and in the present as we continue to walk the stony road toward racial equity; and

WHEREAS, the historic work of striving for racial equity has been led by abolitionists and educators, civil rights advocates, lawyers, courageous activists, trade unionists, public officials, and everyday Americans, including those dedicated to realizing the ideals of our nation; and

WHEREAS, the legacy of Black-American resistance to systemic inequality, including suppression of the Black vote, redlining, and police violence is a testament to the struggle, courage and hope of the Black community while reminding us that the fight is not yet over; and

WHEREAS, Juneteenth reminds us that while we are moving toward equity, equality and justice, we still have more to do to advance true equity in all aspects of civic life, and that we must always strive for a better future;

NOW, THEREFORE, BE IT RESOLVED, that I, Kate Snyder, Mayor of the City of Portland, Maine and members of the City Council do hereby recognize June 19, 2023 as Juneteenth in the City of Portland and invite residents of Portland to join in celebrating how far we have come since the abolition of slavery, while putting our shoulders to the task of fighting for equity, equality, and justice this day and every day.

Signed and sealed this 5th day of June, 2023

Kate Snyder, Mayor

City of Portland

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA PELLETIER (2)
REGINA PHILLIPS (3)
ANDREW ZARRO (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

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

RECOGNIZING THE MONTH OF JUNE 2023 AS IMMIGRANT HERITAGE MONTH

WHEREAS, Generations of immigrants from every corner of the globe have helped build our country's economy and created the unique character of our nation; and

WHEREAS, Immigrants continue to grow businesses, innovate, strengthen our economy, and create American jobs in Portland, Maine; and

WHEREAS, Immigrants have provided the United States with unique social and cultural influence, fundamentally enriching the extraordinary character of our nation; and

WHEREAS, Immigrants have been tireless leaders not only in securing their own rights and access to equal opportunity, but also in campaigning to create a fairer and more just society for all Americans; and

WHEREAS, Despite these countless contributions, the role of immigrants in building and enriching our nation has frequently been overlooked and undervalued throughout our history and continuing to the present day; and

NOW, THEREFORE, BE IT RESOLVED, THAT I, Kate Snyder, Mayor of the City of Portland, Maine, and members of the Portland City Council, do hereby proclaim June 2023 as Immigrant Heritage Month in the City of Portland.

Signed and sealed this 5th day of June, 2023

Kate Snyder, Mayor
City of Portland

MEMORANDUM
City Council Agenda Item

FROM: Mary Davis, Division Director

DATE: May 17, 2023

SUBJECT: Order 225-22/23 Appointing William Needelman a Class E Director of the Portland Fish Exchange - Sponsored by Danielle P. West, City Manager

SPONSOR: Danielle P. West, 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 6/5/2023 **Final Action 6/5/2023**

Can action be taken at a later date: Yes

Does this item involve a new contract with the City: No

PRESENTATION: Mary Davis will be present if there are any questions.

I. SUMMARY

Bill Needelman, Waterfront Coordinator with the Department of Housing and Economic Development, is to be reappointed to the Board of Directors for the Portland Fish Exchange, as the Class E Member representing the City Manager.

II. AGENDA DESCRIPTION

By this order, Bill Needelman, Waterfront Coordinator with the Department of Housing and Economic Development, would be reappointed to the Board of Directors for the Portland Fish Exchange as the Class E Member representing the City Manager. Mr. Needelman has held this position since June of 2022, when he was appointed to fill a midterm vacancy; the expiration of this term would be 10/31/2024. Mr. Needelman currently serves as the Board's Vice President.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

The Portland Fish Exchange is the nation's first public seafood auction. Owned and incorporated by the City of Portland, the Exchange is a quasi-municipal corporation with professional staff with oversight provided by an appointed Board of Directors. The Board's Class E seat is reserved for a representative of the Portland City Manager.

Bill Needelman serves as the City's first Waterfront Coordinator and has since 2014 provided administrative support to the Portland Fish Pier Authority Board of Directors. The Portland Fish Pier Authority is the landlord of the Fish Exchange. Mr. Needelman's role with the Fish Pier Authority has given him a deep appreciation of the Fish Exchange's importance to the Maine seafood economy as well as detailed understanding of the auction's history, policies, and operations.

During his one year on the Board, Mr. Needelman has provided guidance through the hiring and training of a new Exchange Manager. Additionally, Mr. Needelman has taken a leading role in a governance evaluation by both the Exchange and the Fish Pier Authority Boards during their ongoing consideration of a board merger.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

Mr. Needelman's reappointment to the Board of Directors of the Portland Fish Exchange will ensure continuity of leadership during a pivotal process of self-reflection and reorganization for the Corporation.

V. FINANCIAL IMPACT

There is no financial impact for this item.

VI. STAFF ANALYSIS AND BACKGROUND

Reappointment of Bill Needelman should occur.

VII. RECOMMENDATION

Staff recommends approval.

VIII. LIST ATTACHMENTS

1. Fish Exchange Needelman Class E Director 6.5.2023

Prepared by:
Mary Davis, Division Director
Date: 05/17/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER APPOINTING WILLIAM NEEDELMAN CLASS E DIRECTOR TO PORTLAND FISH EXCHANGE

ORDERED, that the City Council, acting in its capacity as Corporator of the Portland Fish Exchange, hereby appoints William Needelman as Class E Director of the Portland Fish Exchange.

Orders\Appoint\Fish Exchange Class E Director
2.11.11

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 22, 2023

SUBJECT: Order 226-22/23 Appointing Constables for the Parks, Recreation & Facilities and Police Departments and Jetport Garage Employees for 2023 - Sponsored by Danielle P. West, City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(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 action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: n/a

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

I. SUMMARY

II. AGENDA DESCRIPTION

This order appoints Police Cadets Trie Yale, Gabby Daniels, Kevin Van Wert, and Julie Olsen constable, and Park Rangers Shana Tinkle, Madison Ellingsworth, Teagan Moon, Ekaterina Clarke, Corinne Couch, Maria Goodstein, and Joseph Moore constable, in order to enforce ordinances in the Portland City Code. Jetport garage SP Plus employees Shawn McGovern, Timothy Welsh. John Taylor, Brittnee Gauna, and Jo Hafford would also be appointed constables.

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This appointment is effective from 12:01 a.m. on January 1, 2023 until 12:00 midnight, December 31, 2023, and is made pursuant to Portland City Code, Sections 2019 and 2019.5. Constables are not allowed to carry a firearm, concealed or unconcealed, in the performance of their duties, or to make arrests or issue parking tickets.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is $50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not

limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Constable Appointments for Parks, Police, Jetport 6.5.2023
2. Amendment to Order 226 Constable Appointments for Parks, Police, Jetport 6.5.2023

Prepared by:
Date: 05/22/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER APPOINTING CONSTABLES FOR THE PARKS, RECREATION & FACILITIES AND THE POLICE DEPARTMENTS AND THE JETPORT GARAGE FOR 2023

ORDERED, that Police Cadets Trie Yale, Gabby Daniels, Kevin Van Wert, and Julie Olsen are hereby appointed constable for the 2023 calendar year; and

BE IT FURTHER ORDERED, that Park Rangers Shana Tinkle, Madison Ellingsworth, Teagan Moon, Ekaterina Clarke, Corinne Couch, Maria Goodstein, and Joseph Moore are hereby appointed constable for the 2023 calendar year; and

BE IT FURTHER ORDERED, that Jetport Garage SP Plus Corporation employees Shawn McGovern, Timothy Welsh. John Taylor, Brittnee Gauna, and Jo Hafford are hereby appointed constable for the 2023 calendar year; and

BE IT FURTHER ORDERED, that these appointments shall be effective from the effective date of this order until 12:00 midnight, December 31, 2023; and

BE IT FURTHER ORDERED, that this appointment is pursuant to Sections 20-19 and 20-19.5, Portland City Code, and this constable is not allowed to carry a firearm, concealed or unconcealed, in the performance of duties, or to make arrests or issue parking tickets.

AMENDMENT TO ORDER 226-22/23
PREPARED BY CORPORATION COUNSEL
FOR MAYOR KATE SNYDER
RE: ADDING NEW PARK RANGER AIDAN FOSS

ORDERED, that Police Cadets Trie Yale, Gabby Daniels, Kevin Van Wert, and Julie Olsen are hereby appointed constable for the 2023 calendar year; and

BE IT FURTHER ORDERED, that Park Rangers Shana Tinkle, Madison Ellingsworth, Teagan Moon, Ekaterina Clarke, Corinne Couch, ~~Maria Goodstein~~Aidan Foss, and Joseph Moore are hereby appointed constable for the 2023 calendar year; and

BE IT FURTHER ORDERED, that Jetport Garage SP Plus Corporation employees Shawn McGovern, Timothy Welsh. John Taylor, Brittnee Gauna, and Jo Hafford are hereby appointed constable for the 2023 calendar year; and

BE IT FURTHER ORDERED, that these appointments shall be effective from the effective date of this order until 12:00 midnight, December 31, 2023; and

BE IT FURTHER ORDERED, that this appointment is pursuant to Sections 20-19 and 20-19.5, Portland City Code, and this constable is not allowed to carry a firearm, concealed or unconcealed, in the performance of duties, or to make arrests or issue parking tickets.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 31, 2023

SUBJECT: Order 227-22/23 Confirming Governor Mills' Appointment of John Henshaw to the Board of Harbor Commissioners - Sponsored by Danielle P. West, City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(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 action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: N/A

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

I. SUMMARY

II. AGENDA DESCRIPTION

Consistent with state statute, P.&S. Law 1993, c. 34., the City Council is asked to provide concurrence to the appointment by Governor Janet T. Mills of John Henshaw to the Board of Harbor Commissioners for Portland Harbor.

Mr. Henshaw served as Executive Director of the Maine Port Authority and Director of Ports and Marine Transportation at MaineDOT from 2007 to 2017. He is a Past President of the North Atlantic Ports Association, and currently serves as Senior Advisor and as a member of the Advisory Board of the International Association of Maritime and Port Executives. At MaineDOT, Mr. Henshaw oversaw the Maine Pilotage Commission, CruiseMaine, and dredging projects in the state.

During his tenure at the Maine Port Authority, the Authority operated the International Marine Terminal in Portland from 2009 to 2017 and oversaw its redevelopment as an international shipping hub. In 2009, Mr. Henshaw was selected as Maritime Person of the Year by the Propeller Club, Port of Portland, Maine.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is $50,000 or more in a given

fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Order Confirming Henshaw to Board of Harbor Commissioners 6.5.2023
2. 2023 Henshaw letter to the Governor
3. Ptld Harbor Commission Henshaw Apt letter to City of Portland 05.05.2023

Prepared by:
Date: 05/31/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER CONFIRMING GOVERNOR MILLS' APPOINTMENT OF JOHN HENSHAW TO THE BOARD OF HARBOR COMMISSIONERS

ORDERED, that Governor Janet T. Mills' appointment of John Henshaw to the Board of Harbor Commissioners for the Port of Portland is hereby confirmed.

380 Bunganuc Road
Brunswick, ME 04011
March 17, 2023

The Honorable Janet T. Mills
Governor of Maine
1 State House Station
Augusta, ME 04333

Dear Governor Mills:

I am writing to express my interest in serving as your Personal Appointment to the Board of Harbor Commissioners for Portland Harbor. I previously served as your Personal Appointment to the Harbor Commission in 2020 before moving to Connecticut to take up the position of Executive Director of the Connecticut Port Authority. I returned to Maine last fall and am eager to serve Maine's maritime communities.

My background and experience make me well suited to the position. I served as Executive Director of the Maine Port Authority and Director of Ports and Marine Transportation at MaineDOT from 2007 to 2017. I am a Past President of the North Atlantic Ports Association and currently serve as Senior Advisor and as a member of the Advisory Board of the International Association of Maritime and Port Executives. I also have other experience relevant to the work of the Commission. At MaineDOT, I oversaw the Maine Pilotage Commission, CruiseMaine, the state's cruise ship marketing program, and dredging projects in the state. During my tenure at the Maine Port Authority, we operated the International Marine Terminal in Portland from 2009 to 2017 and oversaw its redevelopment as an international shipping hub. In 2009, I was selected as Maritime Person of the Year by the Propeller Club, Port of Portland, Maine.

My application is supported by Matt Burns, the Executive Director of the Maine Port Authority. Matt has agreed to serve as a reference, as has Jeanne Hulit, a former DECD colleague, and Maine Port Authority Board Member. I worked closely with MaineDOT Commissioner Van Note when he served as Chair of the Board of Directors of the Maine Port Authority during a portion of my tenure at the Port Authority.

It would be a great honor for me to serve again as your Personal Appointment to the Board of Harbor Commissioners for Portland Harbor. Please don't hesitate to contact me if you have any questions or require any additional information. Thank you for considering my application.

Sincerely,

John H. Henshaw

John H. Henshaw

cc: Melissa O'Neal, Director, Boards and Commissions

Janet T. Mills
GOVERNOR

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

May 5, 2023

Ms. Danielle West
Interim City Manager
City of Portland
389 Congress St
Room 208
Portland, ME 04101

RE: Appointment of John Henshaw of Brunswick to the Board of Harbor Commissioners for Portland Harbor

Dear Ms. West:

I am pleased to nominate John Henshaw of Brunswick for appointment to the Board of Harbor Commissioners for Portland Harbor.

Pursuant to P. & S. Law 1993, c. 34, this appointment is contingent on the concurrence of the city councils of Portland and South Portland. Please inform Melissa O'Neal-Low, Director of Boards & Commissions in my office of your concurrence or dissent by June 5, 2023 at melissa.oneal-low@maine.gov or at 207.287.3543.

Thank you.

Very truly yours,

Janet T. Mills
Governor

JTM/maol
cc: Melissa A. O'Neal-Low, Director, Boards & Commissions, Office of the Governor
Matthew Burns, Executive Director, Maine Port Authority
Bruce Van Note, Commissioner, Maine Department of Transportation
William J. Mann, Economic Development Director, City of South Portland
Bill Needleman, Economic Development Dir., City of South Portland

MEMORANDUM
City Council Agenda Item

FROM: Clare Norton

DATE: May 22, 2023

SUBJECT: Order 228-22/23 Declaring July 4, 2023 the July 4th Festival - Sponsored by Danielle P. West, City Manager

SPONSOR: Danielle West; 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 6/5/2023 **Final Action**

Can action be taken at a later date: No Event is taking place on July 4, 2023.

Does this item involve a new contract with the City: No

PRESENTATION: Andrew J Downs, Director of Public Assembly Facilities will be available to answer any questions.

I. SUMMARY

Order declaring July 4, 2023 the July 4th Festival.

II. AGENDA DESCRIPTION

The City of Portland is prepared to host a fireworks display on the 4th of July again this year. The City has sponsored the July 4th Fireworks and activities on the Eastern Promenade for a number of years. The display will be held on Tuesday, July 4th in its usual spot on the Eastern Promenade with the fireworks set to go off at approximately 9:15pm. A rain date is scheduled for Wednesday, July 5, 2023.

Like last year, the celebration will be based around the fireworks display presented by Central Maine Pyrotechnics. There will be no musical performance, VIP Area, or ticketed element to this year's celebration. The City will not be providing or managing food vendors as has happened in the past. Approved and licensed food trucks will be allowed to operate in the designated area in the middle parking lot on Cutter Street, following Food Truck Rules and Regulations and City ordinances.

III. BACKGROUND

The City has sponsored the July 4th Fireworks and activities on the Eastern Promenade for a number of years.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

For the City Council to pass the order declaring Tuesday July 4th 2023 as the July 4th festival.

V. FINANCIAL IMPACT

Fireworks are part of the FY24 Budget.

VI. STAFF ANALYSIS AND BACKGROUND

City of Portland staff are confident that we can host another successful July 4th Fireworks Celebration.

VII. RECOMMENDATION

Approval is recommended.

VIII. LIST ATTACHMENTS

1. July 4th Festival 6.5.2023
2. July 4 Council Memo 2023
3. Street Closures and Parking Restrictions 2023

Prepared by:
Clare Norton
Date: 05/22/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER DECLARING JULY 4, 2023 THE JULY 4TH FESTIVAL

ORDERED, that the July 4th Festival be and hereby is declared for Tuesday, July 4, 2023 from 6:00 a.m. to 11:00 p.m., with a rain date of Wednesday, July 5, 2023, in the City of Portland, organized by the City of Portland; and

BE IT FURTHER ORDERED, that the July 4th Festival area shall include:

The East End Trail Trail from Cutter Street to the Water Treatment Plant, which will be closed from 6:00 a.m. to 11:00 p.m., Fore Street at Mountfort Street to Eastern Promenade, Eastern Promenade to Washington Avenue, Washington Avenue to Congress Street, and Congress Street at Mountfort Street to Fore Street and the Fort Allen Park area; the Eastern Promenade (including sidewalk areas on both sides of the street) from Morning Street to Loring Memorial near East End Community School, as well as Payson Park area and Baxter Boulevard, in the City of Portland; and

BE IT FURTHER ORDERED, that the following streets will be closed to vehicular traffic from approximately 10:00 a.m. to 11:00 p.m. on July 4 (or if necessary on the July 5 rain date):

Eastern Promenade from Morning Street to Congress Street, Wilson Street from Morning Street to Eastern Promenade, Moody Street from Morning Street to Eastern Promenade; and

BE IT FURTHER ORDERED, that the following streets will be closed to vehicular traffic from approximately 3:00 p.m. to 10:00 p.m. on July 4 (or if necessary on the July 5 rain date):

Congress Street from Morning Street to Eastern Promenade, Turner Street from Morning Street to Eastern Promenade, Quebec Street from Emerson Street to Eastern Promenade, Melbourne Street from Emerson Street to Eastern Promenade, Montreal Street from Willis Street to Eastern Promenade, Walnut Street from Willis Street to Eastern Promenade.; and

BE IT FURTHER ORDERED, that all of Munjoy Hill and the Eastern Prom will be closed to traffic (Mountfort Street at Fore Street and Congress Street; Washington Avenue at Congress Street Marion Street, Cumberland Avenue, Walnut Street, and Eastern Promenade) starting at 6:30 p.m. on July 4, 2023 (or if necessary on the July 5 Rain date):

BE IT FURTHER ORDERED, that on-street parking will be restricted from 7:00 a.m. until 11:00 p.m. on July 4, 2023 on Eastern Promenade (both sides) from Morning Street to Washington Avenue, Fort Allen Park (both sides), Walnut Street (one side) from Eastern Promenade to Washington Avenue, Mountfort Street from Fore Street to Congress Street (one side), and these streets will be posted in advance; 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 Cutter Street will be closed to public traffic, except that boat launching pick-up and drop-off only (no parking) will be allowed till 6:30 p.m. on July 4 (or if necessary on the July 5 rain date) beginning at 6:00 a.m.; and

BE IT FURTHER ORDERED, that the Festival area will also be closed to street vendors, with the exception of approved licensed food trucks and food vendors in designated areas, pursuant to Section 19-17 of the Portland City Code, and is reserved for the use of the City of Portland for the purpose of administering the Festival; and

BE IT FURTHER ORDERED, that security for the event will be provided by the Parks, Recreation, and Facilities Department, and trash and recycling will be removed and managed by the Public Works Department; and

BE IT FURTHER ORDERED, that 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 event.

Ethan Hipple
Director
Department of Parks, Recreation & Facilities Management

Andrew J. Downs
Director
Public Assembly Facilities Division

TO: Danielle West, City Manager
FROM: Andrew Downs, Director of Public Assembly Facilities Division
DATE: May 30, 2023
RE: July 4th Fireworks

I am requesting that the following order be placed on the June 5th City Council agenda:

Order declaring Tuesday July 4, 2023, as July 4th Fireworks
(Rain Date: Wednesday, July 5, 2023)

The City of Portland is prepared to host a fireworks display on the 4th of July again this year. The City has sponsored the July 4th Fireworks and activities on the Eastern Promenade for a number of years. The display will be held on Tuesday, July 4th in its usual spot on the Eastern Promenade with the fireworks set to go off at approximately 9:15pm. A rain date is scheduled for Wednesday, July 5th.

Like last year, the celebration will be based around the fireworks display presented by Central Maine Pyrotechnics. There will be no musical performance, VIP Area, or ticketed element to this year's celebration. The City will be managing food vendors as has happened in the past. Approved and licensed vendors and food trucks will be allowed to operate in the designated area of the Festival Zone on Eastern Promenade roadway (between Congress Street and Morning Street).

The fireworks can be seen from other locations than the Eastern Promenade. These locations include East End Beach, Fort Allen Park, Amethyst Park, Baxter Boulevard, Payson Park, Martin's Point on Veranda Street, and Bug Light in South Portland.

The Festival runs from 6:00am (closing of Cutter Street) – 11:00pm Tuesday July 4, 2023. (**Rain date is Wednesday July 5th 2023).**

Fireworks will be launched from the East End Trail. Trail will need to be closed from Cutter Street to the Water Treatment Plant from 6:00am until deemed safe by City Staff (approximately 11:00pm.) In the event of rain, these Trail closings would be in effect until Wednesday, July 5th (same times would apply).

All Security for the event will be provided by the City of Portland's Parks, Recreation & Facilities Management Department.

All trash and recycling will be removed and managed by City Public Works Department.

Portable toilets will be provided for the public in various locations around the Eastern Promenade.

Tennis Courts and Basketball Courts will be closed to the public beginning at 5:00pm.

Community Gardens and Playground will be closed to the public all day on July 4th beginning at 6:00am.

Ethan Hipple
Director
Department of Parks, Recreation & Facilities Management

Andrew J. Downs
Director
Public Assembly Facilities Division

In order for the Festival to be held, a portion of the Eastern Promenade needs to be barricaded and closed to traffic.

The Festival area will include:
Fore Street at Mountfort Street to Eastern Promenade, Easter Promenade to Washington Avenue, Washington Avenue to Congress Street, and Congress Street at Mountfort Street to Fore Street. Festival Area will include the Fort Allen Park area, the Eastern Promenade (including sidewalk areas on both sides of the street) from Morning Street to Loring Memorial near East End Community School, the Payson Park area, as well as Baxter Boulevard area, as many families take in the fireworks display from those areas.

Cutter Street will be closed to vehicular traffic on Tuesday, July 4th (except for designated handicapped parking) from 6:00am to 11:00pm or until deemed safe by City Staff. Access will be allowed for boat launch (no extended parking, drop off/pick up only) until 6:30pm on Tuesday, July 4th. In the event of rain, these street closings would be in effect at 6:00am on Wednesday July 5th and ending at approximately 11:00pm.

The following streets will be closed to vehicular traffic from approximately 10:00am to 11:00pm, on Tuesday, July 4th (July 5th Rain date): Eastern Promenade from Morning Street to Congress Street, Wilson Street from Morning Street to Eastern Promenade, Moody Street from Morning Street to Eastern Promenade. In the event of rain, these street closings would be in effect for Wednesday, July 5th.

The following streets will be closed to vehicular traffic from approximately 3:00pm to 11:00pm, on Tuesday, July 4th (July 5th Rain date): Congress Street from Morning Street to Eastern Promenade, Turner Street from Morning Street to Eastern Promenade, Quebec Street from Emerson Street to Eastern Promenade, Melbourne Street from Emerson Street to Eastern Promenade, Montreal Street from Willis Street to Eastern Promenade, Walnut Street from Willis Street to Eastern Promenade. In the event of rain, these street closings would be in effect for Wednesday, July 5th.

All of Munjoy Hill and the Eastern Promenade will be closed to traffic (from Washington Ave. up), starting at 6:30pm on Tuesday July 4th (July 5th Rain date). Street closures include Mountfort Street at Fore Street and Congress Street; Washington Avenue at Congress Street Marion Street, Cumberland Avenue, Walnut Street, and Eastern Promenade. Streets will be opened up again after the fireworks display (at approximately 11:00pm). In the event of rain, these street closings would be in effect for Wednesday, July 5th.

On-street parking will be restricted from 7:00am until 11:00pm on Tuesday July 4th at Eastern Promenade (both sides) from Morning Street to Washington Avenue, Fort Allen Park (both sides), Walnut Street (one side) from Eastern Promenade to Washington Avenue, Mountfort Street from Fore Street to Congress Street (one side). These streets will be posted in advance, any cars parked illegally will be towed at the owner's expense. In the event of rain, these restrictions would be in effect for Wednesday, July 5th. With construction, these restrictions may be subject to change.

The Festival area will also be closed to street vendors, with the exception of approved licensed food trucks and food vendors in designated areas, pursuant to Section 19-17 of the Portland City

Ethan Hipple
Director
Department of Parks, Recreation & Facilities Management

Andrew J. Downs
Director
Public Assembly Facilities Division

Code and is reserved for the use of the City of Portland for the purpose of administering the Festival.

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 event.

Street Closures and Parking Restrictions

Cutter Street and all the parking lots on Cutter Street will be closed from **10:00 PM July *3rd* to 6:30 AM *July* 5th or 6:30 AM, July 6th if a rain date is necessary**.

The East End Boat Launch will be available for Boaters (drop off/pick up only) until 6:30 PM on July 4th or July 5th if a rain date is necessary. Boaters can access alternate launches nearby including the Falmouth Town Landing on Route 88 (207-781-7317), Fore River Boat Launch in Bug Light Park in South Portland (207-767-7650) and Portland Yacht Services (207-774-1067).

The on-street parking will be restricted for the following streets from 7:00 AM until 11:00 PM, July 4th (rain date would extend closures to 11:00 PM July 5th):

- Eastern Promenade (both sides) from Morning Street to Washington Avenue
- Fort Allen Park (both sides)
- Walnut Street (one side) from Eastern Promenade to Washington Avenue
- Mountfort Street (one side) from Fore Street to Congress Street

There are a number of parking garages and lots just a short walk from the Eastern Promenade. to view a list or map. visit the City's website at http://www.portlandmaine.gov/parking/offstreet.asp

At 10:00 AM on July 4th, the following streets will be closed to the public until 11:00 PM (rain date would extend closures to 11:00 PM July 5):

- Eastern Promenade from Morning Street to Congress Street
- Wilson Street from Morning Street to the Eastern Promenade
- Moody Street from Morning Street to the Eastern Promenade

At 3:00 PM on July 4th, the following streets will be closed to the public until 11:00 PM (rain date would extend closures to 11:00 PM July 5):

- Turner Street from Morning Street to the Eastern Promenade
- Quebec Street from Emerson Street to the Eastern Promenade
- Melbourne Street from Emerson Street to the Eastern Promenade
- Montreal Street from Willis Street to the Eastern Promenade
- Walnut Street from Willis Street to the Eastern Promenade

At 6:30 PM on July 4th, all of Munjoy Hill will be closed and the Eastern Prom will be closed to traffic (from Washington Avenue up) until 11:00 PM (rain date would extend closures to 11:00 PM July 5th):

- Mountfort Street at Fore Street and Congress Street

- Washington Avenue at Congress Street, Marion Street, Cumberland Avenue, Walnut Street, and Eastern Promenade

Alternate Fireworks Display Viewing Locations

Although, the Fireworks Display can be seen from Eastern Promenade, other viewing locations are East End Beach, Fort Allen Park, Amethyst Park, Baxter Boulevard, Payson Park, Martin's Point on Veranda Street, and Bug Light (South Portland)

Food Trucks and Food Vendors

Food Vendors and Food Trucks that have been approved to operate at the event will be permitted to set-up and operate on July 4th, 2023 and July 5th, 2023 (rain date if necessary) in designated areas on Eastern Promenade Roadway. No parking will be allowed anywhere along both sides of Eastern Promenade Roadway from Morning Street to Washington Avenue. Food Vendors and Food Trucks must arrive between 10:00am - 12:00pm. Food Vendors and Food Trucks will need to remain in place at their location until the fireworks display is completed and the roadway is deemed safe by City Staff and reopened to vehicular traffic (approximately 11:00pm).

MEMORANDUM
City Council Agenda Item

FROM: Rusty Groh

DATE: May 22, 2023

SUBJECT: Order 229-22/23 Declaring Sundays from June 16 to September 23, 2023 the Open Air Sundays Festival on Lower Exchange Street - Sponsored by the Sustainability & Transportation Committee, Councilor Andrew Zarro, Chair

SPONSOR: Danielle West; 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 6/5/2023 **Final Action 6/5/2023**

Can action be taken at a later date: No The organizer needs approval for planning purposes.

Does this item involve a new contract with the City: No

PRESENTATION: Cary Tyson, Executive Director of Portland Downtown, will be available to answer any questions.

I. SUMMARY

Order declaring "Open Air Sundays" on Exchange Street (from Middle Street to Fore Street) from June 16, 2023 to September 23, 2023 as a seasonal festival event.

II. AGENDA DESCRIPTION

On Wednesday, May 24, 2023, the Sustainability & Transportation Committee voted (2-0, Pelletier absent) to recommend this item for Council consideration and passage.

Portland Downtown has applied for a permit to close lower Exchange Street (Middle to Fore streets) every Sunday from June 16 to September 23, 2023, in order to hold an event called 'Open Air Sundays'. It is proposed that restricting use of the roadway to pedestrians and bicyclists will benefit the community economically and socially.

Portland Downtown plans to purchase, install, and remove barricades at the Exchange and Middle and Exchange and Fore streets intersections before and after each Sunday. The organization also plans to study the performance of the street closure and produce a report in conjunction with a third party.

Portland Downtown has confirmed that, by June 5, outreach will have been conducted to businesses and property owners on lower and upper Exchange, Middle Street, Milk Street, and Fore Street, either in writing, in person, or by email. Portland Downtown also hosted a public meeting on May 31, 2023 to discuss their proposal.

City staff have confirmed that, due to the proposed schedule, no parking meter revenue will be lost as a result of the temporary closure. In addition, emergency responders have confirmed that Portland Downtown's proposal will allow sufficient emergency vehicle access to Exchange Street if needed.

Five affirmative votes are required for passage of the Consent Calendar after public comment.

III. BACKGROUND

Open Streets are immensely popular across the globe. This proposal is similar to the efforts the City led in the earliest parts of the pandemic in 2020. However, this amended version proposes use of a much smaller, condensed and manageable area. It is Portland Downtown's opinion that 2020's undertaking had many conflating factors, and it did not serve as a true experiment.

In 2022, New York City saw their Open Streets corridors significantly outperform nearby control corridors on three metrics: sales growth, growth in number of restaurants & growth in number of bars.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

For the City Council to pass the order declaring "Open Air Sundays" as a festival.

V. FINANCIAL IMPACT

Organizer will pay for all appropriate fees.

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

City staff have reviewed safety factors involved with the closure and are confident that Portland Downtown can host a successful season of Open Air Sundays.

VIII. LIST ATTACHMENTS

1. Open Air Sundays on Lower Exchange Street 6.5.2023
2. 4.10.23 Lower Exchange Road Block Map
3. PD Permit App Open Streets Lower Exchange 3.10.23
4. Public Comment Order 229

Prepared by:
Rusty Groh
Date: 05/22/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER DECLARING JUNE 16 TO SEPTEMBER 23, 2023 THE OPEN AIR SUNDAYS FESTIVAL ON LOWER EXCHANGE STREET

ORDERED, that Sundays from June 16, 2023 to September 23, 2023 are hereby declared to be the Open Air Sundays Festival on Lower Exchange Street; and

BE IT FURTHER ORDERED, that the Open Air Sundays Festival on Lower Exchange Street festival area shall be Exchange Street From the Middle Street intersection to the Fore Street intersection; and

BE IT FURTHER ORDERED, that Exchange Street from the Middle Street intersection to the Fore Street intersection shall be closed to traffic from 9:00 a.m. to 9:00 p.m. on every Sunday from June 16, 2023 to September 23, 2023; 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

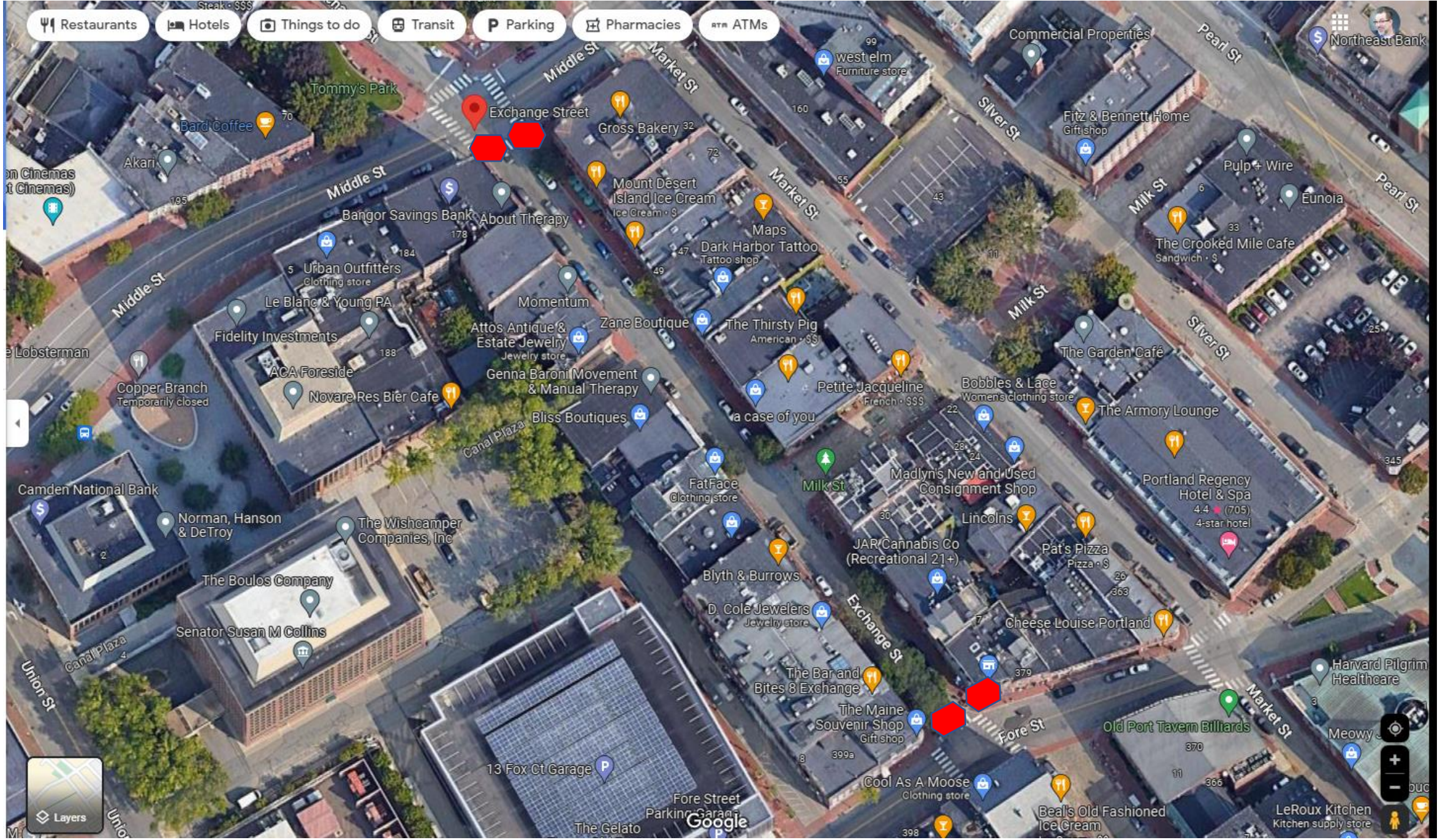
BE IT FURTHER ORDERED, that the Open Air Sundays Festival on Lower Exchange Street festival area shall be closed to licensed street vendors as provided in §19-17 of the City Code; and

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit under §25-27 of the City Code to Portland Downtown, the sponsor of the Festival, subject to the direction and control of the City Manager and to the following specific conditions:

1. No alcoholic beverages may be sold on the streets or public property during the Festival within the Festival area; and

2. Assistance from City Departments will be in kind; and

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


Restaurants
Hotels
Things to do
Transit
Parking
Pharmacies
ATMs
Exchange Street
Middle St
Market St
Silver St
Pearl St
Milk St
Fore St
Union St
Canal Plaza
Tommy's Park
Bard Coffee
Akari
Gross Bakery
Mount Desert Island Ice Cream
Ice Cream · $
Maps
Dark Harbor Tattoo
Tattoo shop
Bangor Savings Bank
About Therapy
Urban Outfitters
Clothing store
Momentum
Le Blanc & Young PA
Fidelity Investments
Zane Boutique
Attos Antique & Estate Jewelry
Jewelry store
The Thirsty Pig
American · $$$
Genna Baroni Movement & Manual Therapy
Novare Res Bier Cafe
Bliss Boutiques
Copper Branch
Temporarily closed
ACA Foreside
Petite Jacqueline
French · $$$
a case of you
FatFace
Clothing store
Milk St
Madlyn's New and Used Consignment Shop
Bobbles & Lace
Women's clothing store
The Garden Café
The Armory Lounge
Portland Regency Hotel & Spa
4.4 (705)
4-star hotel
Lincolns
Pat's Pizza
Pizza · $
JAR Cannabis Co (Recreational 21+)
Blyth & Burrows
D. Cole Jewelers
Jewelry store
Cheese Louise Portland
Camden National Bank
Norman, Hanson & DeTroy
The Wishcamper Companies, Inc
The Boulos Company
Senator Susan M Collins
13 Fox Ct Garage
Fore Street Parking Garage
The Gelato
The Bar and Bites 8 Exchange
The Maine Souvenir Shop
Gift shop
Cool As A Moose
Clothing store
Beal's Old Fashioned Ice Cream
Old Port Tavern Billiards
Harvard Pilgrim Healthcare
LeRoux Kitchen
Kitchen supply store
Meowy
Commercial Properties
west elm
Furniture store
Fitz & Bennett Home
Gift shop
Pulp + Wire
Eunoia
The Crooked Mile Cafe
Sandwich · $
Northeast Bank
Layers
Google

parks, recreation & facilities

TIER III / SPECIAL EVENT
PUBLIC PARK AND SPACE

City of Portland, Public Assembly Facilities Division
221 Canco Road Suite A
Portland, Maine 04103
207-808-5434
Rusty Groh - rgroh@portlandmaine.gov

TIER III APPLICATION FEE $50.00
EXPECTED ATTENDANCE 2000+

PAYMENT MUST BE MADE WHEN SUBMITTING COMPLETED APPLICATION

(This is a transferable/non-refundable fee. If your event is permitted, the $50.00 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, 3) insurance required and 4)Area Impact Study. There may be fees due and applications required from other City Departments.

TODAY'S DATE	3.10.232	ORGANIZATION NAME	Portland Downtown		
ADDRESS (Street/City/State/Zip)	PO Box 8593 Portland, ME 04104				
CONTACT NAME(S)	Cary Tyson	TITLE(S)	Executive Director		
PHONE	207.772.6828 x212	PHONE		PHONE	
EMAIL	cary@portlandmaine	EMAIL		EMAIL	

PARK AREA / PUBLIC SPACE REQUESTED	Lower Exchange (Middle to Fore)		
EVENT DAY(S) & DATE(S) Sundays, June 11 - Sept 24	Sundays, June 1	RAIN DAY(S) & DATE(S) (50% added fee)	n/a
OVERALL EVENT START & END TIME (When setup will begin until cleanup is expected to be complete.)	c.10a-9p	EVENT START & END TIME	

EVENT NAME	EVENT CLASSIFICATION Road Race, Parade, Public Assembly, Music Festival, Block Party	EXPECTED ATTENDANCE
Open Air Sundays	open streets	?

AREA IMPACT STUDY: Please be as specific as possible regarding the area of public space/park that you would like to permit and please describe the event in detail using the **AREA IMPACT STUDY(AIS) CHECKLIST**.(add link to guide.)

AIS CHECKLIST	COMPLETED
1. Description of event. Brief description of event and event history so that all departments may better understand your event request. (Downloadable format)	
2. Permits. Include all applicable permits from all pertinent city departments.(Fire,Police,City clerk...)	
3. Detailed site plans. Include maps of venue, parade and course routes, parking/shuttle plans, evacuation plans... (Downloadable format) close w/ some form of barricade, lower Exchange Middle to Fore	
4. Event components. Event time frame, sound levels, neighborhood impacts, road closures, security/police, EMS services. (Downloadable format) approx 9a - 9p	

IS THERE A REGISTRATION FEE/PLEDGES COLLECTED FOR THIS EVENT? NO	Please check: 0 FEE	_____ PLEDGES	
IF YES FOR FEES, HOW MUCH?	FEE	$	

	STUDENT FEE	$

PLEASE CHECK OFF AND ANSWER:

	Fees for Police, Fire/EMS or Parking Control Staff will be invoiced by those individual departments & should be paid to them directly.	X-YES	X-NO	AIS
*	Are you setting up a **canopy(s)?** (10'x10' size or smaller) **How many?** Maybe Apx 5			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: https://content.civicplus.com/api/assets/376697a8-b6ac-4a4c-babc-9dbcf1e61eb8 or contact the Permitting and Inspections Department at buildinginspections@portlandmaine.gov or 207-874-8703 for more information. PLEASE apply at least 2-weeks before your event. **Tent/Stage Size(s):** **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. ***			Permit Required Include on Site Plan
*	Will you be setting up **tables and/or chairs?** How many tables: apx 10 chairs: apx 20	X		Include on Site Plan
*	Are other items or equipment being placed on City property? (i.e. Moon Bounce, Dunk Tank, Radio Station Van, Helium Tank, etc.) Please List:			Include on Site Plan
*	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 the Business Licensing Office. PLEASE provide them at least 2 weeks advance notice (207-874-8557). **List food and drink / Food Trucks, etc.:** 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	License Required Include on Site Plan
*	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 (207-874-8557) – 2 week notice. **List items you wish to sell:** No - block no working to click no		X	License Required Include on Site Plan
*	Do you wish to sell or provide **Alcohol? If yes**, you must complete the application for a Liquor License specific to your event through the State of Maine and submit the application to the City of Portland Business office first. Application will need City of Portland's approval prior to going to the State. Questions?please contact the Division of Liquor Licensing and Enforcement at (207) 624-7220/email- MaineLiquor@maine.gov.		X	License Required -
*	Are you setting up a **PA (sound) system?** Maybe Are you planning on having **Amplified Music?** (Band?) **DJ? Boom Box?** 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. likely A person & instrument, low volume			License Required Include on Site Plan & Event Components
*	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		t, close th
*	Will your event need **safety vests, signs, barricades and/or cones?** We can purchase these if needed **Please list what you would like to borrow/rent:** Limited safety vests, cones & barricades may be borrowed/rented from PAFD Office. Traffic signs may be borrowed/rented from Public Works if needed (207-874-8493).			
*	Will your event require **street closures**? Will your event affect **METRO BUS ROUTES**? – NO (Please be specific under "Description of Event")	X		Include on Event Components

*	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 visit: https://portlandmaine-portal.app.transform.civicplus.com/forms/26740		X	Required
*	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 207-874-8400.		X	Required
*	Will your event require **Parking Control** assistance? To hire a Parking Control Officer(s) to be on site at your event, please call 207-874-8910 well in advance to arrange.		X	
*	Will your event require **portable-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. **1 unit/50 people when serving alcohol 1 unit/75 people with no alcohol**		X	Include on Site Plan
*	Will your event require waste management and recycling? What is the waste management plan? no		X	Include on Site Plan & Event Components
	For events where more than two thousand (2,000) individuals anticipated to gather or participate in the event or activity in the park, the **permittee shall provide a bond in the form of cash, certified check or surety bond from a surety company qualified to do business in the State of Maine in an amount of not less than two thousand dollars ($2,000.00). Such a bond shall be utilized to guarantee cleanup of the area and shall be applied against claims by the city for excessive damage to real or personal property in the park.**			Required

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	Required

♦ 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 rgroh@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 are required to have a fire extinguisher with in 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 the organizer, then no additional user fee is assessed. Porta-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, the 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 the 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 this may need to be approved by the Portland Fire Department. 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 ($25 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). Please make sure signs are removed once the event is complete.

FIREWORKS

Organizers wishing to have fireworks as part of their event must contact the Portland Fire Department directly. Permits will need to be obtained through the Portland Fire Department, the State of Maine and possibly through the US Coast Guard.

ALCOHOL / SMOKE-FREE ZONES

By city ordinance, smoking a cigar, cigarette, pipe, marijuana, 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 an Entertainment License from the PAFD Office.
If the Police Dept./City Staff receive noise complaints, they will respond accordingly.
Please set the 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 85 decibels / C-weighted 95 decibels. One verbal warning shall be issued if the sound has been found to have exceeded those limits. The warning may be given to the sound board operator or the organizer/organizer's designee. If the decibel limit is found to have been exceeded a second time during the same event, the entertainment license (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

Events must be canceled with PAFD prior to the event date in order to be eligible for a refund.
If canceled within 2 weeks of the 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.. 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 neighborhoods, businesses, including restaurants that may have tables out for dining, to alert them to your event.

STREET CLOSURE NOTIFICATION
Should an 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 an event impacts METRO Buses, the organizer (in advance) must discuss detour plans with Parks Rec and Facilities..

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	CT	DATE	3.10.23

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**	ct	**DATE**	3.10.23

PLEASE INITIAL & DATE HIGH-LIGHTED YELLOW BOXES ABOVE.

PLEASE RETURN FORM AT LEAST 60 DAYS IN ADVANCE TO:

♦ Public Assembly Facilities Div. ~ 212 Canco Rd. ~ Portland ~ ME ~ 04103 **EMAIL PREFERRED:** rgroh@portlandmaine.gov

FEE SCHEDULE – UPDATED JULY 1, 2019

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	Electricity (activation/deactivation) Fee: $40/flat
Event with registration or pledges & attendance 25 - 300: $125/hr	Porta Restroom User Fee (if attendance is 150+): $25
Event with registration or pledges & attendance 301+: $225/hr	Entertainment License: $50
Film/Photo Shoot: $150/day	Barricades: $5/ea. Rental Fee + $25/ea. Security Deposit
Public Space/Park Security Deposit: $100 - $1000	Bike Racks: $10/ea. Rental Fee + $25/ea. Security Deposit
Sound Security Deposit: $100 - $1,000	Flashing Lights: $10/ea. Rental Fee + $40/ea. Security Deposit
Impact/Street Closure Fee (variable based on impact): $100-$500	Cones: $2/ea. Rental Fee + $15/ea. Security Deposit
Staff Fee (on site event support): $37/hour	Safety Vests: $15/ea. Security Deposit
Administrative Fee (event coordination support): $40/hour or more	Keys: $50/ea. Security Deposit
Reserved Parking: $25 each space	Equipment Delivery Fee: $100 or more
Cancelation Fee: $75	Fortification Fee: TBD

TOTAL AMOUNT(S) DUE TO PUBLIC ASSEMBLY FACILITIES DIVISION (Please make all security deposit checks out separately)			
Permit Fee for use of area: Number of Hours of Use: **Approx.**	$	Entertainment License Fee:	$
		Equipment Rental Fee:	$
Staff Fee (on site event support):	$	Public Space / Park / Sound Security Deposit:	$
Admin. Fee (event coordination support):	$	Borrowed / Rented Equipment Deposit:	$
Electricity Fee (activation/deactivation):	$	Additional Fees: (Porta-Restroom User Fee, "No Parking" Signs, etc.)	$
Impact/Street Closure Fee (variable based on impact):	$		

CITY OF PORTLAND ACCEPTS CASH, CHECK, MONEY ORDER AND CREDIT / DEBIT CARDS FOR PAYMENT
Checks should be made payable to City of Portland There will be a 2.65% processing fee added to all Debit / Credit Card transactions.

FOR OFFICE USE ONLY							
APPLICATION FEE:	$ 25.00	PERMIT FEE:	$	SECURITY DEPOSIT:	$	INSURANCE NEEDED?	Y / N
DATE RECEIVED:		DATE RECEIVED:		DATE RECEIVED:		DATE RECEIVED:	

Merchandise -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 (207-874-8557)
https://content.civicplus.com/api/assets/9ef5d795-ac26-4794-9e38-c2f0bb9c9f04?cache=1800

Tents/Stages -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
https://content.civicplus.com/api/assets/376697a8-b6ac-4a4c-babc-9dbcf1e61eb8

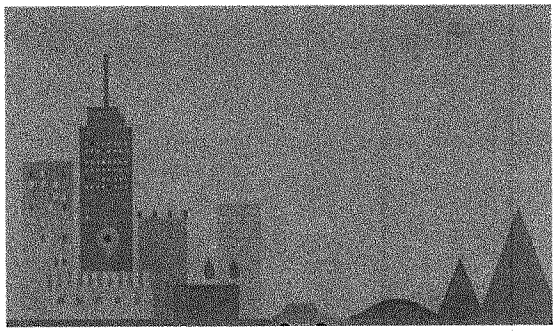
Alcohol sales -Do you wish to sell **alcohol**? You must complete the application for a Liquor License specific to your event through the State of Maine and submit the application to the City of Portland Business Licensing office first. Application will need City of Portland's approval prior to going to the State. Questions?please contact the Division of Liquor Licensing and Enforcement at (207) 624-7220/email-MaineLiquor@maine.gov. https://www.maine.gov/dafs/bablo/liquor-licensing/license-and-permit-applications

Food Sales - Will there be food vendors? If so, you must apply for a Temporary Food Service License from the Business Licensing Office.
https://content.civicplus.com/api/assets/12f35a2a-e2a4-4d87-bf05-9ec89545e996?cache=1800

Police - Will your event require **Police** assistance?
https://portlandmaine-portal.app.transform.civicplus.com/forms/26740

Fire/EMS - Will your event require **Fire/EMS** assistance? Email Fire Department - fireprevention@portlandmaine.gov

Google Maps
Exchange St
First Parish in Portland, Unitarian Universalist
Elm St. Parking Garage
United States Postal Service
4-star hotel
The Highroller Lobster Co
Seafood · $$
Black Cow Burgers & Fries
Hamburger · $
Anthropologie
Women's clothing store
Anthony's Italian Kitchen
Italian · $
Fore Street
New American · $
Hilton Portland
Post Office Park
Portland Art Gallery
Exchange Street
Bard Coffee
Dunkin'
Patriot Cinemas
Monument Square
Congress St
Main city artery with a historic vibe
Hifi Donuts
Donuts · $
Arabica Coffee Company
Stars & Stripes Brewing Company
Novare Res Bier Cafe
Portland Regency Hotel & Spa
4.4 ★ (703)
4-star hotel
Blyth & Burrows
Gilberts Chowder Ho
Aura
Hyatt Place Portland-Old Port
4.3 ★ (980)
3-star hotel
The Holy Donut
Donuts
Solo Italian
Italian · $$$
Portland Square
Gorham Savings Bank
Portland Harbor
Portland Lobster Company
Temporarily closed
Cross Insurance Arena
Google
Map data ©2023 Google
100 ft
Elm St
Congress St
Federal St
Temple St
Preble St
Center St
Free St
Spring St
Cross St
Wharf St
Middle St
Union St
Canal Plaza
Pearl St
Milk St
Custom House St
Fore St
Silver St
Market St
Dana St
1A



Exchange St

Dena Libner <dlibner@portlandmaine.gov>

Exchange St Concerns for your consideration for Monday vote

'Noelle' via City Council <Council@portlandmaine.gov> Sat, Jun 3, 2023 at 10:09 AM
Reply-To: Noelle <noellejustine@yahoo.com>
To: Council@portlandmaine.gov
Cc: ksnyder@portlandmaine.gov, atrevorrow@portlandmaine.gov

Dear City Councilors,

As a concerned resident and long standing Exchange Street business owner, I urge you to PLEASE VOTE NO on closing Exchange Street. First and foremost it is an unethical use of taxpayer money to move forward with this and causes a major concern for public safety. The city has an abundance of tourists in summer season and combined with ongoing, escalating problems with homeless and rampant mental illness and drug use requires Police to be on constant patrol for everyone's safety. Now is not the time to close down the street and limit this much needed Police presence and access.

1. Police Patrol-
The City needs to prioritize and ensure that the Portland Police Department are able to patrol lower Exchange as well as have easy access to Fore Street and Commercial Streets to keep downtown safe as well as promptly handle people who are causing a disturbance (due to drugs, intoxication, mental issues, etc). I personally have had to call the police, frequently, because I have disruptive people come into our building and into my business that threaten our safety and scare customers. It would be detrimental to public safety if the street is barricaded and Police vehicles can not patrol it or gain access quickly to deal with a potentially dangerous situation. The police department is also short staffed, and I have been told by officers to dial 911 instead of the non-emergency line because no one is working to answer the phone. When you have someone in front of your building and/or inside your business that is threatening your safety, the thought of not having the police be able to access your location quickly is terrifying.

2. Fire Safety, Emergency Vehicles & Maintenance Providers-
All need FULL access to the street at all times to assist in a serious event, not limited to; a fire, medical emergency, electrical or plumbing building emergency that would require contractors or property management on site, etc. They all need access to lower Exchange and the buildings at all times to prevent and control a catastrophic emergency, such as a fire or attend to a stabbing or shooting or someone who's having a medical emergency that needs immediate ambulance assistance. Having to remove barricades and clear streets of pedestrians, tables, chairs, tents and whatever other storefront obstacles that would be in the street, obstructing vehicles, is a MAJOR concern.

3. Parking-
Lower Exchange Street provides a plethora of parking, including commercial spots for businesses- all of which are free parking on Sunday's and this invites people and families to come visit the Old Port for shopping, dining, walking, exercise, etc. Closing the street, having to tow vehicles out to prepare for closure is a big expense and misuse of taxpayer dollars. Also, those who are disabled, elderly, have small children, etc rely on being able to find parking close to our establishments. With parking already being a major challenge in downtown Portland, eliminating all the parking spaces that lower Exchange Street has to offer is detrimental to both visitors and tenants and will have the opposite effect; if no parking is available in the area and people have to either pay expensive private parking garages rates by the hour or park far away and walk, possibly in inclement weather conditions, with elderly or disabled or small children, they are going to avoid Exchange Street area and go elsewhere. Period. Making parking more scarce and an area more difficult to access causes people NOT to come visit our businesses on Exchange Street and instead go elsewhere for convenience and necessity. This is not what we want.

4. Unethical and Discriminatory-
This closure would have The City using taxpayer money to SUPPORT SELECT PRIVATE BUSINESSES and gives them the upper hand opportunity for their businesses to expand into a closed street for profitability and increased revenue in their pocket, but not others, which is wrong. It is not the business of The City to operate with favoritism. It is simply UNETHICAL and DISCRIMINATORY to provide this opportunity to businesses only located on lower Exchange, and not all. Therefore, this street should ALWAYS remain open. Taxpayer money and city resources should NEVER be used to the EXCLUSIVE BENEFIT of supporting select PRIVATE BUSINESSES. In addition, to make city personnel, who are already short-staffed, work all Sunday's, having to pay them overtime, for 3 months, to organize towing cars, setting up and tearing down barricades, both at 8 AM and 8 PM for a 12-hour "open-air" is absurd and completely unnecessary.

5. Tenants-
Old Port residents and the tenants who live on Exchange already face tough challenges. Since tenants and residents have NOT been informed about the potential street closure, their opinion and impact on them has not been taken into account as Cary Tyson from Portland Downtown has ONLY spoken to the businesses on Exchange- not tenants. This is not acceptable or transparent as the ones MOST impacted, Tenants, do not even know this is up for a vote. This is wrong.

6. More Loitering, Crowds, Tourists -
We do NOT need to encourage even MORE people to come down and hang out on Exchange Street. Portland has a huge boom in population of tourists every year, including many cruise ship passengers and also all those who attend Reggae Fest on Peaks on Sunday's and it is important that The City keep the flow of pedestrian activity and business normality status quo for everyones well-being and safety. Cary Tyson at Portland Downtown group wants to encourage more large gatherings of only foot traffic on Exchange, but we do NOT need this or the negative effects that come with; trash, noise, crime, disorderly conduct, public intoxication, loitering, etc. In fact,

DISCOURAGING LARGE GATHERINGS of people congregating on lower Exchange all day, every Sunday, is essential to everyone's peace and enjoyment for ALL who live, work and like to visit the neighborhood.

7. Businesses-
The businesses on Exchange Street should NOT be ENTITLED to even MORE outdoor dining space or outdoor retail area than any other business located in the city. Period. In fact, 90% of the restaurants and bars on lower Exchange already have outdoor dining in place. Exchange Street businesses are not suffering and do NOT and should NOT have use of taxpayer money to continue prospering. There are many tourists upon us and businesses are not having a problem staying busy. In fact, most of us are so busy that we're actually turning people away. Therefore, encouraging even more patrons with a street closure is unnecessary. We're busy enough as it is. We don't need added CROWDS of people congregating in the streets outside our storefronts.

As a long term 15 year Exchange Street business owner and a 25 year Portland resident, as someone who experiences firsthand safety concerns and need for regular Police assistance as the drug and mental illness crisis rages on, I urge you to PLEASE VOTE NO on closing down lower Exchange Street on Sunday's. Please prioritize keeping Portland safe by allowing 24-7 street access to first responders, emergency personnel, tenants, contractors, and all the free and convenient parking for visitors, for the eldery, and the disabled. Everyone enjoys the Old Port and Exchange Street as it is. Closing the street only complicates and causes a disruption to the enjoyment what makes coming to the City of Portland special.

PLEASE KEEP EXCHANGE STREET OPEN!

Sincerely,

Noelle Tognella

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 19, 2023

SUBJECT: Order 230-22/23 Granting Municipal Officers' Approval of Kirara Inc, dba N to Tail. Application for Parklet Outdoor Dining at 29 Exchange Street - Sponsored by Danielle P. West, City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(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 action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: N/A

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

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 4/19/23. New City and State applications. Establishment currently holds a Class XI Restaurant/Lounge. Moving outdoor dining from sidewalk to closed street.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is $50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2023.06.05_N to Tail
2. N to Tail_Council Packet

Prepared by:
Date: 05/19/2023

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA PHILLIPS (3)
ANDREW ZARRO (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS' APPROVAL OF:

Kirara Inc, dba N to Tail. Application for Parklet Outdoor Dining at 29 Exchange Street

April 17, 2023

City of Portland
Congress Street
Portland, ME 04101

Dear Mayor and City Council Members,

N to Tail Restaurant would like to offer outdoor dining as an option to our customers on Milk Street. During these uncertain times an outdoor dining permit would be very necessary for us as a business to be able to provide accommodations to our patrons with certain needs and wants. We have purchased the materials needed for flooring, metal barriers, tables, chairs and canopy to provide proper shelter and comfort for the outside seating area. In addition, we are installing additional bathrooms within our current facility to meet the needs of the additional patrons.

Sincerely,

Gil Seon Pak

CITY OF PORTLAND
Permitting and Inspections Department

Parklet Outdoor Dining
Supplemental Application

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Liquor License
Valid April 15-November 1

☑ Legal Advertisement Deposit $100.00

☑ 1 Parklet space $3,000.00 ☐ 2 Parklet spaces $5,000.00

Business Information			
Establishment Name (d/b/a):	NTO Tail Restaurant	Phone: 207	773-2900
Location Address:	29 Exchange St, Portland	Zip:	04101
Mailing Address:	" " " "	Zip:	" "
Contact Person:	Gilseon Pak	Phone: 646	441-1357
Contact Person Email:	gilsunpak@gmail.com		
Manager of Establishment:	Date of Birth:	Phone:	
Owner of Premises (Landlord):	B+C Limited		
Address of Premises Owner (Landlord):	37 A St. So. Portland, ME	Zip:	04106

Owner Information

Corporate Name	**Corporate Mailing Address**		
Kirara Inc	29 Exchange St Portland	Zip:	04101
Contact Person: Gilseon Pak		Phone: 646	441-1357

Principal Officers	**Title**	**Date of Birth**	**Residence Address**
Gilseon Pak	4/19/60	Pres.	31 Exchange St. Apt 3B
			Portland, ME 04101

About Your Establishment

Class of License:	Class XI
Type of food served:	Korean Fusion Full Service Restaurant
Please circle all that will be served:	(Beer) (Wine) (Liquor)
Hours & days of operation:	Wed-Fri 4pm - 10pm, Sat-Sun 11AM - 10pm
Number of Tables	16
Number of Chairs	48

Parklet Regulations

Pursuant to Chapter 25 of the City's Code of Ordinances, a permit is required for expanding food service to the outside of all properties. Outdoor dining permits for parking and other alternative public spaces will be issued under Chapter 25 and these regulations pursuant to the following requirements:

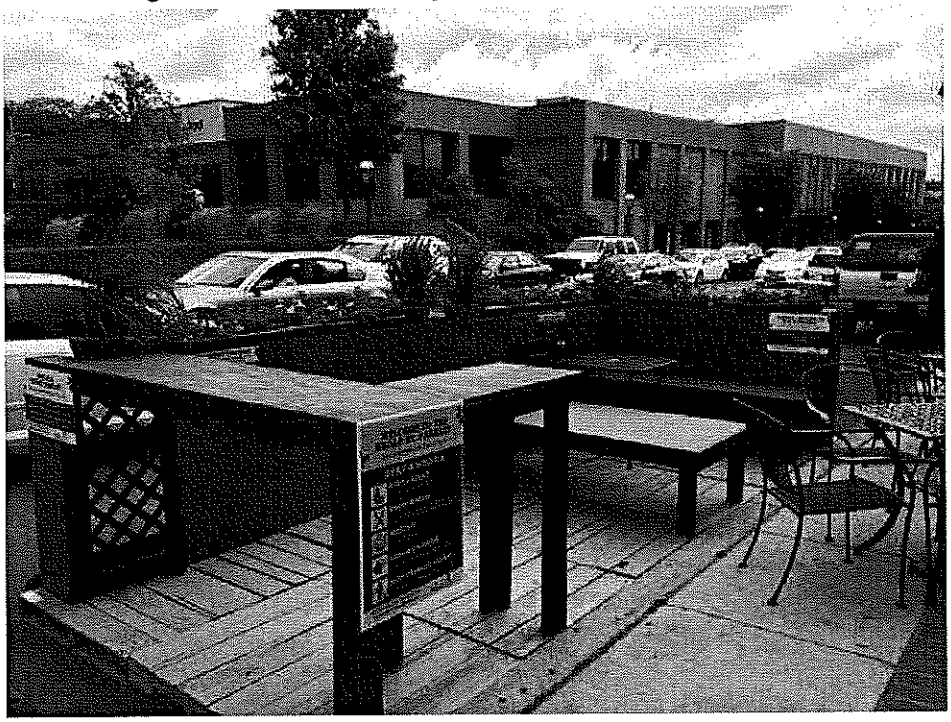
- Any food service operation located on City property pursuant to a permit issued hereunder must comply with state and local laws with respect to service of food and/or alcohol;
- For any outdoor dining operation located in a public parking space, the permit holder shall construct a platform, on which tables and chairs will sit. The platform must be built of durable, slip resistant materials such as composite plastic or construction-grade lumber. This platform may remain for the entire outdoor dining season (April 15-November 1) but must be removed upon conclusion;
- Any space occupied hereunder must be laid out in such a way that it complies with the requirements of the Americans with Disabilities Act. Including 5% of handicap seating. The required platform must be flush with any abutting sidewalk.
- Any movable items on the outdoor dining area must be secured against wind and theft and locked or removed when the business is closed.
- Any outdoor dining spaces permitted hereunder must be located immediately in front of the business. Where parking spaces are not striped (such as in multi-space meter areas) the location of any outdoor dining space must be located to minimize loss of effective parking spaces
- Only 2 hour metered parking spots can be utilized. Parking spot size is 8 feet by 20 feet.
- Any outdoor dining space must provide railings or other substantive barriers *along the edges* to protect patrons;
- Wheel stops satisfactory to the Permitting & Inspections Director must be placed at the front and rear sides of the outdoor dining platform, no less than 4 feet from the edges of the platform. In addition, flexible bollards shall be provided at the corners of the platform.
- Construction of the platform must allow water runoff to easily flow under platform;
- No attachments to the pavement or curbing are permitted;
- No covers are permitted over the outdoor dining space other than umbrellas;
- No advertising other than labels identifying the business is permitted on the outdoor dining space;
- No outdoor dining space in the vehicular right of way is permitted within 15' of an intersection;
- No outdoor dining space will be permitted within the vehicular right of way on a high traffic street, as determined by Public Works. Generally, these streets have a speed limit of over 25 miles per hour, a traffic volume of over 5,000 AADT, or a functional classification of Arterial or above;
- No outdoor dining space will be permitted on a street that does not have 12' clear in the middle after all parking and platforms are accounted for; and
- In any street that is entirely closed to traffic at certain times of the day, the street may be used for outdoor dining subject to relevant requirements listed above, adjusting for the unique condition of an entirely closed street.
- Street Closures include: Wharf Street, Dana Street, and Milk Street (between Exchange and Market only)
- After 4/15/22, Middle Street will go back to normal and the businesses will need to apply for a regular Parklet

Barriers

- Shall not include commercial signage.

Maintenance and Operations

- The permit holder is responsible for keeping the outdoor seating area clean.
- No food shall be prepared in the designated outdoor dining area.
- All outdoor dining components shall be removed before snowfall and while any snow or ice exists within four feet of the outdoor dining area. The City will not be responsible for damage to any property that is not removed prior to sidewalk maintenance.
- Outdoor dining areas must meet ADA regulations and accessible seating is required.



I/We fully understand that the City of Portland, its agents, officers and employees accept no responsibility and will not be liable for any injury, harm or damage to my/our person or property arising out of the establishment's occupancy of the sidewalk or park space. To the fullest extent permitted by law, I/We do hereby agree to assume all risk of injury, harm or damage to my/our person or property (including but not limited to all risk of injury, harm or damage to my/our property cause by the negligence of the City of Portland, its agents, officers or employees) arising out of the establishment's occupancy of the sidewalk or park space. I/We hereby agree, to the fullest extent permitted by law, to defend, indemnify and hold harmless the City of Portland, its agents, officers and employees, from and against all claims, damages, losses and expenses, just or unjust, including, but not limited to costs of defense and attorney's fees, arising out of the establishment's occupancy of the sidewalk or park space, provided that any such claims, damage, loss or expense (1) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property including the loss of use there from, and (2) is caused in whole or in part by any negligent act or omission of the establishment, anyone directly or indirectly employed by it, or anyone for whose act it may be liable.

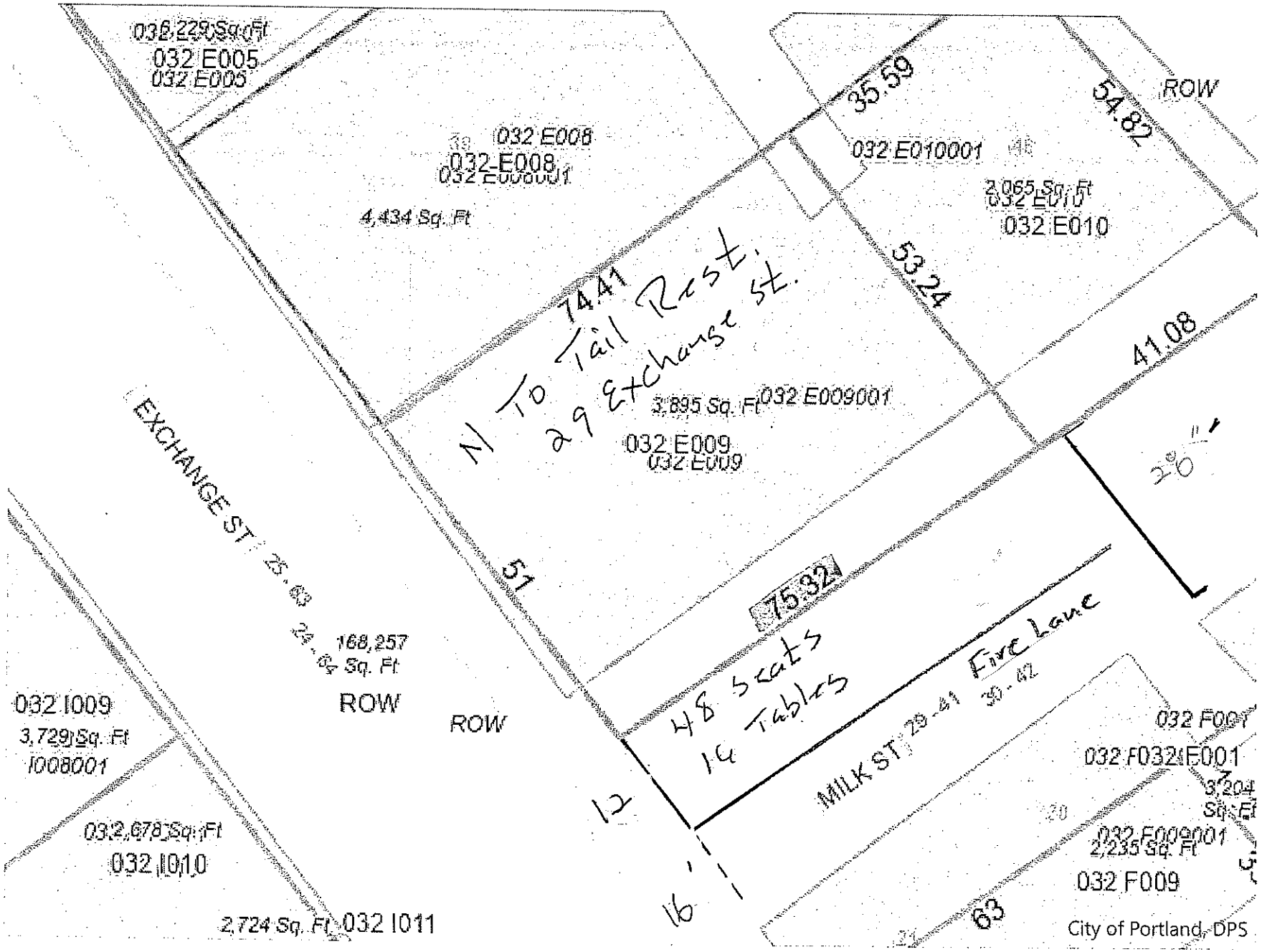
Signature _____ Title president Date 4/19/23

For Administrative Use Only

Fire:_____ Health:_____

Parking:_____ Permitting:_____

Police :_____ Treasury:_____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4,434 Sq. Ft
032 E010001
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74.41
N To Tail Rest.
29 Exchange St.
3,895 Sq. Ft
032 E009001
032 E009
032 E009
EXCHANGE ST 25.63
24.64
168,257 Sq. Ft
ROW
ROW
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48 seats
14 Tables
Fire Lane
MILK ST 29.41
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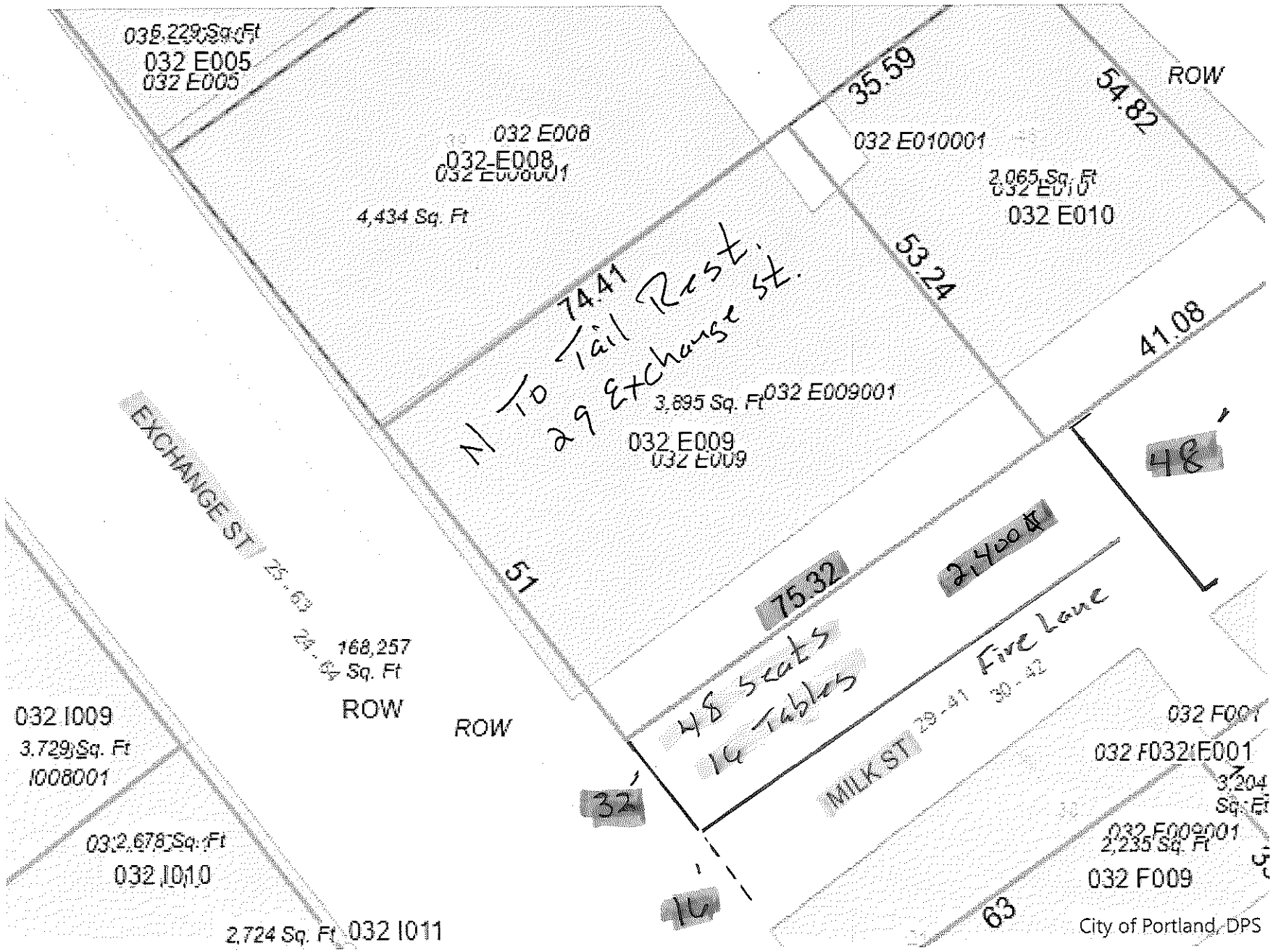
City of Portland, DPS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14 Tables
Five Lane
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MILK ST
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I008001
032 F001
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3,204 Sq. Ft
032 F009001
2,235 Sq. Ft
032 F009
032 I010
2,724 Sq. Ft
032 I011
32'
16'
63
City of Portland, DPS

portland

Zachary Lenhert <zlenhert@portlandmaine.gov>

N to Tail - Parklet Dining on closed Street - Milk St

Eric Nevins <ericn@portlandmaine.gov> Fri, May 19, 2023 at 11:01 AM
To: Zachary Lenhert <zlenhert@portlandmaine.gov>

Approved

On Fri, May 19, 2023 at 10:42 AM Zachary Lenhert <zlenhert@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Eric Nevins
Lieutenant
Portland Police Department
(207) 874-8513

portland

Zachary Lenhert <zlenhert@portlandmaine.gov>

N to Tail - Parklet Dining on closed Street - Milk St

Zoning <zoning@portlandmaine.gov> Fri, May 26, 2023 at 10:53 AM
To: Zoning <zoning@portlandmaine.gov>
Cc: Zachary Lenhert <zlenhert@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <ericn@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>, John Peverada <jbp@portlandmaine.gov>, Jeremiah Bartlett <jbartlett@portlandmaine.gov>

Good Morning,

The legal use for the tenant space is restaurant. Zoning approves.

Thank you,

Mac

Mac Coldwell

City of Portland
Zoning Specialist
Permitting & Inspections Department
389 Congress ST, Room #315
Email: mcoldwell@portlandmaine.gov
he/him

[Quoted text hidden]

City of Portland | Permitting and Inspections
Zachary Lenhert, Licensing and Housing Safety Manager

May 31, 2023

Kirara Inc
29 Exchange Street
Portland, ME 04101

Re: Kirara Inc, dba N to Tail. Application for Parklet Outdoor Dining at 29 Exchange Street

Dear Kirara Inc:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday June 5, 2023 at 5:00 p.m., for the review of application for Parklet Outdoor Dining at 29 Exchange Street. The meeting will take place in person and virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 2, 2023.

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 at bl@portlandmaine.gov.

Sincerely,

Zachary J. Lenhert
Licensing and Housing Safety Manager

Legal Advertisement

Notice of Public Hearing
City of Portland

A Public Hearing will be held on June 5, 2023 at 5:00 P.M., virtually Kirara Inc, dba N to Tail. Application for Parklet Outdoor Dining at 29 Exchange Street- Sponsored by Danielle P. West, City Manager

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Request for Extension of License Privileges for an On-Premises Establishment

Section I: Licensee Information:

Legal Business Entity Licensee Name (corporation, LLC):	Business Name (D/B/A):
Kivara, Inc.	H TO Tail Restaurant
Individual or Sole Proprietor Licensee Name(s):	Physical Location: 29 Exchange St.
License Number: CARL 2008 9393	Mailing address, if different: Portland, ME 04101
Mailing address, if different from DBA address:	Email Address: jilsenpak@gmail.com
Telephone # 646 441 1357 Fax #:	Business Telephone # 207 773 2900 Fax #:

Section II: Extension of Privileges Information:

1. Name, Address, and Contact Information of Property Owner (if property is rented or leased, please provide a copy of rental/lease agreement):

   Name: B+C Limited

   Complete mailing address: 37 A St
   So. Portland, ME 04106

   Telephone/Mobile Number: 207 939 2403

   Email Address: Andrea@oakesassociates.com

2. Type of Extension of Privileges: (check only one)

   a. Temporary ☐ Inside ☐ Outside ☐

   b. Permanent ☑ Inside ☐ Outside ☒

continue to next page

3. Start Date: 5/1/23 End Date (if applicable): 4/30/24

4. Will dancing be permitted in this area? Yes ☐ No ☒
   a. If yes, does the establishment have a dance license? Yes ☐ No ☒
   b. If yes, please provide a copy of the license from the State's Fire Marshall's Office

5. Will there be live entertainment in this area? Yes ☐ No ☒

6. Reason for this request:

Section III: Signature of Licensee

By signing this application, the licensee understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to $2,000 or by both.

Please sign and date in blue ink.

Dated: 4/19/23

Signature of Licensee or Duly Authorized Person

Printed Name of Licensee or Duly Authorized Person

Submit completed forms to: Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement

Mailing address: 8 SHS, Augusta, ME 04333-0008
Courier delivery: 19 Union Street, 3rd floor, Suite 301-B, Augusta, ME 04330

(continue to next page)

Section IV: Approval by Municipal/County Officers

Please note: The municipal/county officers where your establishment is located must approve all requests for extension of license privileges prior to filing with the Bureau. If your license is issued in an unorganized township, the county commissioners must approve this request, otherwise, it would be your municipal (town or city) officials.

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this extension of privileges for this on-premises licensee on this date: _____.

Check only one: ☐ City ☐ Town ☐ Unorganized Territory

Name of City/Town/Unorganized Territory: _____

Who is approving this application? ☐ Municipal Officers
☐ County Commissioners of _____ County

☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of license to be issued by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

Continued to next page

Diagram for Extension of Privileges Area

The following restrictions apply to outdoor extension of privileges:

- There must be a stanchion or a fence completely enclosing the area.
- Signs must be posted stating "No alcohol beyond this point".
- There must be sufficient employees at the extension area of premises who would be able to control and monitor the area.

In an effort to clearly define your extension please draw a diagram below that will include the area you want for a temporary / permanent license premise. Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your where consumption will occur including methods of monitoring and containment of the area(s).

For Office Use Only:

Date Filed: _____ Date Issued: _____ Issued By: _____

☐ Approved ☐ Not Approved

036,229 Sq. Ft
032 E005
032 E005
032 E008
032 E008
032 E008001
4,434 Sq. Ft
35.59
54.82
ROW
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032 E009
032 E009
48'
EXCHANGE ST
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24.85
168,257
Sq. Ft
ROW
51
75.32
48 seats
14 Tables
2,400 Sq. Ft
32x75
Fire Lane
MILK ST
29-41
30-42
ROW
032 I009
3,729 Sq. Ft
I008001
032 F001
032 F032 E001
3,204
Sq. Ft
032 F009001
2,235 Sq. Ft
032 F009
032 I010
032 I010
32'
16'
63
2,724 Sq. Ft
032 I011
City of Portland, DPS

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 19, 2023

SUBJECT: Order 231-22/23 Granting Municipal Officers' Approval of Green Elephant SA Inc, dba Green Elephant Vegetarian Bistro. Application for Class III & IV FSE at 608 Congress Street - Sponsored by Danielle P. West, City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(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 action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: N/A

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

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 4/24/23. New City and State applications. Change of ownership of existing establishment.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is $50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2023.06.05_Green Elephant
2. Green Elephant_Council Packet

Prepared by:
Date: 05/19/2023

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA PHILLIPS (3)
ANDREW ZARRO (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS' APPROVAL OF:

Green Elephant SA Inc, dba Green Elephant Vegetarian Bistro. Application for Class III & IV FSE at 608 Congress Street

April 24th, 2023

Portland Mayor and Member of City Council
Portland Maine

Dear/Madam,

In representation of GREEN ELEPHANT SA INC. and By this letter I am kindly express our intention to do business in Portland as GREEN ELEPHANT VEGETARIAN BISTRO and for that matter I am submitting the application for FOOD PERMIT AND LIQUOR LICENSE. GREEN ELEPHANT VEGETARIAN BISTRO is in process of owner chance. For any additional information needed please contact me at (207)4207661.

Thank you!

Julian Ajqui Gutierrez
Green Elephant SA Inc.
julian@greeenelephantmaine.com

CITY OF PORTLAND

Permitting and Inspections Department

Application for Food Service Establishment with Alcoholic Beverages License

Business Information			
Establishment Name (d/b/a):	Green Elephant Vegetarian Bistro	Phone:	(207) 3473111
Location Address:	608 Congress St. Portland ME	Zip:	04101
If new, what was formerly at this location:			
Mailing Address:	608 Congress st Portland ME	Zip:	04101
Contact Person:	Julian Ajqui Gutierrez	Phone:	207 4207661
Contact Person Email:	Julian@greenelephantmaine.com		
Manager of Establishment:	Nathaniel Jay Edwards Date of Birth: 05/11/1987	Phone:	(207) 232-6712
Owner of Premises (Landlord):	19 South Street, LLC		
Address of Premises Owner (Landlord):	P.O. Box 4182 Portland ME 04101	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		
Green Elephant SA INC.	608 Congress st Portland ME	Zip:	04101
Contact Person: Julian Ajqui Gutierrez		Phone: 207	4207661

Principal Officers	Title	Date of Birth	Residence Address
Julian Ajqui Gutierrez	President	6/18/1975	833 highland ave South Portland ME 04106
Blanca Estela Santos Diaz	vicepresident	01/01/1977	Same Address.
Class of Liquor License:	Class III / Class II (Beer + Wine)		

CITY OF PORTLAND

Permitting and Inspections Department

Type of food served:	Asian Inspired Vegetarian
Please circle all that will be served:	(Beer) (Wine) Liquor
Projected percentage of sales:	Generated from Food: 90% Generated from Alcohol: 10%
Hours & days of operation:	5-930 Tues-Sun

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:	
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 Entertainment is required.)	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 amusements: _____ # of pool tables: _____	
What is your targeted opening date? June 1st, 2023	
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:	

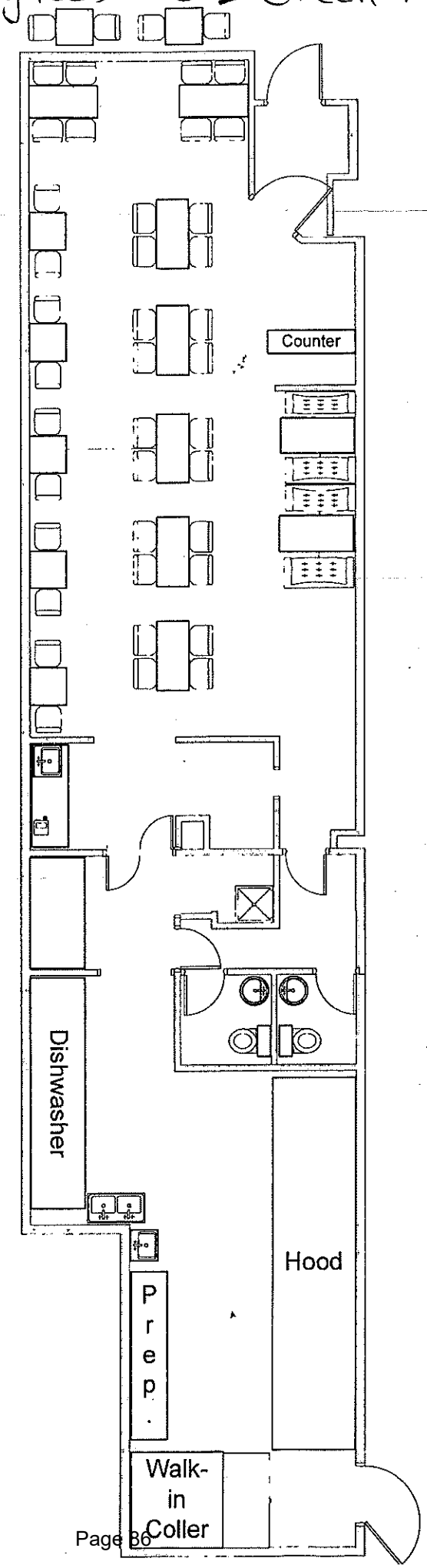
I Julian Aiqui Gutierrez **do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, 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 President Date 4/21/2023

Congress St. Green Elephant



Green Elephant - 608 Congress - Change of Owner

Eric Nevins <ericn@portlandmaine.gov> Fri, May 19, 2023 at 11:02 AM
To: Zachary Lenhert <zlenhert@portlandmaine.gov>
Cc: Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>

Approved

On Fri, May 19, 2023 at 10:44 AM Zachary Lenhert <zlenhert@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Eric Nevins
Lieutenant
Portland Police Department
(207) 874-8513

Green Elephant - 608 Congress - Change of Owner

Zoning <zoning@portlandmaine.gov> Fri, May 26, 2023 at 11:21 AM
To: Zoning <zoning@portlandmaine.gov>
Cc: Zachary Lenhert <zlenhert@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <ericn@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>

Good Morning,

The legal use for the tenant space is restaurant. Zoning approves.

Thank you,

Mac

Mac Coldwell

City of Portland
Zoning Specialist
Permitting & Inspections Department
389 Congress ST, Room #315
Email: mcoldwell@portlandmaine.gov
he/him

[Quoted text hidden]

City of Portland | Permitting and Inspections
Zachary Lenhert, Licensing and Housing Safety Manager

May 31, 2023

Green Elephant SA Inc
608 Congress Street
Portland, ME 04101

Re: Green Elephant SA Inc, dba Green Elephant Vegetarian Bistro. Application for Class III & IV FSE at 608 Congress Street

Dear Green Elephant SA Inc:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday June 5, 2023 at 5:00 p.m., for the review of application for Class III & IV FSE at 608 Congress Street. The meeting will take place in person and virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 2, 2023.

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 at bl@portlandmaine.gov.

Sincerely,

Zachary J. Lenhert
Licensing and Housing Safety Manager

Legal Advertisement

Notice of Public Hearing
City of Portland

A Public Hearing will be held on June 5, 2023 at 5:00 P.M., virtually Green Elephant SA Inc, dba Green Elephant Vegetarian Bistro. Application for Class III & IV FSE at 608 Congress Street- Sponsored by Danielle P. West, City Manager

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS:	Yes ☐ No ☐

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Section I: Licensee/Applicant(s) Information; Type of License and Status

Legal Business Entity Applicant Name (corporation, LLC): Green Elephant SA INC.	Business Name (D/B/A): Green Elephan Vegetarian Bistro
Individual or Sole Proprietor Applicant Name(s):	Physical Location: 608 Congress St Portland ME 04101
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
Mailing address, if different from DBA address:	Email Address:
Telephone # Fax #: (207)4207661	Business Telephone # Fax #:
Federal Tax Identification Number: 92-3396948	Maine Seller Certificate # or Sales Tax #:
Retail Beverage Alcohol Dealers Permit:	Website address:

1. New license or renewal of existing license? ☒ New Expected Start date: June 1st 2023
   ☐ Renewal Expiration Date: _____

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
   Food: _____ Beer, Wine or Spirits: _____ Guest Rooms: _____

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
   ☒ Malt Liquor (beer) ☒ Wine ☐ Spirits

4. Indicate the type of license applying for: (choose only one)

☒	Restaurant (Class I, II, III, IV)	☐	Class A 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)
☐	Golf Course (included optional licenses, please check if apply) (Class I, II, III, IV)	☐	Auxiliary	☐	Mobile Cart
☐	Tavern (Class IV)	☐	Other: _____		
☐	Qualified Caterer	☐	Self-Sponsored Events (Qualified Caterers Only)		

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

608 Congress St Portland ME 04101

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

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If **Yes**, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

_____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Julian Ajqui Gutierrez	6/18/1975	Guatemala

Residence address on all the above for previous 5 years

Name Julian Ajqui Gutierrez	Address: 833 highland ave South Portland ME 04106
Name	Address:
Name	Address:
Name	Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If **Yes**, provide name of law enforcement officer and department where employed:

_____

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☐ Yes ☒ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

19 South street. LLC P.O.Box 4182 Portland ME 04101

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: N/A

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

See Attached

20. 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?

Name: Holy Trinity Greek Orthodox Church

Distance: 300 FT

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to $2,000 or by both.

Please sign and date in blue ink.

Dated: 04/21/2023

Signature of Duly Authorized Person

Julian Ajqui Gutierrez

Printed Name Duly Authorized Person

Signature of Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

This Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
    - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of $10.00 must be included with all applications.

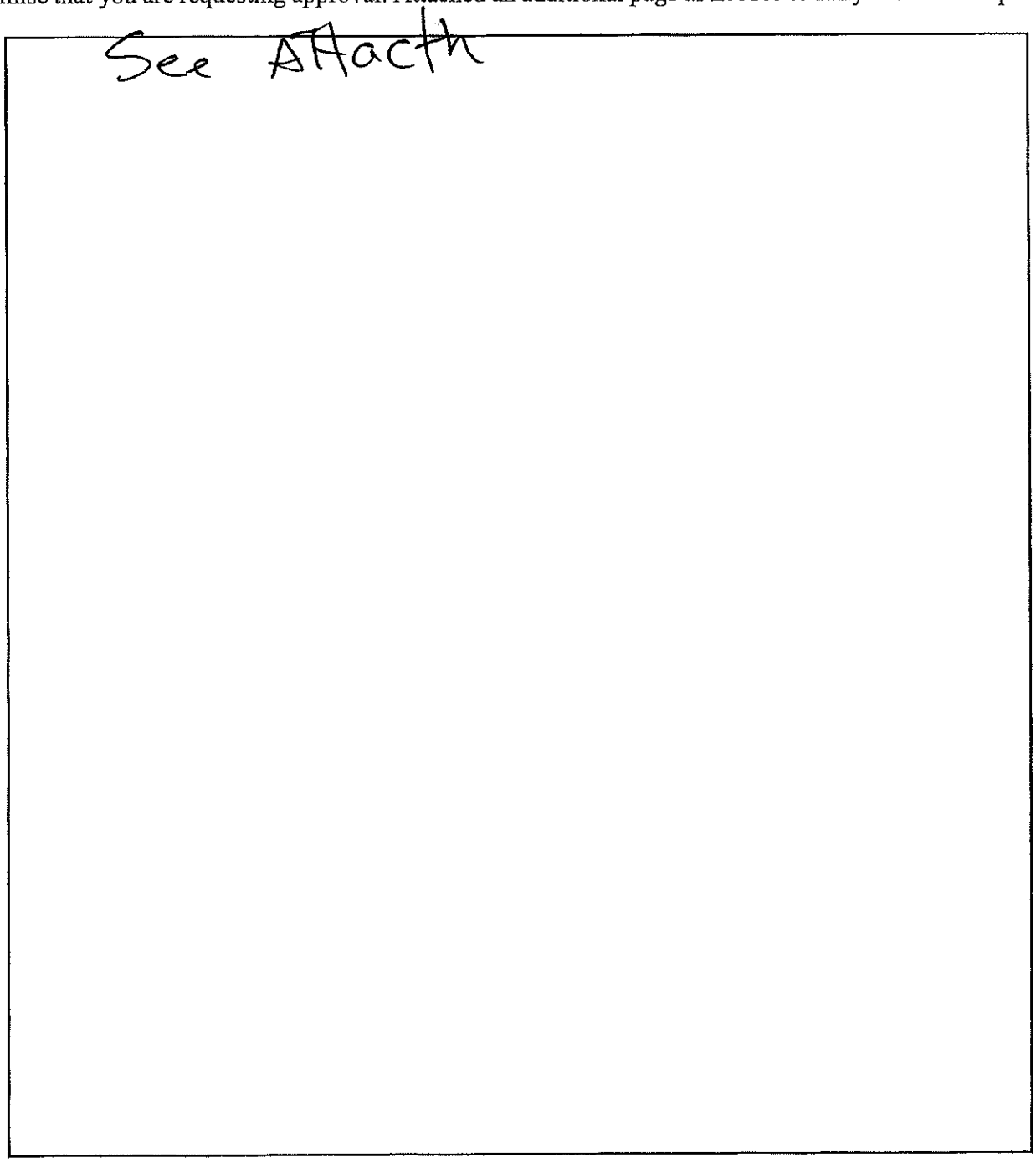
Please note: For Licensees/Applicants in unorganized territories in Maine, the $10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	**For the sale of liquor (malt liquor, wine and spirits)**	$ 900.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants: Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	
Class I-A	**For the sale of liquor (malt liquor, wine and spirits)**	$1,100.00
	This class includes only hotels that do not serve three meals a day.	
Class II	**For the Sale of Spirits Only**	$ 550.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	**For the Sale of Wine Only**	$ 220.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	**For the Sale of Malt Liquor Only**	$ 220.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class III and IV	**For the Sale of Malt Liquor and Wine Only**	$ 440.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class V	**For the sale of liquor (malt liquor, wine and spirits)**	$ 495.00
	This class includes only a Club without catering privileges.	
Class X	**For the sale of liquor (malt liquor, wine and spirits)**	$2,200.00
	This class includes only a Class A Lounge	
Class XI	**For the sale of liquor (malt liquor, wine and spirits)**	$1,500.00
	This class includes only a Restaurant Lounge	

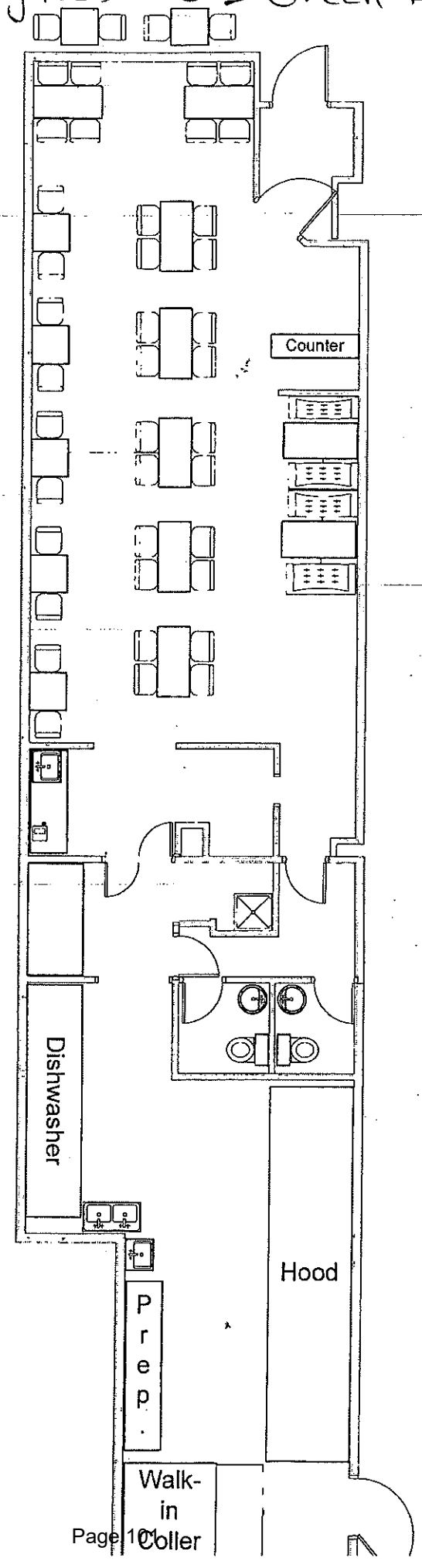
Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Congress St. Green Elephant



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

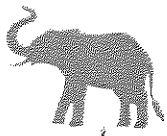
Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Green Elephant SA INC.
2. Doing Business As, if any: Green Elephant Vegetarian Bistro
3. Date of filing with Secretary of State: 3/30/2023 State in which you are formed: Maine
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, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Julian Ayqui Gutierrez	833 highland ave South Portland ME 04106	6/18/1975	President	50%
Blanca Estela Santos Diaz	833 highland ave South Portland ME 04106	1/1/1977	vice-President treasurer Secretary	50%

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



Appetizers

- **Deep-Fried Vegetarian Spring Rolls** *stuffed with shiitake mushrooms, carrots, onion, cabbage, bean thread noodles, celery, and bamboo shoots. Served with tamarind sauce (Vegan)...8.50*
- **Soy Nuggets** *served with sweet chili sauce (Vegan)...9*
- **Brussels Sprouts** *fried and seasoned with tamari (Vegan)**(Gluten-Free)**...8.50*
- **Steamed Edamame** *seasoned with Maine sea salt (Vegan)**(Gluten-Free)**...8*
- **Roti Canai** *Indian-style flatbread served with vegetable curry dip (Vegan)...8.50*
- **Vegetable Dumplings** *stuffed with mixed vegetables. Served with ginger-soy sauce and spicy chili sauce (Vegan)...8.50*
- **Hot & Spicy Soy Sticks** *Soy "chicken" on bamboo skewers with our garlic-chili-cilantro sauce (Vegan)...8.50*
- **King Oyster Mushroom Tempura** *with scallions, salt and pepper. Served with soy dipping sauce (Vegan)...10*

Soups & Salads

- **Fragrant Coconut Soup** *Tom kha style coconut soup with tofu, baby bella mushrooms, red bell pepper, cherry tomatoes, onions, scallions, and cilantro (Vegan)**(Gluten-Free)**...8*
- **Spicy Green Leaves Salad** *Carrots, cherry tomatoes, red onion, corn, and crispy tofu on a bed of spring mix and lettuces. Served with our spicy bean curd dressing and topped with crispy rice noodles (Vegan)**(Make it Gluten-Free by substituting our ginger vinaigrette)**...9.50*
- **Tempura Asparagus Salad** *Tempura asparagus, red onions, red bell peppers, and hard-boiled **egg** on a bed of lettuces. Topped with coconut milk chili dressing and garnished with cilantro, scallions, and fried shallots (Make it Vegan by omitting egg)...11*

Stir-Fried & Steamed Dishes

- **Stir-Fried Asian Vegetables & Tofu** *Chinese broccoli, napa cabbage, bok choy, snow peas, tofu, and carrots stir-fried in brown sauce. Served with jasmine brown rice (Vegan)**(Make it Gluten-Free by substituting tamari in place of brown sauce)**...15*
- **Steamed Assorted Vegetables with Peanut Sauce** *Broccoli, mushrooms, zucchini, sweet corn, snow peas, carrots, green beans, and steamed tofu with our signature peanut sauce. Served with jasmine brown rice (Vegan)**(Gluten-Free)**...15*
- **Spicy Vegetable Medley** *Broccoli, carrots, corn, mushrooms, zucchini, peanuts, and soy-meat stir-fried in brown sauce with spicy red curry paste. Topped with shredded lime leaves. Served with jasmine brown rice. Moderately spicy (Vegan)...15*
- **Garlic & Ginger Tofu** *Red & green bell peppers, carrots, onions, broccoli, snow peas, mushrooms, tofu, ginger, garlic, and scallions stir-fried in brown sauce. Served with jasmine brown rice (Vegan)...15*
- **Chinese Broccoli and Crispy Breaded Soy Filet** *Broccoli, Chinese broccoli, carrots, and Thai bird chili stir-fried in brown sauce. Served with jasmine brown rice and fried soy "chicken" filet. Moderately spicy (Vegan)...15*
- **Veggie Citrus "Spare Ribs"** *Broccoli, bok choy, carrots, zucchini, mushrooms, red & green bell peppers, onions, and "spare rib" soy-meat stir-fried in brown sauce. Served with jasmine brown rice (Vegan)...15.50*

Noodle Dishes

- **Thai Ginger Noodles** *Wide rice noodles stir-fried with tofu, ginger, broccoli, carrots, onions, snow peas, scallions, and **egg** (Make it Vegan by omitting egg)...15*
- **Char Guay Teow** *Stir-fried wide rice noodles with **egg**, bean sprouts, scallions, Sambal Oelek (red chili paste), tofu, and soy "ham." Topped with shredded lettuces & cilantro. Moderately spicy (Make it Vegan by omitting egg)...15*
- **Pad Thai** *Rice noodles stir-fried with tofu, **egg**, broccoli, carrots, bean sprouts, and scallions. Topped with ground peanuts and raw vegetables **(Gluten-Free)**(Make it Vegan by omitting egg)...15*

Fried Rice Dishes

- **Pineapple Brown Rice** *Jasmine brown rice stir-fried with pineapple, sunflower seeds, soy-meat, sweet corn, peas, carrots, scallions, and **egg (Make it Gluten-Free by substituting tamari in place of brown sauce and tofu for soy-meat)** (Make it Vegan by omitting egg)...15*
- **Thai Basil Fried Rice** *Jasmine brown rice stir-fried with soy-meat, onions, tomatoes, red & green bell peppers, Thai basil, Chinese broccoli, and **egg (Make it Gluten-Free by substituting tamari in place of brown sauce and tofu for soy-meat)** (Make it Vegan by omitting egg)...15*

Curry Dishes

- **Tofu Tikka Masala** *Spinach, edamame, tofu, and chickpeas in a Masala curry sauce. Served with fried rice seasoned with curry powder, peas, carrots and shallots (Vegan)**(Gluten-Free)**...17*
- **Panang Curry Vegetables & Tempeh** *Thai eggplant, red & green bell peppers, zucchini, broccoli, carrots, buttercup squash, tempeh, Thai basil, and lime leaves in a Panang coconut milk curry. Served with jasmine brown rice. Moderately spicy (Vegan)**(Gluten-Free)**...17*
- **Green Curry with Tofu** *Broccoli, bok choy, green beans, snow peas, red & green bell peppers, carrots, zucchini, tofu, and Thai basil in a green coconut milk curry. Garnished with microgreens and served with jasmine brown rice. Moderately spicy (Vegan)**(Gluten-Free)**...17*
- **Siamese Dream Curry Noodles** *Rice noodles, snow peas, carrots, red peppers, tofu, soy-meat, cashews, and spinach in a thick coconut curry soup. Topped with crispy rice noodles and fried shallots (Vegan)**(Make it Gluten-Free by omitting soy-meat)**...18*

Side Orders

Steamed Vegetables...6 **Brown Rice**...3 **Peanut Sauce**...3 **Tofu**...5 **Tempeh with Sweet Chili Sauce**...5

SOFT DRINKS

MAINE ROOT SODAS (ORGANIC & GLUTEN-FREE) ... 4
ROOT BEER, GINGER BREW, BLUEBERRY, MEXICANE COLA

PELLEGRINO SPARKLING MINERAL WATER ... 4

HOUSE-MADE LEMONADE ... 3

ORANGE JUICE ... 3

STRAWS AVAILABLE UPON REQUEST

COFFEE

FRENCH PRESS COFFEE ... 4
FROM COFFEE BY DESIGN

ICED TEA

HOUSE BREWED THAI ICED TEA ... 4
(CHOICE OF CREAM OR SOY CREAM)

GINGER PEACH UNSWEETENED ICED TEA ... 3

HOT TEA

LOCAL & HAND-MIXED FROM HOMEGROWN HERB & TEA...3.50

VATA GROUNDER
A SOOTHING AND CENTERING BLEND OF CHAMOMILE, ST. JOHN'S WORT AND DRIED LEMON PEEL

TUTTI FRUTTI
CRANBERRY, BLACKBERRY LEAF, HIBISCUS, LEMON VERBENA, DRIED MAINE STRAWBERRIES & ORANGE PEEL

SIMPLY MINTY
PEPPERMINT, SPEARMINT, CATMINT & PENNYROYAL

ROOIBOS CHAI
CHAI SPICES WITH ORGANIC AFRICAN RED ROOIBOS TEA

THE GREEN ELEPHANT
ORGANIC LEMONGRASS, GINGER, JASMINE FLOWERS & GINSENG

ORGANIC GUNPOWDER GREEN
WITH JASMINE FLOWERS

GENMAICHA
CLASSIC GREEN TEA WITH TOASTED RICE

IRISH SPICE
ORGANIC IRISH BREAKFAST TEA SPICED WITH GINGER & STAR ANISE

ENGLISH BREAKFAST
BLACK TEA

MAINE CRAFT DISTILLING'S

CANNED SPARKLING CRAFT COCKTAILS:

MAINE MULE ... 8
MADE WITH MAINE CRAFT'S RATION RUM

ITALIANO ORANGE SPRITZ ... 8
MADE WITH MAINE CRAFT'S ALCHEMY GIN

WHITE

RAW WHITE BLEND 2019 ... 10/35
VILLANUEVA DE ALCARDETE, SPAIN

CORVEZZO PINOT GRIGIO 2020 ... 10/35
FRIULI-VENEZIA GIULIA, ITALY

SELBACH INCLINE RIESLING 2020 ... 11/38
MOSEL, GERMANY

DASHWOOD SAUVIGNON BLANC 2020 ... 11/38
MARLBOROUGH, NEW ZEALAND

THOMAS HENRY CHARDONNAY 2020 ... 12/42
SONOMA COUNTY, CALIFORNIA

RED

VIDIGAL RED BLEND 2020 ... 10/35
LISBOA, PORTUGAL

ALMARADA MALBEC 2020 ... 10/35
MENDOZA, ARGENTINA

CANTELE PRIMITIVO 2019 ... 11/38
PUGLIA, ITALY

CEMBRA PINOT NERO 2021 ... 11/38
TRENTINO, ITALY

MARYHILL CABERNET SAUVIGNON 2018 ... 12/42
COLUMBIA VALLEY, WASHINGTON

SPARKLING

LAMBERTI PROSECCO (187 ML) ... 9
TREVISO, ITALY

PIZZOLATO PROSECCO (750 ML) ... 35
TREVISO, ITALY

BEER & CIDER

ON TAP:

ASK ABOUT OUR ROTATING DRAFT SELECTIONS

BOTTLES & CANS:

SINGHA PREMIUM THAI LAGER ... 5.50

PEAK ORGANIC IPA ... 6

ALLAGASH WHITE ... 6.50

ATLANTIC BREWING CO. REAL ALE (16 OZ) ... 7

DOWNEAST ORIGINAL CIDER ... 6

NORUMBEGA DRY CIDER ... 7

KIT NON-ALCOHOLIC (ROTATING SELECTION) ... 5.50

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 19, 2023

SUBJECT: Order 232-22/23 Granting Municipal Officers' Approval of DJZ LLC, dba The Portland Beer Hub. Application for Class I FSE with Outdoor Dining on Public Property at 320 Fort Street - Sponsored by Danielle P. West, City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(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 action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: N/A

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

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 4/24/23 New City and State applications. Change of ownership of existing establishment.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is $50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2023.06.05_Portland Beer Hub
2. Portland Beer Hub_Council Packet

Prepared by:
Date: 05/19/2023

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA PHILLIPS (3)
ANDREW ZARRO (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS' APPROVAL OF:

DJZ LLC, dba The Portland Beer Hub. Application for Class I FSE with Outdoor Dining on Public Property at 320 Fore Street

April 24, 2023

Mayor and Council of the City of Portland
389 Congress St
Portalnd, ME
04101

Dear Council Members,

Thank you for the opportunity to submit our application and express our request for a liquor license to be awarded to us (Ordinance 2016-053) for use at 320 Fore St, Portland (The Portland Beer Hub). This letter outlines our intent in seeking a license and provides insight into who we are, why we have chosen to purchase this existing business and what we will be offering.

DJZ LLC is a partnership between The Maine Brew Bus LLC, owned jointly by David Phillips and Zachary Poole and Joey Joseph, whom all are Maine Residents and business owners. We formed the company with the sole purpose of acquiring the business assets of The Portland Beer Hub in an effort to continue the business and improve its performance and offerings to its customers.

The Portland Beer Hub has been in business in Portland since 2014, and at 320 Fore St since 2017. Unfortunately the previous owner suffered financial difficulties and was facing closure when we approached with our offer to rescue the business and continue trading.

We see this as a shame for the business and for visitors and locals of Portland, and as such have taken steps to understand all elements of licensing that pertain to the business and develop a business model that addresses the requirements and ensures compliance.

The Portland Beer Hub was developed to showcase and sell locally produced beer and wine and provide both an "on-premise" bar experience and "off-premise" retail sales. It has developed an extensive following and has enjoyed success to a point. Below further describes our intended offering and approach:

What Portland Beer Hub Does:

The Business's primary objective is to showcase and sell locally produced food, beer and wine.

1. **Food**
    a. Portland Beer Hub's food menu includes food items to be served with each drink purchase in the on premise licensed area and pre-packaged "grab and go" items in the off premise retail licensed area.
    b. We have teamed up with a local catering company to provide pre-packaged food items which will be available to go.
    c. The same catering company will provide pre-prepared food items that will be served by our team in the on-premise licensed area with each drink purchased.
    d. We have worked with the caterer in developing each menu to limit the amount of food handling and preparation in-house whilst providing an appropriate range of food offerings to suit both the on premise and off premise environments.
2. **On Premise Experience**
    a. The Portland Beer Hub serves beer and wine in a casual environment from its 10 taps of rotating local beer, seltzer and cider and limited range of bottled wine.
    b. With opening hours limited to 9:00AM to 10:00PM, the Portland Beer Hub is not a late night venue. The on premise experience is intended to allow customers to sample and enjoy food, fresh beer and wine, learn about the products, producers and encourage retail purchases to-go.
3. **Off Premise Offering**
    a. The Portland Beer Hub sells packaged food, beer and wine to-go from its retail space, separate from the on premise license area.
    b. The retail offering is geared towards "grab and go" package formats of food, beer and wine as opposed to cases and cartons. These items are for visitors to Portland looking to take home a Maine beer or wine they can't find in their home state, day trippers looking for beer and wine to add to their picnic or boat trip and locals wanting to shop for a take home a small selection of constantly rotating, fresh products.

4. **Merchandise**

    a. Visitors to the Portland Beer Hub can purchase wearables, drinkware and other items to commemorate their visit to Portland and Maine or for use in their daily lives.

    b. Our merchandise is a celebration of the local producers way of life and lifestyle of those who seek out and appreciate fresh, local products.

Who we are:

David Phillips - David has been involved in Maine business since acquiring 50% of Maine Brew Bus LLC from Zachary Poole in 2019 and a resident since 2021. Having started Australia's first Craft Brewery Tour business in 2013, Dave attended a Craft Beer Tourism conference in 2017 where he met Zach from the Maine Brew Bus. After visiting Portland in 2018 and learning more about the local beer community, he and Zach decided to join forces. The Portland Beer Hub was one of the first places Dave tried a local Maine beer and he was impressed by the offering, experience and location in the Old Port. Dave owns multiple beer related businesses between Australia and The United States and specializes in consulting to beer and alcohol companies seeking to improve and derive brand and financial value from tourism and education experiences.

Zachary Poole – Zach, moved to Portland in 2008. Since then, he has made this beautiful city his home along with his wife and 9-year-old son. He started The Maine Brew Bus in 2012, after a career in teaching and managing a brew pub in Saco. The Maine Brew Bus is a tour company that brings visitors to local businesses and aims to provide an unforgettable experience that will make them want to return to Portland. He has always enjoyed showcasing the Portland beer and food community and is excited to expand his business with The Portland Beer Hub. He is committed to creating a unique and welcoming atmosphere for guests, where they can relax, socialize, learn about and enjoy some of the best beer and food Portland has to offer. His wife is also a local business owner and together they are passionate about supporting the community and contributing to the local economy.

Joey Jospeh - Joey is a lifelong resident of Maine and an entrepreneur. He has owned an automotive dealership for 34 years, is the managing partner in a new Maine corporation which produces biochar from Maine forest waste that ultimately sequesters carbon, taking it from the air and restoring it back into the earth. He has also been active in numerous other business ventures. He has

previously served on the Waterville City Council, and was a long time member of the board of directors at Maine General Hospital in Waterville and Augusta.

We hope the above has provided an insight into who we are and why we want to own and operate the Portland Beer Hub. We do not want to see an established Portland business go out of business and locals and visitors losing the chance to learn about and enjoy products from our local producers. Our passion is in showcasing the best and to provide a welcoming environment that is compliant and a positive contribution to the local community as a responsible business and set of owners.

We respectfully request you to approve our application for a liquor license.

Sincerely yours,

David Phillips

Zachary Poole

Joey Joseph

CITY OF PORTLAND

Permitting and Inspections Department

Application for Food Service Establishment with Alcoholic Beverages License

Business Information			
Establishment Name (d/b/a):	The Portland Beer Hub 207-604-4610	Phone:	
Location Address:	320 Fore St. Portland ME 04101	Zip:	
If new, what was formerly at this location:	Under new ownership - The Portland Beer Hub		
Mailing Address:	1053 Forest Ave. Portland ME 04103	Zip:	
Contact Person:	Zachary Poole 207-604-4610	Phone:	
Contact Person Email:	zach@portlandbeerhub.com		
Manager of Establishment:	Date of Birth: Zachary Poole - 7/16/81 - 207-604-4610	Phone:	
Owner of Premises (Landlord):	Matt Cardente / Fore Street Investments		
Address of Premises Owner (Landlord):	322 Fore St. Portland ME 04101	Zip:	

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

Name of Owner(s)	Date of Birth	Residence Address

Corporate Name	Corporate Mailing Address
DJZ LLC	1053 Forest Ave. Portland ME 04103 Zip:

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

Contact Person: Zachary Poole		Phone: 207-604-4610	
Principal Officers	**Title**	**Date of Birth**	**Residence Address**
David Phillips	Manager	7/4/75	135 Portland Ave Apt 101 Old Orchard Beach ME 04064
Zachary Poole	Member	7/16/81	14 Leonard St. Portland ME 04103
Joey Joseph	Member	2/16/58	32 Pleasant St. Portland ME 04101

Class of Liquor License:	Restaurant Class 1 FSE

CITY OF PORTLAND

Permitting and Inspections Department

Type of food served:	Snacks, Sandwiches, Soups
Please circle all that will be served:	Beer Wine Liquor
Projected percentage of sales:	Generated from Food: 25% Generated from Alcohol: 75
Hours & days of operation:	9AM-10PM 7 days a week

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 Yes
If No, please explain:	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	Y/N NO
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)	Y/N NO
Will you permit dancing after 1:00 a.m.?	Y/N NO
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	Y/N Yes
If yes, will the outside dining be on PUBLIC or PRIVATE property (circle one).	Public
Will you have any amusement devices (pinball, video games, juke box)?	Y/N NO
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	June 1
Does the Issuance of this license directly or indirectly benefit any City employee(s)?	Y/N NO
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 NO
If Yes, please list business name(s) and location(s):	
Is any principal officer under the age of 21?	Y/N NO
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	Y/N NO
If Yes, please explain:	

I Zachary Poole **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 Member Date 4/18/23

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS:	Yes ☐ No ☐

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Section I: Licensee/Applicant(s) Information; Type of License and Status

Legal Business Entity Applicant Name (corporation, LLC): DJZ LLC	Business Name (D/B/A): The Portland Beer Hub
Individual or Sole Proprietor Applicant Name(s):	Physical Location: 320 Fore St. Portland ME 04103
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
Mailing address, if different from DBA address:	Email Address: zach@portlandbeerhub.com
Telephone # Fax #: 207-604-4610	Business Telephone # Fax #: (207) 613-9901
Federal Tax Identification Number: 92-3116558	Maine Seller Certificate # or Sales Tax #: 1004-9783
Retail Beverage Alcohol Dealers Permit:	Website address: www.portlandbeerhub.com

1. New license or renewal of existing license? ☒ New Expected Start date: 7/1/23
   ☐ Renewal Expiration Date: _____

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
   Food: _____ Beer, Wine or Spirits: _____ Guest Rooms: _____

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
   ☒ Malt Liquor (beer) ☒ Wine ☐ Spirits

4. Indicate the type of license applying for: (choose only one)

☒	Restaurant (Class I, II, III, IV)	☐	Class A 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)
☐	Golf Course (included optional licenses, please check if apply) (Class I, II, III, IV)	☐	Auxiliary	☐	Mobile Cart
☐	Tavern (Class IV)	☐	Other: _____		
☐	Qualified Caterer	☐	Self-Sponsored Events (Qualified Caterers Only)		

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

320 Fore St. Portland ME 04101

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☒ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If **Yes**, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

_____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Zachary Poole	7/16/81	New York
Joey Joseph	2/16/58	Maine
David Phillips	7/4/75	Australia

Residence address on all the above for previous 5 years

Name Address:
Zachary Poole - 14 Leonard St. Portland ME 04103

Name Address:
Joey Joseph - 321 Wanser Lane Belgrade ME 04917, 128 Ridge Rd. Fairfield ME 04937

Name Address:
David Phillips - 135 Portland Ave, Apt 101 Old Orchard Beach, ME, 04064 113b Penguin Head Rd Culburra

Name Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If **Yes**, provide name of law enforcement officer and department where employed:

_____

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☐ Yes ☒ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

Matt Cardente Fore Street Investments 322 Fore St. Portland ME 04101

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

As you enter the space. To the left is the on premise location that has a bar with 8 seats, a long table against the wall and 4 tables in the back of the space where the bathroom is located. To the right is the retail establishment which has a wall dividing the two areas.

20. 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?

Name: St. Peters Parish

Distance: .3 miles

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to $2,000 or by both.

Please sign and date in blue ink.

Dated: 4/24/2023

Signature of Duly Authorized Person

Signature of Duly Authorized Person

Zachary Poole
Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

This Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
    - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of $10.00 must be included with all applications.

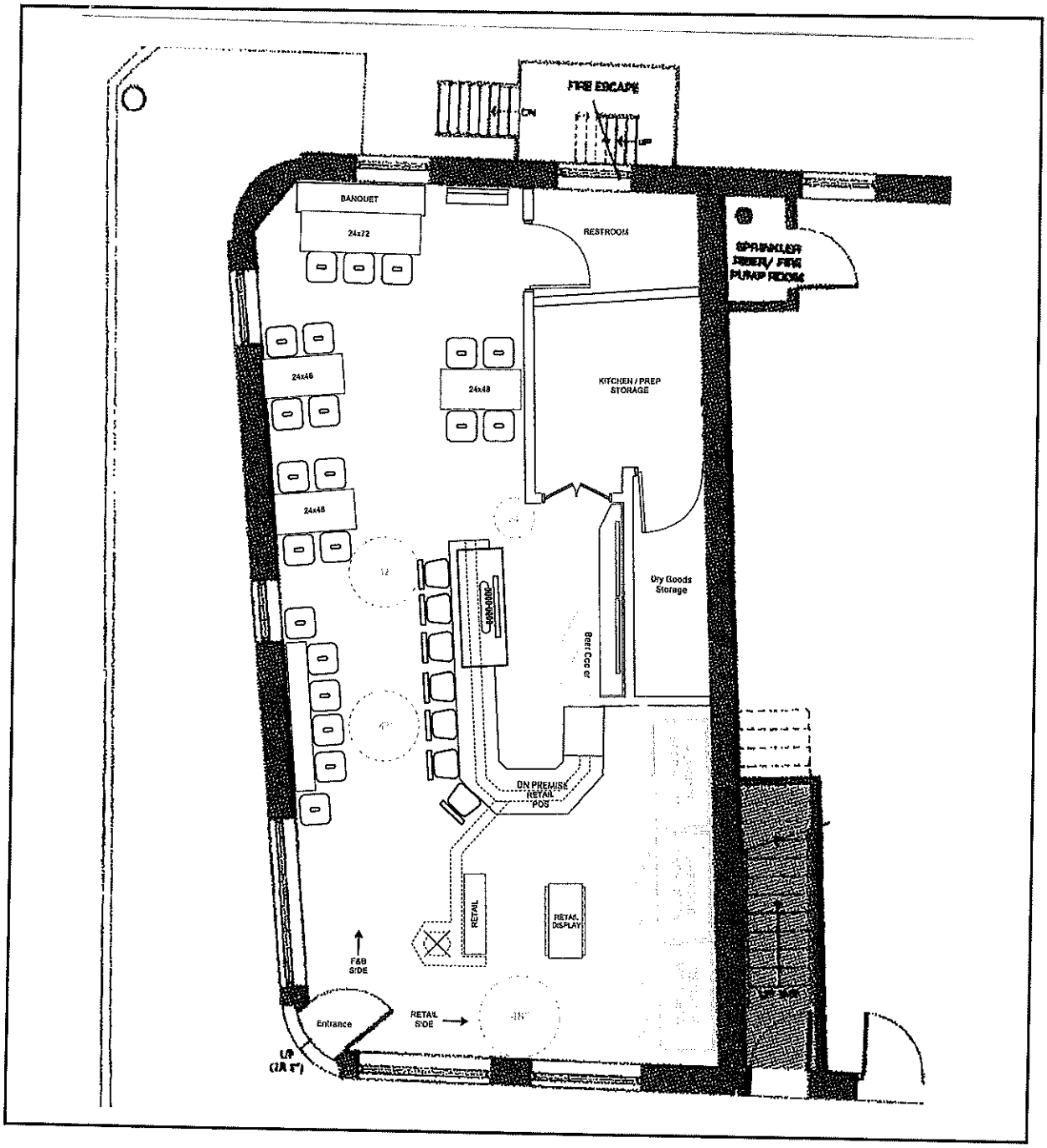
Please note: For Licensees/Applicants in unorganized territories in Maine, the $10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	**For the sale of liquor (malt liquor, wine and spirits)** This class includes: Airlines; Civic Auditoriums; Class A Restaurants: Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	$ 900.00
Class I-A	**For the sale of liquor (malt liquor, wine and spirits)** This class includes only hotels that do not serve three meals a day.	$1,100.00
Class II	**For the Sale of Spirits Only** This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	$ 550.00
Class III	**For the Sale of Wine Only** This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	$ 220.00
Class IV	**For the Sale of Malt Liquor Only** This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	$ 220.00
Class III and IV	**For the Sale of Malt Liquor and Wine Only** This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	$ 440.00
Class V	**For the sale of liquor (malt liquor, wine and spirits)** This class includes only a Club without catering privileges.	$ 495.00
Class X	**For the sale of liquor (malt liquor, wine and spirits)** This class includes only a Class A Lounge	$2,200.00
Class XI	**For the sale of liquor (malt liquor, wine and spirits)** This class includes only a Restaurant Lounge	$1,500.00

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Section VII:

1. Exact Legal Name: DJZ LLC
2. DBA: The Portland Beer Hub
3. Date of filing with the Secretary of State: 3/15/2023 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business.
5. List the names and addresses for previous 5 years, birth dates, titles of officers, directors.

Name	Address (5 years)	DOB	Title	% of Ownership
Zachary Poole	14 Leonard St. Portland, ME 04103	7/16/1981	Member	25
David Phillips	135 Portland Ave, Apt 101 Old Orchard Beach, ME, 04064	7/4/75	Manager	25
	113b Penguin Head Rd Culburra Beach, NSW Australia, 2540			
	6/88b Mount St Coogee, NSW Australia, 2034			
Joey Joseph	321 Wanser Lane Belgrade, ME 04917	2/16/58	Member	50
	128 Ridge Rd. Fairfield, ME 04937			

Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

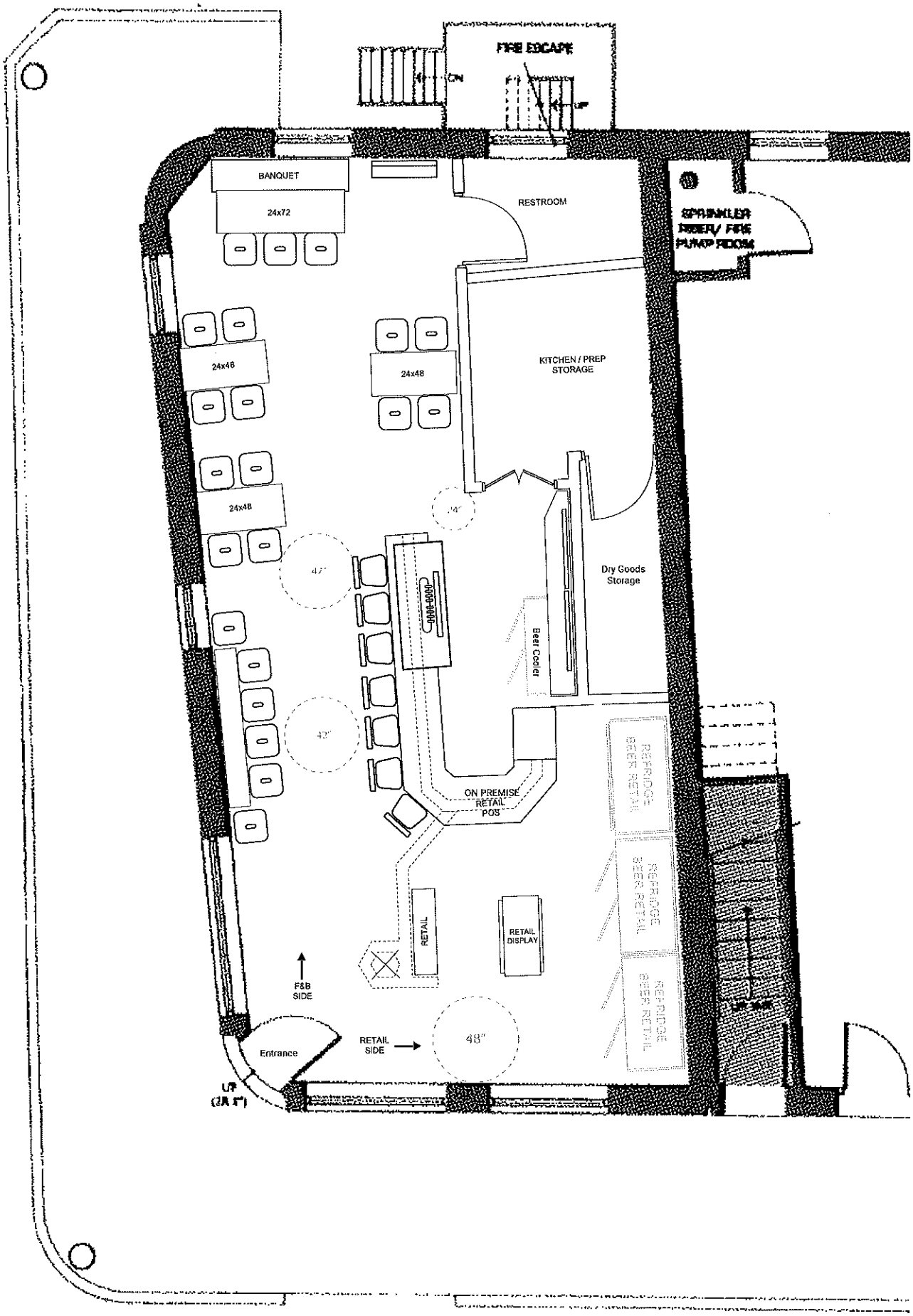
1. Exact legal name: DJZ LLC
2. Doing Business As, if any: The Portland Beer Hub
3. Date of filing with Secretary of State: 03/15/2023 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

   _____

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Zachary Poole	14 Leonard St. Portland ME 04103	7/16/81	Member	25
David Phillips	135 Portland Ave, Apt 101 Old O	7/4/75	Manager	25
	113b Penguin Head Rd Culburra I			
	6/88b Mount St Coogee, NSW A			
Joey Joseph	321 Wanser Lane Belgrade ME 04	2/16/58	Member	50
	128 Ridge Rd. Fairfield ME 04937			

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



Beer Hub Portland, ME	DATE: 04/12/23	SCALE: 1/4" = 1'ft
CONCEPT BASE PLAN		

FOR HERE & TO GO

PORTLAND BEER HUB
FORE + PEARL

OPEN EVERYDAY 9AM-10PM

FOOD MENU

SNACKS

Crispy pork rinds

Pickled eggs

Maple glazed mixed nuts

Creole snack mix

Thai spiced peanuts

Popcorn - seaweed seasoned

Fried pasta chips

Pickled sausage

Dips - served with local kettle chips
Smoked fish | Beer cheese | Clam | White bean

SANDWICHES

Turkey Caprese
carved turkey, basil pesto, heirloom tomato, and fresh mozzarella.

Cubano
carved ham, roasted pork, dijon, swils cheese, and cornichons.

Deli Stack
carved ham, genoa salami, provolone, olive salad and torn basil.

Farmer's Market
white bean and rosemary spread, grilled zucchini, roasted peppers, and blistered sweet peppers.

Turkey BLT
carved turkey, Applewood bacon, garlic and herb mayo, lettuce, tomato, and local pea shoots

SLIDERS

Lobster Salad | Chicken Salad | Mom's Tuna Salad
freshly prepared salads paired with a side of lettuce, tomatoes, and brioche slider rolls.

BOARDS

Charcuterie | Mezze | Cheese

NA DRINKS

Coffee

Ice / Hot Tea

Soda

320 Fore St. Portland ME 041010
www.portlandbeerhub.com
207.613.9901

Portland Beer Hub - 320 Fore St - Change of Ownership

Eric Nevins <ericn@portlandmaine.gov> Tue, May 23, 2023 at 5:21 PM
To: Zachary Lenhert <zlenhert@portlandmaine.gov>
Cc: Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>

Approved

On Fri, May 19, 2023 at 11:17 AM Zachary Lenhert <zlenhert@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Eric Nevins
Lieutenant
Portland Police Department
(207) 874-8513

Zachary Lenhert <zlenhert@portlandmaine.gov>

Portland Beer Hub - 320 Fore St - Change of Ownership

Zoning <zoning@portlandmaine.gov> Fri, May 26, 2023 at 12:03 PM
To: Zoning <zoning@portlandmaine.gov>
Cc: Zachary Lenhert <zlenhert@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <ericn@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>

Good Afternoon,

The legal use for the tenant space (Unit 4, CBL: 029 C006004) is retail and bar. Zoning approves.

Thank you,

Mac

Mac Coldwell

City of Portland
Zoning Specialist
Permitting & Inspections Department
389 Congress ST, Room #315
Email: mcoldwell@portlandmaine.gov
he/him

[Quoted text hidden]

Legal Advertisement

Notice of Public Hearing
City of Portland

A Public Hearing will be held on June 5, 2023 at 5:00 P.M., virtually DJZ LLC, dba The Portland Beer Hub. Application for Class I FSE with Outdoor Dining on Public Property at 320 Fort Street - Sponsored by Danielle P. West, City Manager

City of Portland | Permitting and Inspections
Zachary Lenhert, Licensing and Housing Safety Manager

May 31, 2023

DJZ LLC
1053 Forest Avenue
Portland, ME 04103

Re: DJZ LLC, dba The Portland Beer Hub. Application for Class I FSE with Outdoor Dining on Public Property at 320 Fort Street

Dear DJZ LLC:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday June 5, 2023 at 5:00 p.m., for the review of application for Class I FSE with Outdoor Dining on Public Property at 320 Fort Street. The meeting will take place in person and virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 2, 2023.

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 at bl@portlandmaine.gov.

Sincerely,

Zachary J. Lenhert
Licensing and Housing Safety Manager

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 19, 2023

SUBJECT: Order 233-22/23 Granting Municipal Officers' Approval of Scarlet Ribbons LLC, dba The Henry. Application for Indoor Entertainment at 375 Fore Street - Sponsored by Danielle P. West, City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(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 action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: N/A

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

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 4/21/23 New City application. Establishment was recently approved for Class A Lounge.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is $50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2023.06.05_The Henry
2. The Henry_Council Packet

Prepared by:
Date: 05/19/2023

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA PHILLIPS (3)
ANDREW ZARRO (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS' APPROVAL OF:

Scarlet Ribbons LLC, dba The Henry. Application for Indoor Entertainment at 375 Fore Street

Date: April 21st, 2023

To:
Kate Snyder, Mayor
Pious Ali, At-Large
April Fournier, At-Large
Roberto Rodriguez, At-Large
Anna Trevorrow, District 1
Vitoria Pelletier, District 2
Tae Chong, District 3
Andrew Zarro District 4
Mark Dion, District 5
City of Portland
389 Congress St, Portland, ME 04101

From:
Scarlet Ribbons LLC
375 Fore Street
Portland, ME 04101

Subject: Letter of intent for entertainment license.

Dear Sir and Madame's,

We hereby submit a letter of intent for an entertainment license for the new concept at 375 Fore Street (formerly Bull Feeneys). The space is now owned and operated by Scarlet Ribbons LLC, dba The Henry. The Henry will be a pub/ tavern similar in concept to Bull Feeney's. We would like to have live acoustic music on the first floor of the building.

Sincerely,

Joshua Miranda

CITY OF PORTLAND
Permitting and Inspections Department

Application for an Entertainment License

☑ Indoor Entertainment $500.00 ☐ Outdoor Entertainment $700.00 ☐ Combined Entertainment $800.00

☐ Sound Mitigation Fee $150.00

Business Information			
Establishment Name (d/b/a):	Scarlet Ribbons dba The Henry	Phone:	207-318-7815
Location Address:	375 Fore St. Portland ME	Zip:	04101
Owner Name:	Joshua Miranda	Phone:	207-318-7815
Owner Email:	jmiranda@blythandburrows.com		
Contact Person responsible for Entertainment:	Joshua Miranda	Phone:	207-318-7815
Contact Person Email:	jmiranda@blythandburrows.com		
Manager of Establishment:	Dwayne Roberts	Phone:	207-329 0869
Manager Email:	Yodocroberts@gmail.com		

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment:

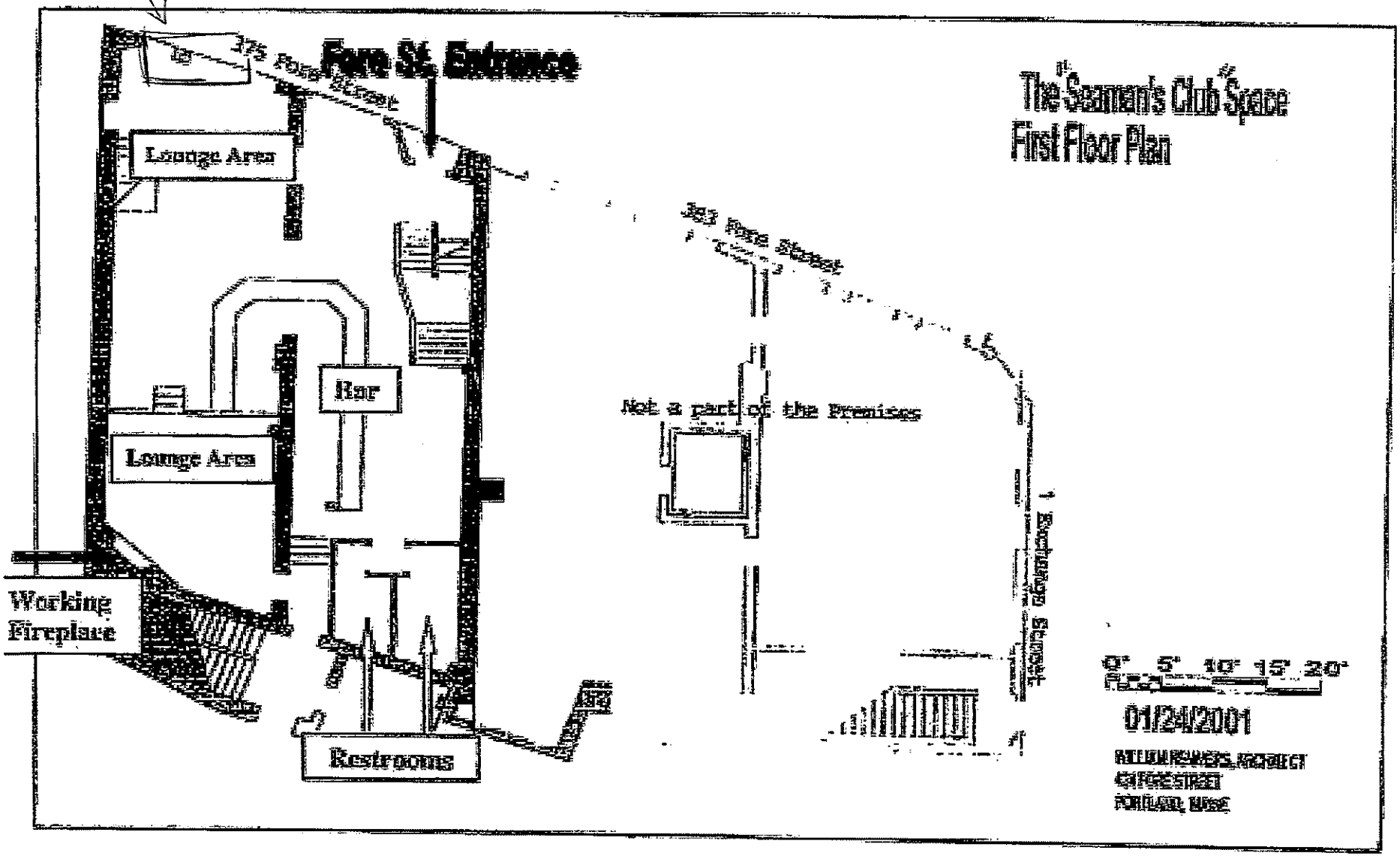
pub tavern with acoustic music

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above license 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.

Signature _____ Title Owner Date 4/9/23

For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at www.portlandmaine.gov

Exhibit A Page 1



Noah Cole
Stone Mountain Sound, LLC
PO Box 2534
South Portland, ME 04116
207-956-3048 // noah@stonemountainsound.com

April 20, 2023

Randa Vashon
Scarlet Ribbons dba The Henry
375 Fore Street
Portland, ME 04101

Dear Randa,

This letter serves as a sound mitigation plan which will accompany the application for an indoor entertainment license at The Henry. I've looked over the information that you've provided me and have included the pertinent information in this letter.

The Henry will be in the three-story brick building at 375 Fore Street - the former Bull Feeney's tavern - and will occupy the first two floors. While the building itself is entirely commercial, the buildings on either side of 375 Fore Street are first floor commercial with residential units above.

Music performances at The Henry will only happen on the first floor and the stage will be up against the front windows which look onto Fore St. Music performances on this stage will only be acoustic and no amplification will be used.

Given the location of the stage, the type of performers, the lack of audio amplification, the brick composition of the building, and the history of music on this stage, I don't feel that any sound mitigation will be required. Anticipated sound level readings will be within the 85 dBA and 95 dBC as measured 8 feet from any outer wall.

Since the capacity of the venue is 450, an on-site monitor will be required when the restaurant exceeds 250 people.

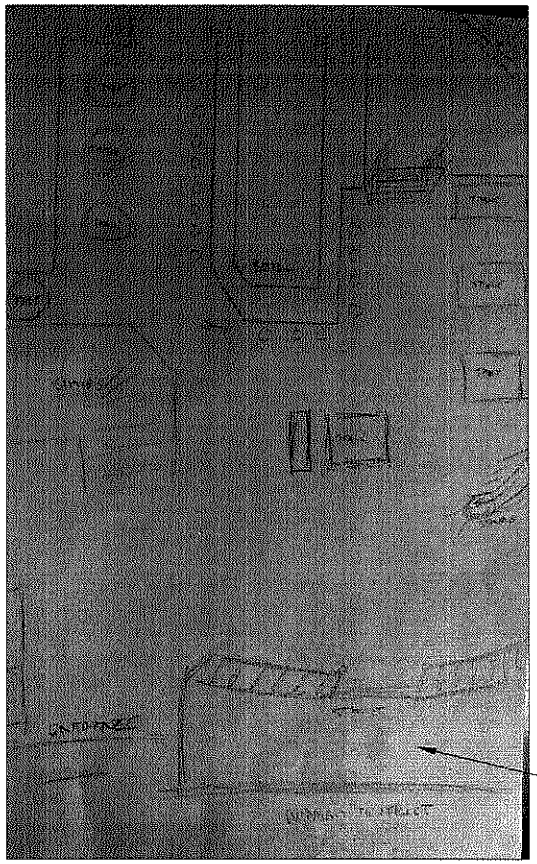
If questions come up or if clarification of anything in the letter is required, please don't hesitate to reach out.

Regards,

Noah Cole
VP, Stone Mountain Sound, LLC

Approximate location of stage

Approximate location of stage


Musicians on stage will face towards bar

City of Portland

Sound Mitigation Review

Date: 5/22/2023

Business The Henry

Applicant Joshua Miranda

DESCRIPTION	yes	no
Sound system appropriate for the size venue	Yes	
Performance space located in an appropriate location	Yes	
Performance space facing in an appropriate direction to control sound	Yes	
Surrounding surfaces appropriate to control sound	Yes	
Additional sound absorbing features		
additional notes		
Approved	Yes	

DIRECT ALL INQUIRIES TO:
Kevin Schneck
(207) 756-8433
kschneck@portlandmaine.gov

portland

Zachary Lenhert <zlenhert@portlandmaine.gov>

The Henry

Zoning <zoning@portlandmaine.gov> Mon, May 1, 2023 at 2:26 PM
To: Zoning <zoning@portlandmaine.gov>
Cc: Zachary Lenhert <zlenhert@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <ericn@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>

Good Afternoon,

The current legal use for 375 Fore St is restaurant. Zoning Approves.

Thank you,

Mac

Mac Coldwell

City of Portland
Zoning Specialist
Permitting & Inspections Department
389 Congress ST, Room #315
Email: mcoldwell@portlandmaine.gov
he/him

[Quoted text hidden]

City of Portland | Permitting and Inspections
Zachary Lenhert, Licensing and Housing Safety Manager

May 31, 2023

Scarlet Ribbons LLC
375 Fore Street
Portland, ME 04101

Re: Scarlet Ribbons LLC, dba The Henry. Application for Indoor Entertainment at 375 Fore Street

Dear Scarlet Ribbons LLC:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday June 5, 2023 at 5:00 p.m., for the review of application for Indoor Entertainment at 375 Fore Street. The meeting will take place in person and virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 2, 2023.

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 at bl@portlandmaine.gov.

Sincerely,

Zachary J. Lenhert
Licensing and Housing Safety Manager

Legal Advertisement

Notice of Public Hearing
City of Portland

A Public Hearing will be held on June 5, 2023 at 5:00 P.M., virtually Scarlet Ribbons LLC, dba The Henry. Application for Indoor Entertainment at 375 Fore Street - Sponsored by Danielle P. West, City Manager

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 19, 2023

SUBJECT: Order 234-22/23 Granting Municipal Officers' Approval of Commercial Street Pub, Inc, dba Commercial Street Pub. Application for Indoor Entertainment at 129 Commercial Street - Sponsored by Danielle P. West, City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(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 action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: N/A

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

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 5/5/23. New City application. Establishment currently holds Class A Lounge.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is $50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2023.06.05_Commercial Street Pub
2. Commercial Street Pub_Council Packet

Prepared by:
Date: 05/19/2023

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA PHILLIPS (3)
ANDREW ZARRO (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS' APPROVAL OF:

Commercial Street Pub, Inc, dba Commercial Street Pub. Application for Indoor Entertainment at 129 Commercial Street

PERKINS
THOMPSON

Mailing Address
PO Box 426
Portland, ME 04112
Office 207.774.2635
Fax 207.871.8026

Physical Address
One Canal Plaza
Portland, ME 04101

www.perkinsthompson.com

May 4, 2023

City of Portland
Business Licensing
389 Congress Street
Room 307
Portland, ME 04101

Re: Commercial Street Pub – Application for Entertainment License

To Whom It May Concern:

Please find enclosed the Application for Entertainment License of Commercial Street Pub, together with check in payment of the Entertainment License Fee ($500) and Sound Mitigation Fee ($150) in the total amount of $650.

Please let me know if you require any further information; we look forward to hearing from you as to when this matter will be placed on the Council agenda.

Thank you.

Sincerely,

Brandon Mazer

Brandon J. Mazer

Enclosures

CITY OF PORTLAND
Permitting and Inspections Department

Application for an Entertainment License

☒ Indoor Entertainment $500.00 ☐ Outdoor Entertainment $700.00 ☐ Combined Entertainment $800.00

☒ Sound Mitigation Fee $150.00

Business Information			
Establishment Name (d/b/a):	Commercial Street Pub	Phone:	207-761-9970
Location Address:	129 Commercial Street	Zip:	04101
Owner Name:	Commercial Street Pub, Inc.	Phone:	207-761-9970
Owner Email:	johnguinn85@yahoo.com		
Contact Person responsible for Entertainment:	Tracy Guinn	Phone:	207-761-9970
Contact Person Email:	tbuck817@yahoo.com		
Manager of Establishment:	Emily Campobasso	Phone:	207-761-9970
Manager Email:	boknows17@yahoo.com		

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment:

Lounge license located on Commercial Street that wishes to have occasional bands and DJs.

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above license 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.

Signature _____ Title Owner Date 5-4-23

For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at www.portlandmaine.gov

Commercial Street Pub sound system specifications, noise mitigation procedures, and anticipated Sound Pressure Level(SPL) readings

Prepared by Edward Arndt IV, Audio Engineer, (207)450-2354

Sound System

The Commercial Street Pub has a sound system utilizing a Yamaha R-202 receiver for sports and television broadcast sound feeding a Touch Tunes Virtuo juke box system with a Bose Acoustimass 141 system with 5 Bose 141 JB satellite speakers in a Front- Left/Right/Center, Rear- Left/Right configuration producing a 50 Watt resistive load each, with a 100 watt wall mounted subwoofer in the rear of the room. The Satellite speakers, utilizing a 4.5" full range driver, are wall mounted at 7'5.5", facing down 15°. The Acoustimass system allows for control over 2 independent zones, front, and rear, has equalization controls, and the subwoofer/power head has a built in limiter with thermal protection. The system also consists of standard operating controls, such as power, volume, mute, pause, play, and selection for additional source inputs.

Sound Mitigation Measures

- Downward Facing speakers are mounted on the wall, pointed downwards towards the patrons. This creates a more focused sound that is less likely to escape and disturb the neighbors.
- Double-paned windows provide better insulation against noise and reduces the amount of sound that escapes.
- Acoustical ceiling tiles are designed to absorb sound, reducing the amount of noise that bounces around the room. By reducing the amount of noise inside the pub, you can also reduce the amount of noise that escapes the pub.

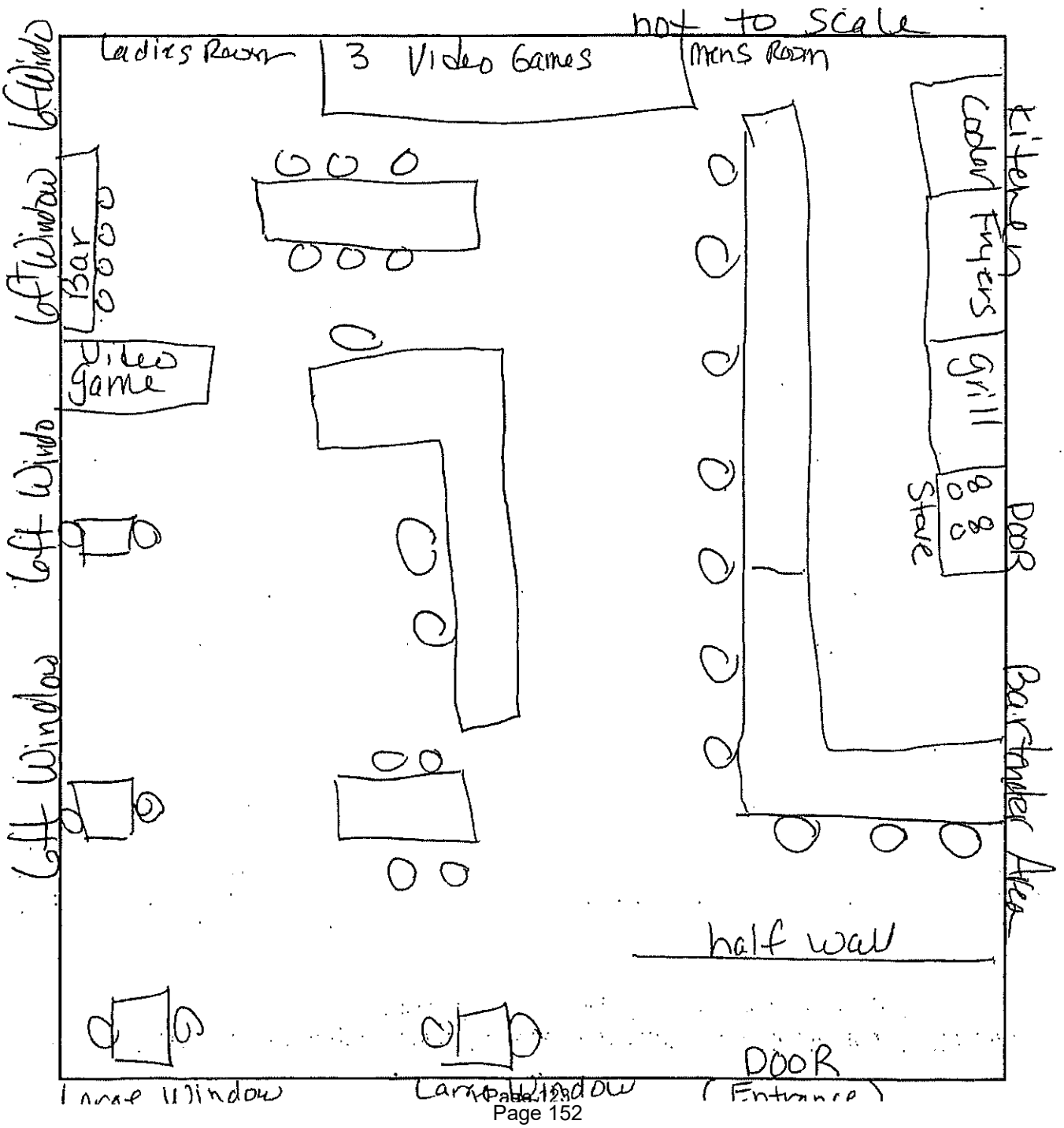
Stage

The stage (when applicable) will be floor level, approximately an 8' x 8' footprint, in the front of the pub, with talent facing the rear. No additional sound reinforcement is anticipated to be needed.

Sound Pressure Level readings

My SPL readings on site were 86.7 dB A-weighted Peak, with a 1-minute average of 76.9dB inside the pub during dinner hours. SPL readings from 8' outside the pub were 79.8dB 1-minute average (the foot and motor vehicle traffic on Commercial St. were the major factors in the outdoor reading higher than inside)

I don't anticipate the noise level from the sound system in the Commercial St Pub to ever be problematic, in terms of spillage outside. My estimation of outside SPL levels emanating from inside the pub to be 75-85dB A-weighted.


not to scale
Ladies Room
3 Video Games
Mens Room
Left Window
Left Window
Bar
Video Game
Left Window
Left Window
Kitchen
Cooler
Fryers
Grill
Stove
DOOR
Bartender Area
half wall
Large Window
DOOR
(Entrance)

City of Portland

Sound Mitigation Review

Date: 5/23/2023

Business Commercial St. Pub

Applicant John Guinn

DESCRIPTION	yes	no
Sound system appropriate for the size venue	Yes	
Performance space located in an appropriate location	Yes	
Performance space facing in an appropriate direction to control sound	Yes	
Surrounding surfaces appropriate to control sound	Yes	
Additional sound absorbing features		
additional notes ased on no addition pa beyond the "house System" as outlined in their mitigation plan		
Approved	Yes	

DIRECT ALL INQUIRIES TO:

Kevin Schneck

(207) 756-8433

kschneck@portlandmaine.gov

Commercial Street Pub - 129 Commercial - Indoor Entertainment

Eric Nevins <ericn@portlandmaine.gov> Tue, May 23, 2023 at 4:41 PM
To: Zachary Lenhert <zlenhert@portlandmaine.gov>
Cc: Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>, Glen McGary <glenm@portlandmaine.gov>, Kevin Schneck <kschneck@portlandmaine.gov>

Approved

On Fri, May 19, 2023 at 1:52 PM Zachary Lenhert <zlenhert@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Eric Nevins
Lieutenant
Portland Police Department
(207) 874-8513

portland

Zachary Lenhert <zlenhert@portlandmaine.gov>

Commercial Street Pub - 129 Commercial - Indoor Entertainment

Zoning <zoning@portlandmaine.gov> Fri, May 26, 2023 at 11:49 AM
To: Zoning <zoning@portlandmaine.gov>
Cc: Zachary Lenhert <zlenhert@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <ericn@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>, Glen McGary <glenm@portlandmaine.gov>, Kevin Schneck <kschneck@portlandmaine.gov>

Good Morning,

The legal use for the tenant space is bar and restaurant. Zoning approves. They must be 100' from the entrance of any other business with an entertainment license.

Thank you,

Mac

Mac Coldwell

City of Portland
Zoning Specialist
Permitting & Inspections Department
389 Congress ST, Room #315
Email: mcoldwell@portlandmaine.gov
he/him

[Quoted text hidden]

Legal Advertisement

Notice of Public Hearing
City of Portland

A Public Hearing will be held on June 5, 2023 at 5:00 P.M., virtually Commercial Street Pub, Inc, dba Commercial Street Pub. Application for Indoor Entertainment at 129 Commercial Street - Sponsored by Danielle P. West, City Manager

City of Portland | Permitting and Inspections
Zachary Lenhert, Licensing and Housing Safety Manager

May 31, 2023

Commercial Street Pub, Inc
129 Commercial Street
Portland, ME 04101

Re: Commercial Street Pub, Inc, dba Commercial Street Pub. Application for Indoor Entertainment at 129 Commercial Street

Dear Commercial Street Pub, Inc:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday June 5, 2023 at 5:00 p.m., for the review of application for Indoor Entertainment at 129 Commercial Street. The meeting will take place in person and virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 2, 2023.

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 at bl@portlandmaine.gov.

Sincerely,

Zachary J. Lenhert
Licensing and Housing Safety Manager

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 19, 2023

SUBJECT: Order 235-22/23 Granting Municipal Officers' Approval of Riverton Station LLC, dba Riverton Station. Application for Outdoor Dining on Private Property at 1569 Forest Avenue - Sponsored by Danielle P. West, City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(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 action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: N/A

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

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 5/12/23. New City and State applications. Establishment currently holds a Class I FSE.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is $50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2023.06.05_Riverton Station
2. Riverton Station_Council Packet

Prepared by:
Date: 05/19/2023

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA PHILLIPS (3)
ANDREW ZARRO (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS' APPROVAL OF:

Riverton Station LLC, dba Riverton Station. Application for Outdoor Dining on Private Property at 1569 Forest Avenue

Riverton Station LLC

1569 Forest Ave. Portland, ME 04103

Re: Letter of Intent

Mayor Kate Snyder and members of the City Council.

It is our intent to fence off a portion of our property to allow for outside dining. The dimensions of the area will be 18' by 25'. It will have a solid fence at the rear and the front and side will be wrought Iron. In front of the wrought iron fence will be planters for bushes or flowers.

It is not our intent to increase the capacity of our restaurant but to allow those who wish to dine outside in the summer months.

Thank you for your consideration.

Sincerely,

James Hoglund

Att-1

CITY OF PORTLAND
Permitting and Inspections Department

Outdoor Dining Permit on Private Property
Supplemental Application

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Liquor License

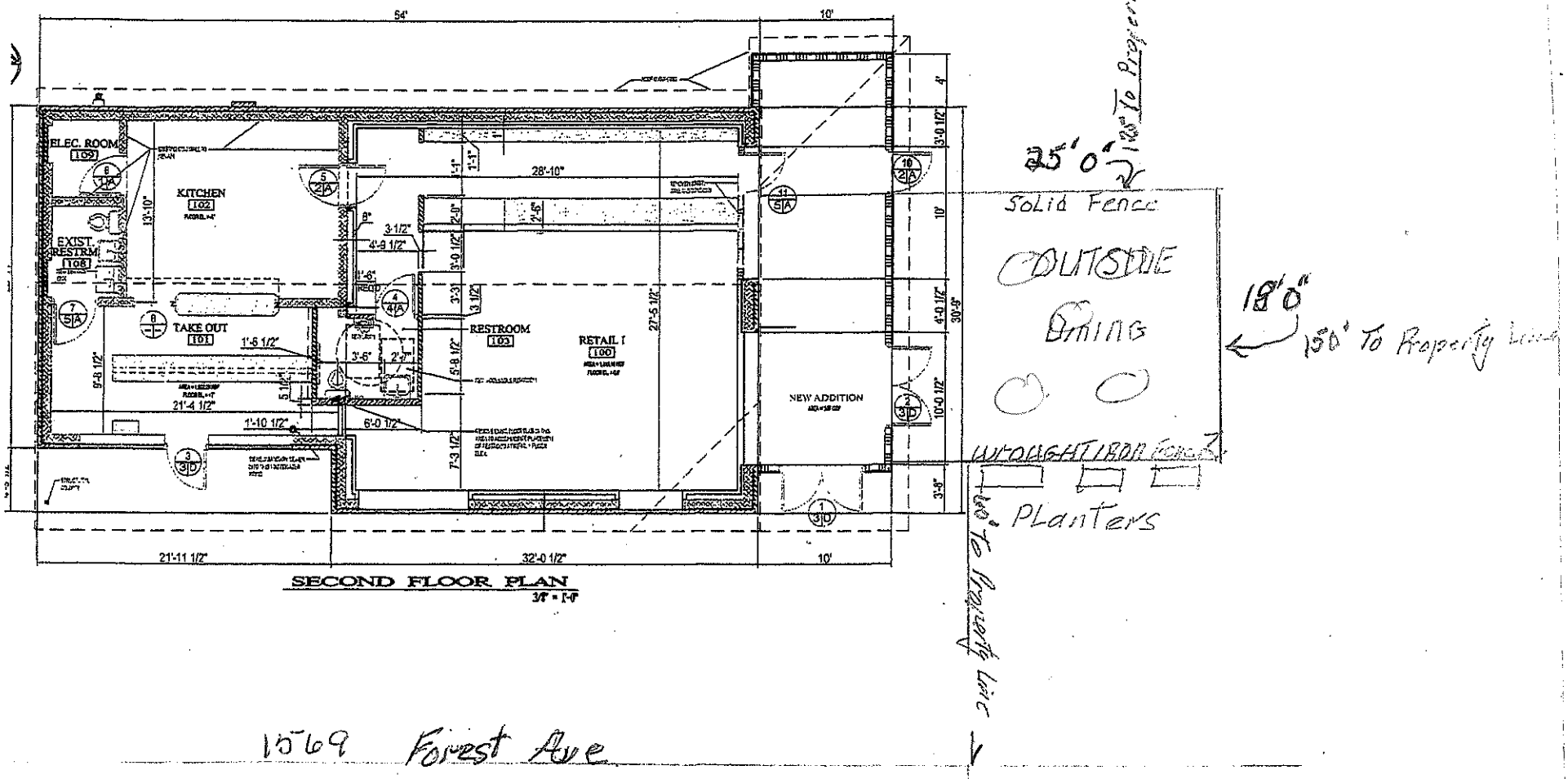
☑ Outdoor Dining on Private Property $125.00 ☐ Legal Advertisement Deposit $100.00

Business Information			
Business Name (d/b/a):	Riverton Station LLC	Phone:	207 805-1115
Location Address:	1569 Forest Ave	Zip:	04103
Mailing Address:	1569 Forest Ave Portland ME	Zip:	04103
Contact Person:	Peter Hoglund	Phone:	207-232-9575
Contact Person Email:	PHoglund@Maine.RR.com		
Manager of Establishment:	James Hoglund Date of Birth: 9-3-74	Phone:	207-415-9682
Owner of Premises (Landlord):	☑ FiFTeen Sixty-nine LLC		
Address of Premises Owner:	1569 Forest Ave Portland ME	Zip:	04103

Owner Information

Corporate Name	Corporate Mailing Address		
Riverton Station LLC	1569 Forest Ave Port ME	Zip:	04103
Contact Person: Peter Hoglund		Phone:	207-232-9575

Principal Officers	Title	Date of Birth	Residence Address
Peter E Hoglund Sr	Member	9-19-43	56 Lane Ave Portland ME 04103
James M. Hoglund	Member	9-3-74	36 Newton St Portland ME 04103



SECOND FLOOR PLAN
3/8" = 1'-0"

SITE DESIGN DATA

1. TOTAL SITE AREA	45,679 SF OR 1.05 ACRES	
2. ZONING DISTRICT	B1 NEIGHBORHOOD BUSINESS PROFESSIONAL DISTRICT	
3. SPACE AND BULK REQUIREMENTS	REQUIRED	PROPOSED
MINIMUM LOT SIZE	NONE	1.0 ACRES
MINIMUM STREET FRONTAGE	20 FT	FOREST AVE. = 202 FT. HARRIS STREET = 100 FT.
MINIMUM LOT WIDTH	NONE	202 FT. PROPOSED
MINIMUM FRONT YARD SETBACK	NONE	49'-9" FT. PROPOSED
MINIMUM SIDE YARD (NORTH) SETBACK	5 FT	15'-6" FT. PROPOSED
MINIMUM SIDE YARD (SOUTH) SETBACK	5 FT	89'-8" FT. PROPOSED
MINIMUM REAR YARD SETBACK	20 FT	20 FT. (NON-CONFORMING)
MAXIMUM LOT COVERAGE	NONE	4,600 PROPOSED
MAXIMUM BUILDING HEIGHT	35 FT	35'-0" FT.
LOT DEPTH (AVERAGE)	NONE	85 FT.
MAX. IMPERVIOUS SURFACE AREA	-	-
MAX. FLOOR AREA - COMMERCIAL	3,600 SF.	1,962 SQ. FT.
STRUCTURE SETBACKS - FOR 35 FT. HEIGHT	35 FT. FROM, 35 FT. REAR	NON APPLICATIVE
MAX. FLOOR AREA - COMMERCIAL	3600 SF.	1,962 SQ. FT.

4. OWNER OF PROPERTY:
659 FOREST AVENUE - LLC
E. LAND STREET
PORTLAND, MAINE 04101

5. PARKING REQUIRED:
REQUIRED: 1,962 SF. RETAIL AREA AT 1 SPACE PER 370 S.F.
= 5.27 SPACES REQUIRED
PROPOSED: 29 SPACES PROVIDED INCLUDING 2 ACCESSIBLE SPACES

6. BUILDING SUMMARY:
BUILDING FOOTPRINT (PROPOSED): 1,962 GSF
TOTAL NUMBER SQUARE FOOTAGE: 1,962 GSF

LOT COVERAGE CALCULATIONS: 1,962 SF. + 428 SF (CANOPY) = 2,390 SF

7. BOUNDARY LINE AND TOPOGRAPHIC INFORMATION BASED ON CLASS D BOUNDARY SURVEY PREPARED BY LAWRENCE-HOOKINS SURVEYING, REFERENCE/SURVEY, MAINE 6906 DATED SEPTEMBER 29, 2020.

8. BENCHMARK IS NAIL IN UTILITY POLE #4925 ON THE SOUTHERN SIDE OF GROVE STREET. 103± ELEVATION 109.22'.

9. ALL MATERIALS AND INSTALLATION DETAILS SHALL MEET MDOT, AND/OR CITY OF PORTLAND TECHNICAL DESIGN STANDARDS.

10. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING AND KEEPING STREETS CLEAN DURING CONSTRUCTION. A MAINTENANCE PLAN SHALL BE PREPARED AND APPROVED BY THE CITY AND OWNERS REPRESENTATIVE.

11. SEE DRAWING C-100 FOR GENERAL CONSTRUCTION AND EROSION CONTROL NOTES

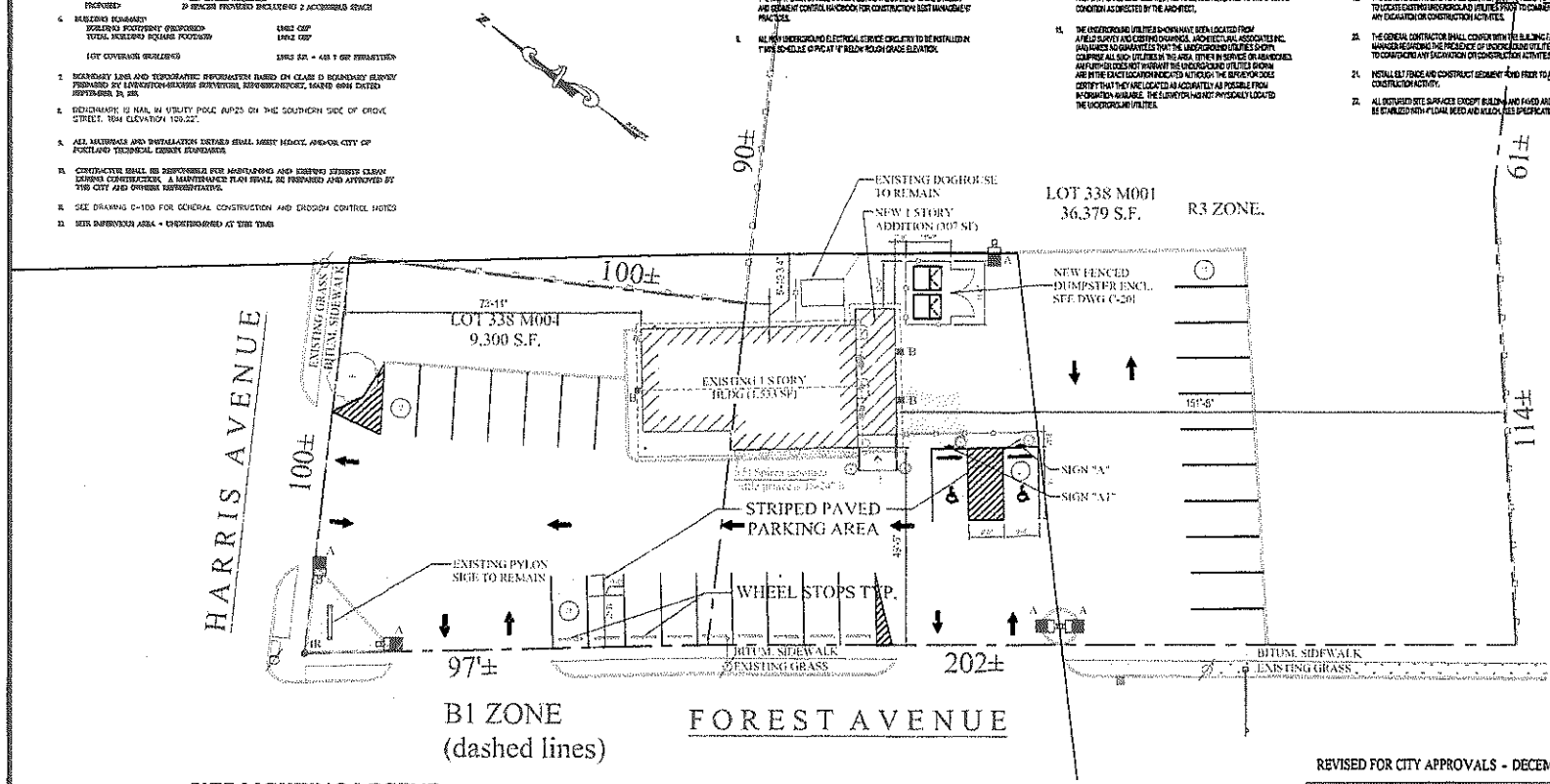
12. SITE DISTURBED AREA = UNDETERMINED AT THIS TIME

SITE NOTES

1. THE SITE PLAN IS NOT A SURVEYED BOUNDARY SURVEY. THIS PLAN WAS DERIVED FROM A CLASS 'D' SITE SURVEY PREPARED BY LAWRENCE AND HUGHES, LAND SURVEYORS, 48 GUINEA ROAD, NEWBURYPORT, MAINE 04064.
2. THE GENERAL CONTRACTOR SHALL VERIFY LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO EXCAVATION PROCEDURES.
3. GENERAL CONTRACTOR SHALL OBTAIN ALL NECESSARY DEMOLITION, CONSTRUCTION OR ENVIRONMENTAL PERMITS PRIOR TO BEGINNING CONSTRUCTION.
4. GENERAL CONTRACTOR SHALL PROVIDE AND MAINTAIN ALL POSTED TRAFFIC AND VEHICULAR TRAFFIC CONTROL AND PROTECTION DEVICES DURING AND AFTER CONSTRUCTION, DELIVERIES, AND ROAD OPENING PROCEDURES.
5. NOTIFY ARCHITECT IMMEDIATELY IF FIELD CONDITIONS ENCOUNTERED DIFFER FROM THOSE SHOWN ON THESE DRAWINGS
6. PROVIDE SILT FENCING AROUND MUNICIPAL AND ON-SITE CATCHBASINS AND DRAINAGE WAYS.
7. PROVIDE SECONDARY PIPE SLEEVES OF SAME MATERIAL AS WATER PIPING, AND CONDUIT PASTHRU FOUNDATION WALLS AND SLABS.
8. GENERAL CONTRACTOR SHALL PERFORM ALL SITE WORK ACCORDING TO THE MAINE DEP RULES, STANDARDS AND THE STATE OF MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES.
9. ALL NEW UNDERGROUND ELECTRICAL SERVICE CIRCUITRY TO BE INSTALLED IN 1" MIN. SCHEDULE 40 PVC AT 18" BELOW ROUGH GRADE ELEVATION.
10. PLANTING BEDS SHALL BE PREPARED WITH 4" SHREDDED BARK MULCH OVER LANDSCAPING FABRIC AND 8" MIN. FRIABLE LOAM PLANTING MIXTURE. (SEE SPEC.)
11. INSTALL NEW STRAW MULCH ON ALL NEW SEEDING TO PREVENT SOIL COMPACTION, LIMIT RUNOFF, CONTROL WEEDS AND CONSERVE MOISTURE.
12. SILTATION FENCES AND HAY BALE BARRIERS SHALL BE INSTALLED AROUND ANY SOIL DISTURBED AREA TO PREVENT MOVEMENT OF SILT INTO STREAMS, BROOKS, ROAD DITCHES, DRAINAGE DITCHES, FACILITY & MUNICIPAL CATCH BASINS, ETC.
13. ALL DISTURBED AREAS SHALL BE COVERED WITH 4" LOAM AND SEEDED AND MULCHED AS NECESSARY TO ENSURE A 75 % VEGETATIVE ESTABLISHMENT WITH THE FOLLOWING SEED MIXTURE.

TERMANENT SEED MIXTURE	APPLICATION RATE
KENTUCKY BLUEGRASS	.45
CHEWING RED FESCUE	.45
PERENNIAL RYEGRASS	.11
RIPTOP	
TALL FESCUE	
TOTAL SEED RATE	LBS

14. THE GENERAL CONTRACTOR SHALL NOT UNLOAD OR STORE HEAVY EQUIPMENT OR BUILDING SUPPLIES ON EXISTING PAVED SURFACES. ALL DAMAGE TO THE OWNERS PROPERTY SHALL BE IMMEDIATELY REPAIRED AND RETURNED TO THE ORIGINAL CONDITION AS DIRECTED BY THE ARCHITECT.
15. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM A FIELD SURVEY AND EXISTING DRAWINGS. ARCHITECTURAL ASSOCIATES INC. (AA) MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED, AND FURTHERMORE DOES NOT WARRANT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HEREBY PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
16. THE GENERAL CONTRACTOR SHALL NOT UNLOAD OR STORE HEAVY EQUIPMENT OR BUILDING SUPPLIES ON EXISTING PAVED SURFACES. ALL DAMAGE TO THE OWNERS PROPERTY SHALL BE IMMEDIATELY REPAIRED AND RETURNED TO THE ORIGINAL CONDITION AS DIRECTED BY THE ARCHITECT.
17. WASH CONSTRUCTION VEHICLE WHEELS TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHT OF WAY. PERFORM WASHING ON AN AREA STABILIZED WITH CRUSHED STONE WHICH DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN. PREVENT ALL SEDIMENT FROM ENTERING ANY STORM DRAIN, DITCH OR WATERCOURSE THROUGH USE OF SAND BAGS, GRAVEL, BOARDS, OR OTHER APPROVED METHODS.
18. MAINTAIN THE CONSTRUCTION ENTRANCE IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL CRUSHED STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED, OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
   - STONE SIZE: USE NO. 2 (DESIGNATION #4 SIZE (1-1/2" - 1/4")) USE CRUSHED STONE
   - LENGTH: AS EFFECTIVE BUT NOT LESS THAN 50 FT.
   - THICKNESS: NOT LESS THAN 8"
   - WIDTH: NOT LESS THAN FULL WIDTH OF ALL POINTS OF INGRESS OR EGRESS
19. THE GENERAL CONTRACTOR SHALL CONTACT DIGSAFE AND/OR DIGTESS TO LOCATE EXISTING UNDERGROUND UTILITIES PRIOR TO COMMENCING ANY EXCAVATION OR CONSTRUCTION ACTIVITIES.
20. THE GENERAL CONTRACTOR SHALL CONFER WITH THE BUILDING FACILITIES MANAGER REGARDING THE PRESENCE OF UNDERGROUND UTILITIES PRIOR TO COMMENCING ANY EXCAVATION OR CONSTRUCTION ACTIVITIES.
21. INSTALL SILT FENCE AND CONSTRUCT SEDIMENT POND PRIOR TO ANY OTHER CONSTRUCTION ACTIVITY.
22. ALL DISTURBED SITE SURFACES EXCEPT BUILDING AND PAVED AREAS SHALL BE STABILIZED WITH 4" LOAM, SEED AND MULCH, UNLESS SPECIFICATION.



SITE LIGHTING LEGEND

A — SPAULDING "ZACHARY" 250W METAL HALIDE AREA LIGHT, ARM MOUNTED, CAT. NO. MHB-250-HPS ON A 2-4" x 14 FT. BAKED ENAMEL STEEL POLE, CAT. NO. = 13-SQST-511 POLE BASE MOUNTED ON PRECAST CONCRETE BASE, 7 FT. ABV. FIN. GRADE. FIXTURE HEIGHT = 16 FT. ABV. GRADE. INCLUDE ALL LAMPS & ACCESSORIES

B — 100# METAL HALID WALL BACK OR EQUAL

PROPOSED SITE LAYOUT PLAN

3/32" = 1'-0"

GRAPHIC SCALE

0 5' 10' 20' 50'

REVISED FOR CITY APPROVALS - DECEMBER 22, 2020

1569 FOREST AVENUE FACILITY FOR
PETER HOGLUND, SR.
1569 FOREST AVENUE
PORTLAND, MAINE

C-200 R4

DAVID D. LEASURE - ARCHITECTURAL ASSOCIATES INC.
111 ROOSEVELT TRAIL WINDHAM, MAINE 04062

PROJECT NO: 020202 PROJECT TITLE: 1569 FOREST AVENUE
SCALE: 3/32"=1'-0" SHEET TITLE: PROPOSED SITE PLAN

Components of outside dining area.

Approximately 4/5 tables and 16/20 seats.

Egress will be two 36" doors into the restaurant.

There will be no outside access to the dining area.

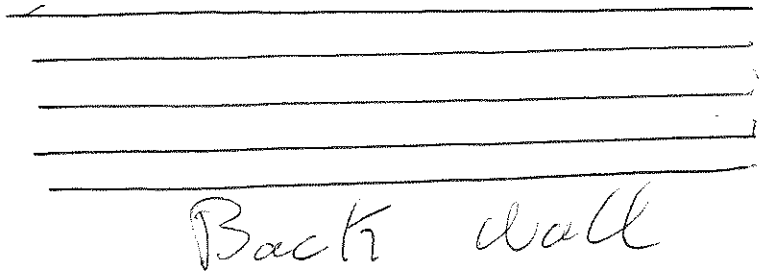
The actual area of the space is 375 sq ft.

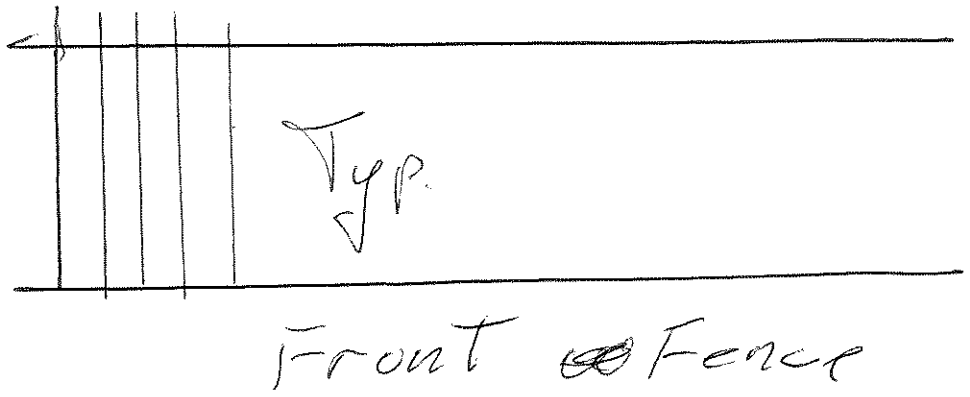
Specifications for barrier around outside dining area.

Rear will be horizontal pressure treated boards approximately six feet high.

Front and side will be wrought iron railing/fencing approximately 4'/5' tall.

The front and side will have planters with either or both flowers and bushes.


Back wall


Typ.
Front Fence

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Request for Extension of License Privileges for an On-Premises Establishment

Section I: Licensee Information:

Legal Business Entity Licensee Name (corporation, LLC): Riverton Station LLC	Business Name (D/B/A): Riverton Station LLC
Individual or Sole Proprietor Licensee Name(s):	Physical Location: 1569 Forest ave Portland Me
License Number:	Mailing address, if different:
Mailing address, if different from DBA address:	Email Address: PHoglund@Maine.RR.com
Telephone # 207-232-9575 Fax #: 207-797-8898	Business Telephone # 207 232-9575 Fax #: 797 8898

Section II: Extension of Privileges Information:

1. Name, Address, and Contact Information of Property Owner (if property is rented or leased, please provide a copy of rental/lease agreement):

   Name: Riverton Station LLC

   Complete mailing address: 1569 Forest Ave Portland ME 04103

   Telephone/Mobile Number: 207-232-9575

   Email Address: PHoglund@maine.RR.com

2. Type of Extension of Privileges: (check only one)

   a. Temporary ☐ Inside ☐ Outside ☑

   b. Permanent ☐ Inside ☐ Outside ☑

continue to next page

3. Start Date: 06-01-2023 End Date (if applicable): 09-01-2023

4. Will dancing be permitted in this area? Yes ☐ No ☑
   a. If yes, does the establishment have a dance license? Yes ☐ No ☐
   b. If yes, please provide a copy of the license from the State's Fire Marshall's Office

5. Will there be live entertainment in this area? Yes ☐ No ☑

6. Reason for this request:

Customers like to Dine outside

Section III: Signature of Licensee

By signing this application, the licensee understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to $2,000 or by both.

Please sign and date in blue ink.

Dated: 05-12-2023

Signature of Licensee or Duly Authorized Person

Peter Hoglund

Printed Name of Licensee or Duly Authorized Person

Submit completed forms to: Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement

Mailing address: 8 SHS, Augusta, ME 04333-0008
Courier delivery: 19 Union Street, 3rd floor, Suite 301-B, Augusta, ME 04330

(continue to next page)

Section IV: Approval by Municipal/County Officers

Please note: The municipal/county officers where your establishment is located must approve all requests for extension of license privileges prior to filing with the Bureau. If your license is issued in an unorganized township, the county commissioners must approve this request, otherwise, it would be your municipal (town or city) officials.

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this extension of privileges for this on-premises licensee on this date: _____.

Check only one: ☐ City ☐ Town ☐ Unorganized Territory

Name of City/Town/Unorganized Territory: _____

Who is approving this application? ☐ Municipal Officers
☐ County Commissioners of _____ County

☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of license to be issued by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

Continued to next page

Diagram for Extension of Privileges Area

The following restrictions apply to outdoor extension of privileges:

- There must be a stanchion or a fence completely enclosing the area.
- Signs must be posted stating "No alcohol beyond this point".
- There must be sufficient employees at the extension area of premises who would be able to control and monitor the area.

In an effort to clearly define your extension please draw a diagram below that will include the area you want for a temporary / permanent license premise. Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your where consumption will occur including methods of monitoring and containment of the area(s).

For Office Use Only:

Date Filed: _____ Date Issued: _____ Issued By: _____

☐ Approved ☐ Not Approved

Riverton Station - 1569 Forest Ave - Outdoor Dining Private Property

Eric Nevins <ericn@portlandmaine.gov> Tue, May 23, 2023 at 5:23 PM
To: Zachary Lenhert <zlenhert@portlandmaine.gov>
Cc: Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>

Approved

On Fri, May 19, 2023 at 2:52 PM Zachary Lenhert <zlenhert@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Eric Nevins
Lieutenant
Portland Police Department
(207) 874-8513

portland

Zachary Lenhert <zlenhert@portlandmaine.gov>

Riverton Station - 1569 Forest Ave - Outdoor Dining Private Property

Zoning <zoning@portlandmaine.gov> Fri, May 26, 2023 at 12:36 PM
To: Zoning <zoning@portlandmaine.gov>
Cc: Zachary Lenhert <zlenhert@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <ericn@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>

Good Afternoon,

The parcel Riverton Station is on, CBL: 338 M001001 is in both the B1 and R3 zones. The restaurant is in the B1 portion of the parcel. Restaurant is not a permitted use in the R3 zone.

Section 5.2.3 allows for an extension of use from a less restrictive zone:

5.2.3 Extension of zone lines
Where a zone boundary line divides a lot in single or joint ownership of record at the time such line is established, the provisions of this Land Use Code for the less restricted portion of such lot shall extend not more than 30 feet into the more restricted portion, provided that the lot has at least 20 feet of street frontage in the less restrictive zone when taken together with adjacent premises which are under the same or equivalent ownership or control. If such boundary line divides a business or industrial zone from a residential zone, no frontage on a street other than the principal business street in the less restrictive zone may be taken into consideration in connection with the right herein granted. This subsection shall not apply to differing dimensional requirements, including height, within a zoning district.

The parking lot appears to be right on the rear of the B1 zone, but projects approximately 53' into the R3 zone from the boundary line parallel with Westlawn RD. So they would not be able to place seating on the last 23' of pavement.

Please add the condition:
Outdoor seating is an accessory use for the legal use of restaurant. The use of Restaurant is prohibited in the R3 portion of the lot. Based on Section 5.2.3 of the City's Land Use Code, Chapter 14, the use of restaurant may be extended 30' from the end of the B1 zone into the R3 zone. Outdoor seating will be permitted in the B1 zone and the first 30' of R3 zone measured from the end of the B1 zone.

I've attached a map to illustrate Section 5.2.3. I am happy to speak with the applicant if they have any questions.

Zoning approves outdoor seating in the B1 zone and the first 30' into the R3 zone from the B1 zone boundary line.

Thank you,

Mac

Mac Coldwell

City of Portland
Zoning Specialist
Permitting & Inspections Department
389 Congress ST, Room #315
Email: mcoldwell@portlandmaine.gov
he/him
[Quoted text hidden]

1569 Forest AVE GIS B1 & R3 zones.pdf
264K

Legal Advertisement

Notice of Public Hearing
City of Portland

A Public Hearing will be held on June 5, 2023 at 5:00 P.M., virtually Riverton Station LLC, dba Riverton Station. Application for Outdoor Dining on Private Property at 1569 Forest Avenue - Sponsored by Danielle P. West, City Manager

City of Portland | Permitting and Inspections
Zachary Lenhert, Licensing and Housing Safety Manager

May 31, 2023

Riverton Station LLC
1569 Forest Avenue
Portland, ME 04103

Re: Riverton Station LLC, dba Riverton Station. Application for Outdoor Dining on Private Property at 1569 Forest Avenue

Dear Riverton Station LLC:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday June 5, 2023 at 5:00 p.m., for the review of application for Outdoor Dining on Private Property at 1569 Forest Avenue. The meeting will take place in person and virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 2, 2023.

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 at bl@portlandmaine.gov.

Sincerely,

Zachary J. Lenhert
Licensing and Housing Safety Manager

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 19, 2023

SUBJECT: Order 236-22/23 Granting Municipal Officers' Approval of Small Axe LLC, dba East Ender. Application for Class XI Restaurant/Lounge with Outdoor Dining on Public Property and Indoor Entertainment at 47 Middle Street - Sponsored by Danielle P. West, City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(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 action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: N/A

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

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 5/10/23. New City and State applications. Change of license classification. Establishment currently holds a Class I FSE.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is $50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2023.06.05_East Ender

2. East Ender_Council Packet

Prepared by:
Date: 05/19/2023

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA PHILLIPS (3)
ANDREW ZARRO (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS' APPROVAL OF:

Small Axe LLC, dba East Ender. Application for Class XI Restaurant/Lounge with Outdoor Dining on Public Property and Indoor Entertainment at 47 Middle Street

Mayor Snyder and Members of the City Council,

SmallAxe LLC dba East Ender, represented here by Karl Deuben, is seeking approval to upgrade from a Restaurant Liquor License to a Restaurant/Lounge Liquor License.

Given the growth of our late night karaoke programing and general lack of interest in a full service food menu in the later hours, this upgrade would help our operations tremendously.

Thank you for your time in reviewing our request for a change to our liquor license.

Kind Regards,
Karl Deuben

CITY OF PORTLAND

Permitting and Inspections Department

Application for Food Service Establishment with Alcoholic Beverages License

Business Information			
Establishment Name (d/b/a):	EAST ENDER	Phone: 207	879-7669
Location Address:	47 MIDDLE STREET PORTLAND, ME	Zip:	04101
If new, what was formerly at this location:			
Mailing Address:	47 MIDDLE STREET PORTLAND, ME	Zip:	04101
Contact Person:	KARL DEUBEN	Phone: 207	671-8495
Contact Person Email:	KARL@EASTENDERPORTLAND.COM		
Manager of Establishment:	KARL DEUBEN Date of Birth: 6/29/1977	Phone: 207	671-8495
Owner of Premises (Landlord):	SCARECROW HOLDINGS, LLC		
Address of Premises Owner (Landlord):	5 MOULTON 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		
SMALL AXE LLC	47 MIDDLE ST. PORTLAND, ME	Zip:	04101
Contact Person:	KARL DEUBEN	Phone: 207	671-8495

Principal Officers	Title	Date of Birth	Residence Address
KARL DEUBEN	GENERAL PARTNER	6/29/1977	51 FOUR WINDS RD. PORTLAND, ME 04102
CRAIG MUDGE	MEMBER	2/3/1949	20 CHICKADEE DR. TOPSHAM, ME 04086

Class of Liquor License: XI

CITY OF PORTLAND

Permitting and Inspections Department

Type of food served:	NEW AMERICAN
Please circle all that will be served:	(Beer) (Wine) (Liquor)
Projected percentage of sales:	Generated from Food: 45 Generated from Alcohol: 55
Hours & days of operation:	SUN-FRIDAY 3PM-12AM SATURDAY 11AM-12AM

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: FULL MEALS WILL BE SERVED UNTIL 10PM	
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 Entertainment is required.)	(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 amusements: _____ # of pool tables: _____	
What is your targeted opening date?	
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): EAST ENDER 47 MIDDLE ST. SMALLS 28 BRACKETT ST	
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 KARL REUBEN 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.

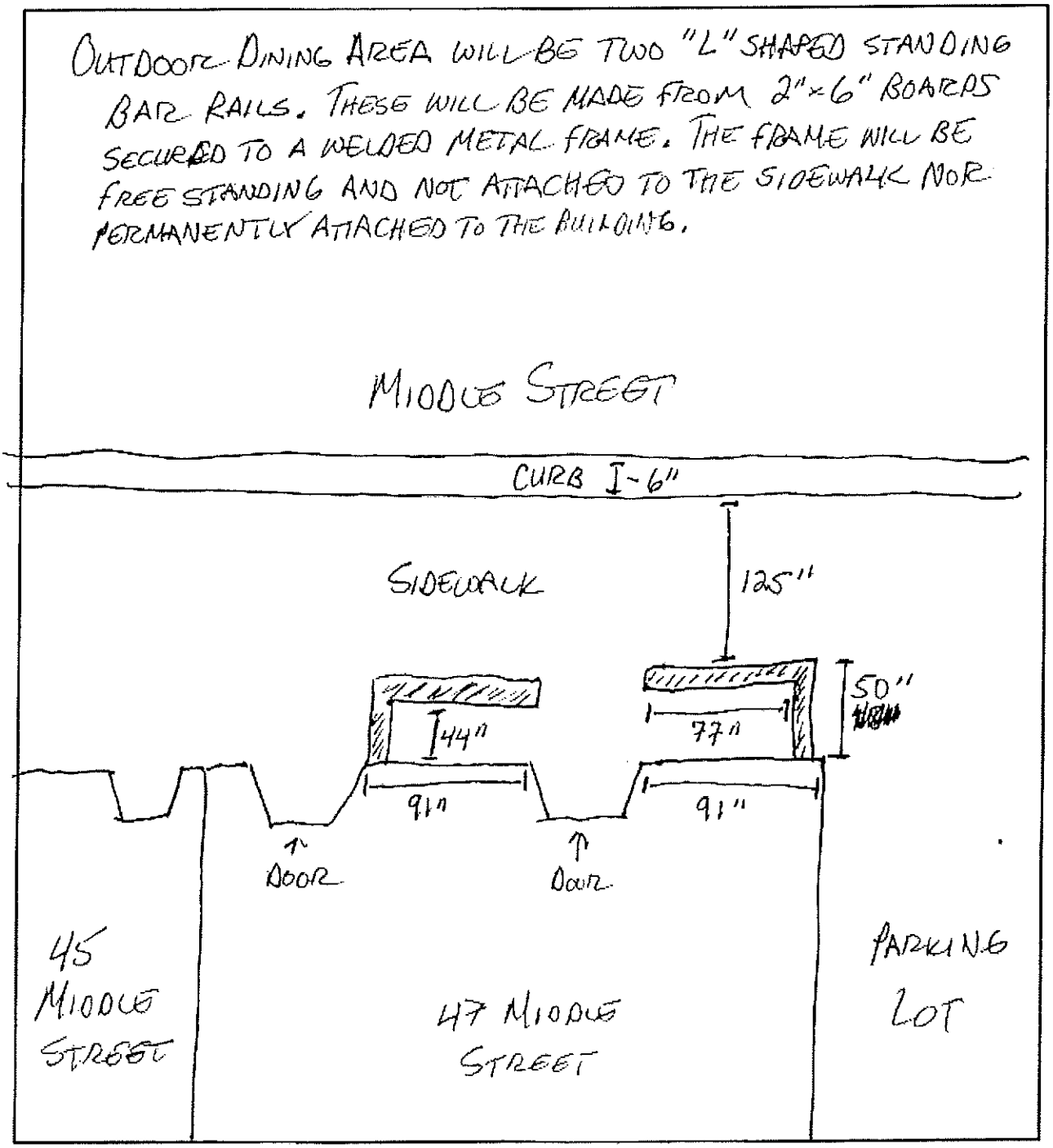
It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive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

Signature _____ Title OWNER Date 6/2/2023

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Section VII Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

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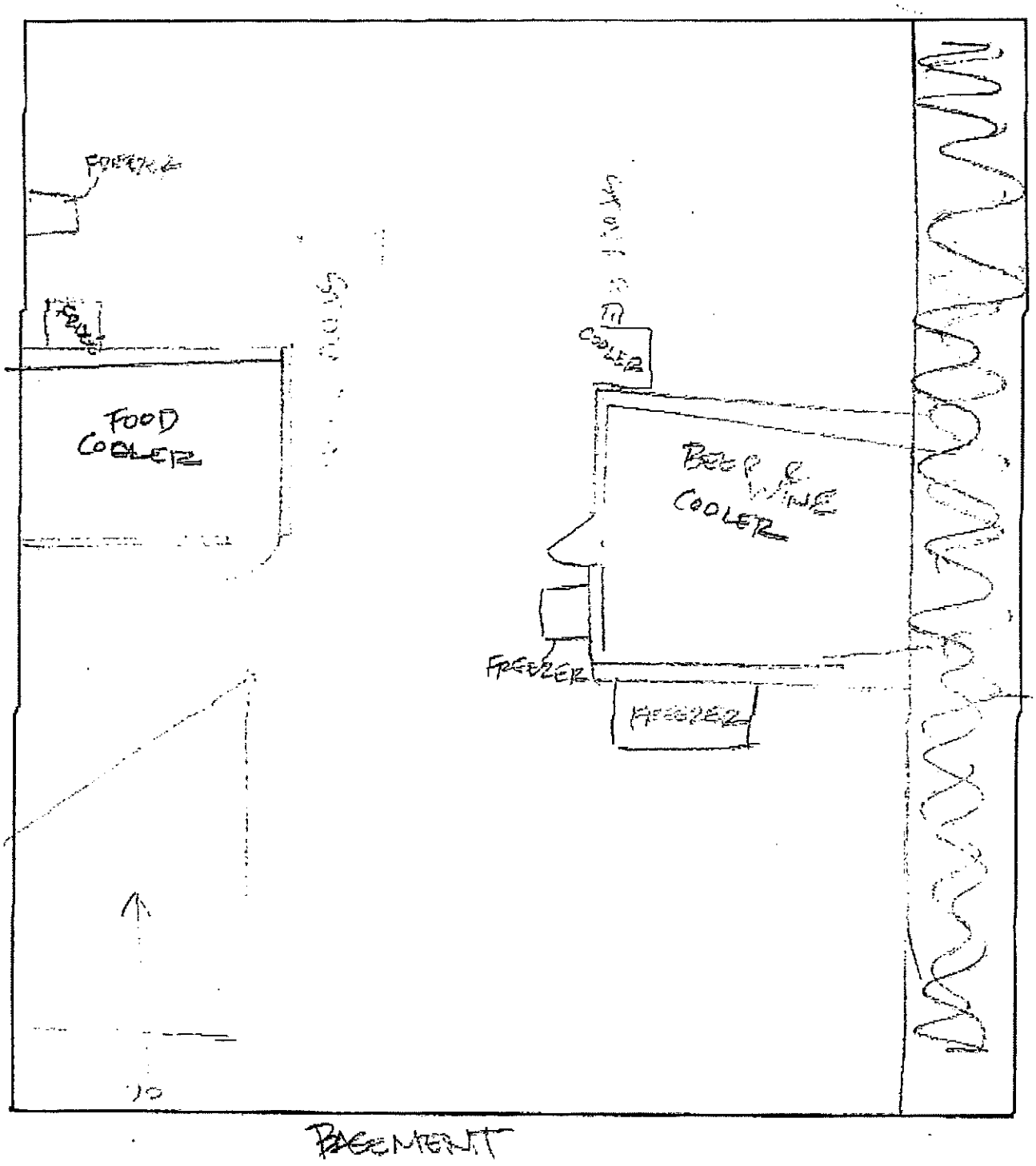

Section VII Premises Floor Plan

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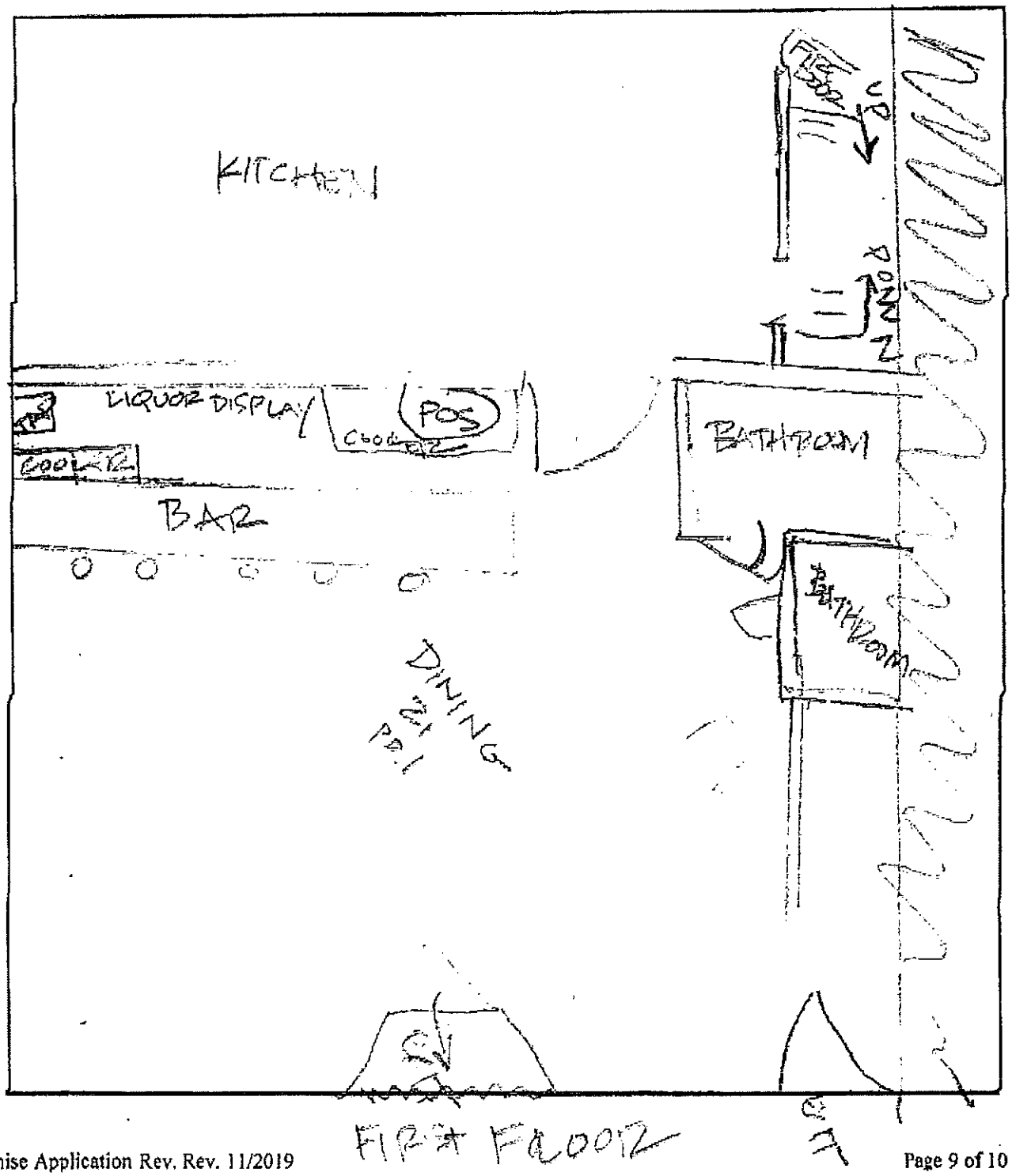

Section VII Premises Floor Plan

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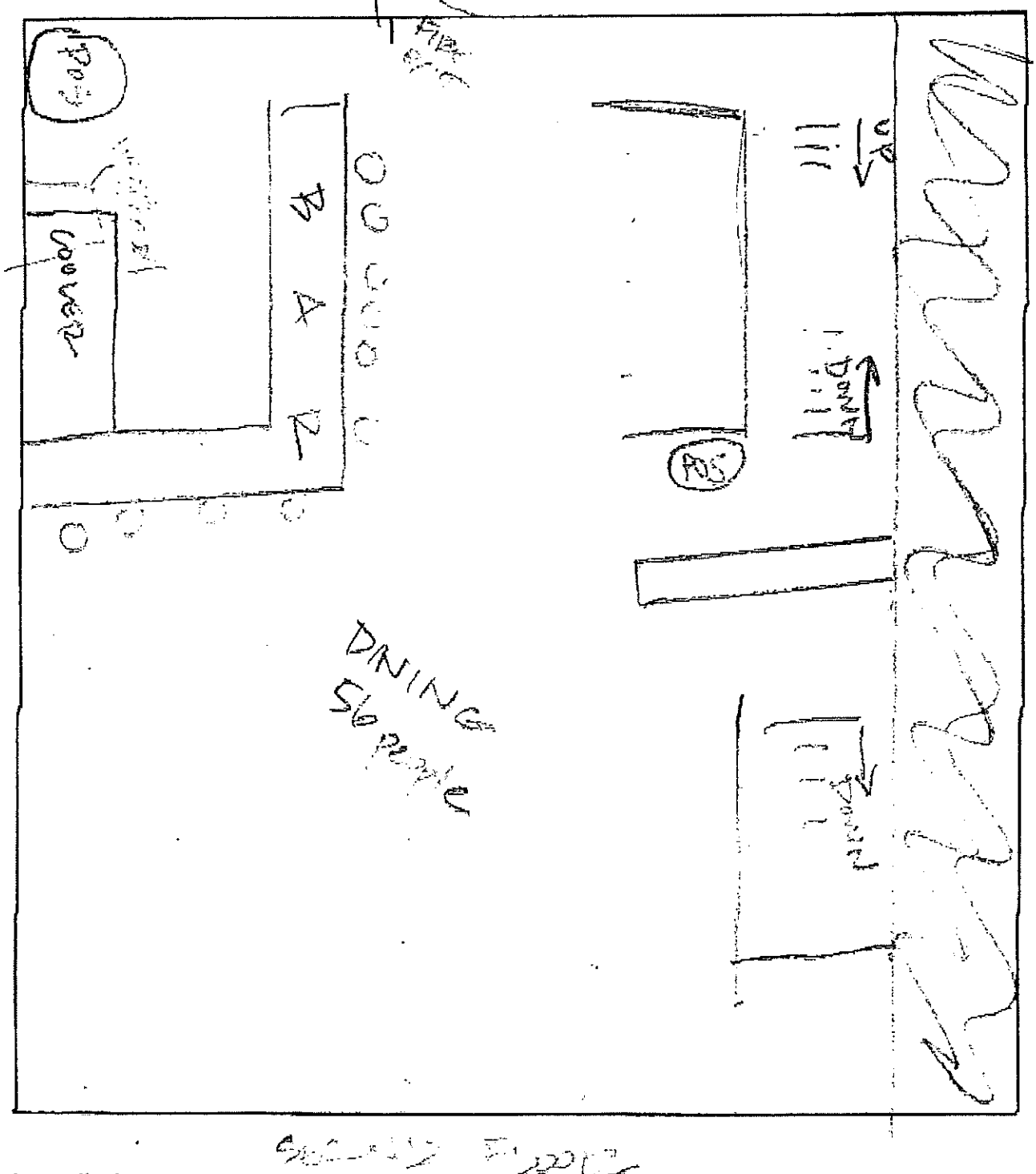

Section VII Premises Floor Plan

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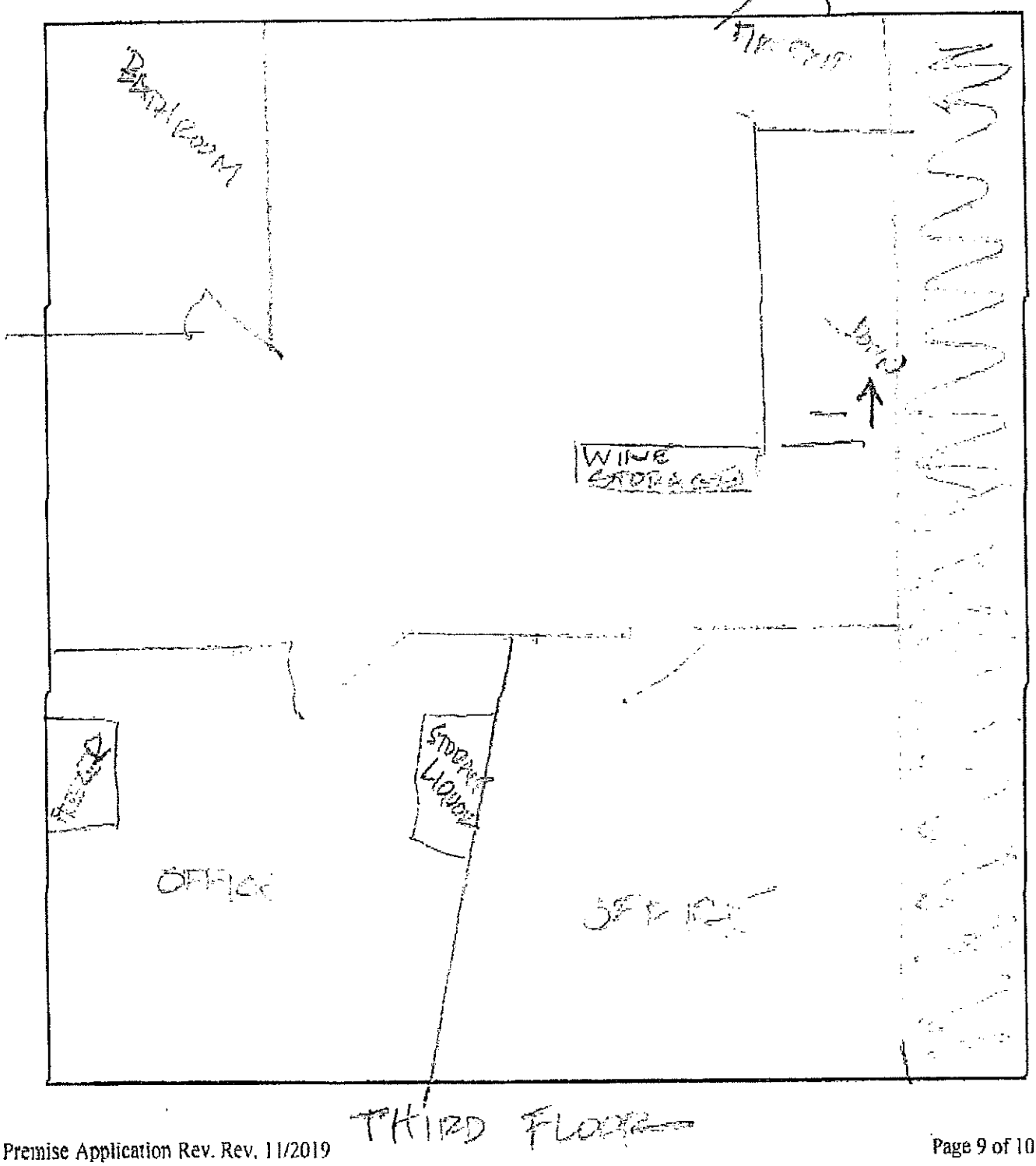


CITY OF PORTLAND
Permitting and Inspections Department

Application for an Entertainment License

☒ Indoor Entertainment $500.00 ☐ Outdoor Entertainment $700.00 ☐ Combined Entertainment $800.00

☐ Sound Mitigation Fee $150.00

Business Information			
Establishment Name (d/b/a):	EastEnder	Phone: 207	671-8495
Location Address:	47 Middle St. Portland, ME	Zip:	04101
Owner Name:	Karl Deuben	Phone: 207	671-8495
Owner Email:	karl@eastenderportland.com		
Contact Person responsible for Entertainment:	Karl Deuben	Phone: 207	671-8495
Contact Person Email:	karl@eastenderportland.com		
Manager of Establishment:	Karl Deuben	Phone: 207	671-8495
Manager Email:	karl@eastenderportland.com		

About Your Establishment

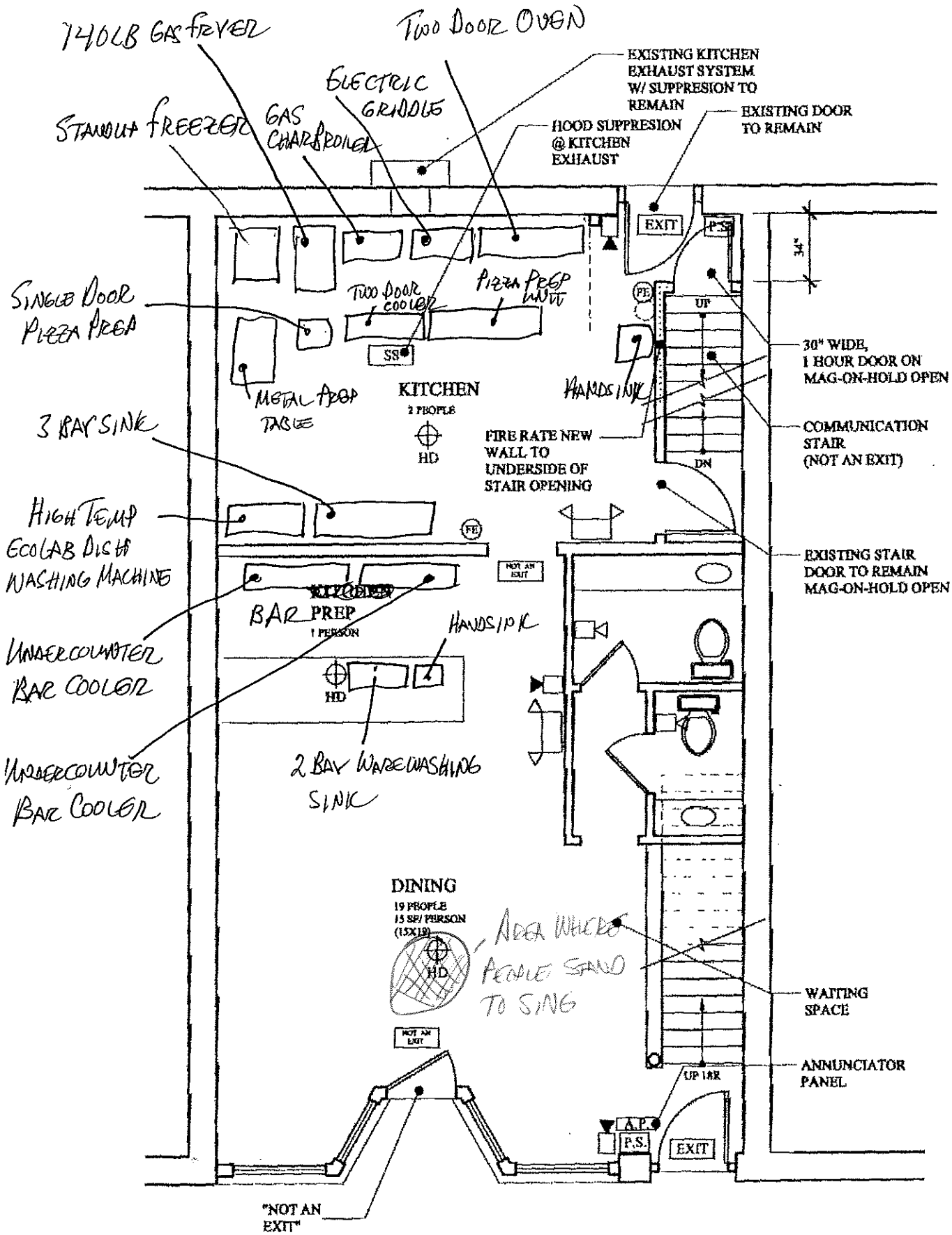
Describe in detail the type and nature of the business and proposed entertainment:

EastEnder is a two floor bar and restaurant. We provide karaoke on our first floor after 8PM.

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above license 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.

Signature K I Z Title Owner Date 5/2/2023

For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at www.portlandmaine.gov



FIRST FLOOR PLAN

SCALE: 1/4"=1'5"

CITY OF PORTLAND
Permitting and Inspections Department

Outdoor Dining Permit on Public Property
Supplemental Application

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Liquor License
Valid April 1-November 15

- ☐ Legal Advertisement Deposit $100.00
- ☐ Outdoor Dining on Public Property $84.00 plus $2.00 per Square foot $2.00 X_____SF =_____
- ☐ Outdoor Dining on Public Property in a City Park $84.00 plus $6.30 per Square foot $6.30 X_____SF =_____

Business Information			
Establishment Name (d/b/a):	EAST ENDER	Phone: 209	879.7669
Location Address:	47 MIDDLE ST. PORTLAND, ME Zip: 04101		
Mailing Address:	47 MIDDLE ST. PORTLAND, ME Zip: 04101		
Contact Person:	KARL DEUBEN	Phone: 207	671.8495
Contact Person Email:	KARL@EASTENDERPORTLAND.COM		
Manager of Establishment:	KARL DEUBEN Date of Birth: 6/29/1977	Phone: 207	671.8495
Owner of Premises (Landlord):	SCARECROW HOLDINGS, LLC		
Address of Premises Owner (Landlord):	5 MOULTON ST. PORTLAND, ME Zip: 04101		

Owner Information

Corporate Name	Corporate Mailing Address		
SMALLAXE, LLC	47 MIDDLE ST. PORTLAND, ME Zip: 04101		
Contact Person:	KARL DEUBEN	Phone: 209	671.8495

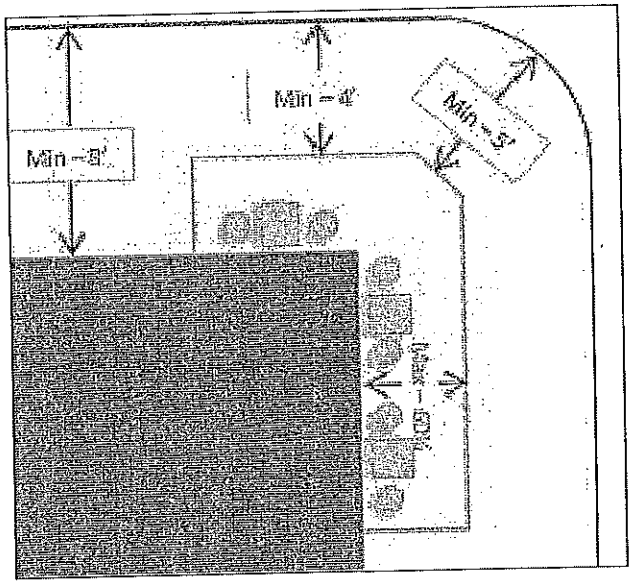
Principal Officers	Title	Date of Birth	Residence Address
KARL DEUBEN	GENERAL PARTNER	6/29/1977	51 FOUR WINDS ROAD PORTLAND, ME 04102
CRAIG MUDGE	MEMBER	2/3/1949	20 CHICKADEE DR. TOPSHAM, ME 04086

CITY OF PORTLAND
Permitting and Inspections Department

Class of License:	RESTAURANT/LOUNGE
Type of food served:	NEW AMERICAN
Please circle all that will be served:	(Beer) (Wine) (Liquor)
Hours & days of operation:	SUNDAY-FRIDAY 3PM-12AM SATURDAY 11AM-12AM
Number of Tables	2
Number of Chairs	4

Design and Construction

Existing Sidewalk Width (property line to curb)	Sidewalk Dining Allowed?
< 8'0"	No
≥ 8'0"	Yes – up to 60% of
Sidewalk Type	**Sidewalk Passage Width**
Standard sidewalk	4'0"
Street corner	5'0"

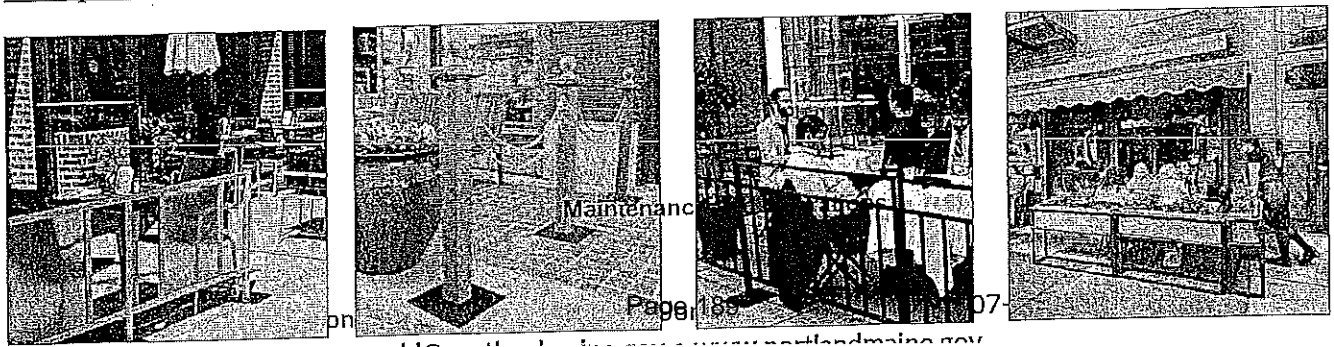


- Outdoor dining area shall not exceed 60% of the sidewalk width.
- A continuous, unobstructed sidewalk passage of 4 feet from the outer boundary of the seating area to the curb must be maintained. If the passage is not straight due to existing obstacles, then additional width may be required. Any changes to existing straight passage is at the discretion of the City.
- Egress must be maintained free of obstruction.
- Permanent fixtures, such as awnings, require a building permit separate from the Outdoor Dining permit and subject to approval by the Building Authority.
- Umbrellas do not require a permit.
- Umbrellas must be secured and maintainthe height clearance for sidewalk passage.

Barriers

- If barriers are proposed, they must be free-standing. Physical attachments to a building are not allowed.
- Stanchions and ropes are encouraged. Sectional fencing is allowed with a high degree of visual transparency (at least 50% open). Solid or opaque barriers are not allowed.
- Shall not exceed 42" in height and may not include commercial signage.

Example barrier types that meet regulation



CITY OF PORTLAND

Permitting and Inspections Department

- Outdoor dining components must be within the permitted area and allow safe passage of pedestrian traffic. Failure to comply may result in a revocation of the permit.
- The permit holder is responsible for keeping the outdoor seating area clean.
- No food shall be prepared in the designated outdoor dining area.
- All outdoor dining components shall be removed before snowfall and while any snow or ice exists within four feet of the outdoor dining area. The City will not be responsible for damage to any property that is not removed prior to sidewalk maintenance.
- Outdoor dining areas must meet ADA regulations and accessible seating is required.
- Request for the use of adjacent on street parking space for outdoor dining instillations requires Parking Office and Building Authority review and approval.

I/We fully understand that the City of Portland, its agents, officers and employees accept no responsibility and will not be liable for any injury, harm or damage to my/our person or property arising out of the establishment's occupancy of the sidewalk or park space. To the fullest extent permitted by law, I/We do hereby agree to assume all risk of injury, harm or damage to my/our person or property (including but not limited to all risk of injury, harm or damage to my/our property cause by the negligence of the City of Portland, its agents, officers or employees) arising out of the establishment's occupancy of the sidewalk or park space. I/We hereby agree, to the fullest extent permitted by law, to defend, indemnify and hold harmless the City of Portland, its agents, officers and employees, from and against all claims, damages, losses and expenses, just or unjust, including, but not limited to costs of defense and attorney's fees, arising out of the establishment's occupancy of the sidewalk or park space, provided that any such claims, damage, loss or expense (1) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property including the loss of use there from, and (2) is caused in whole or in part by any negligent act or omission of the establishment, anyone directly or indirectly employed by it, or anyone for whose act it may be liable.

Signature _____ Title GENERAL PARTNER Date 5/2/2023

For Administrative Use Only

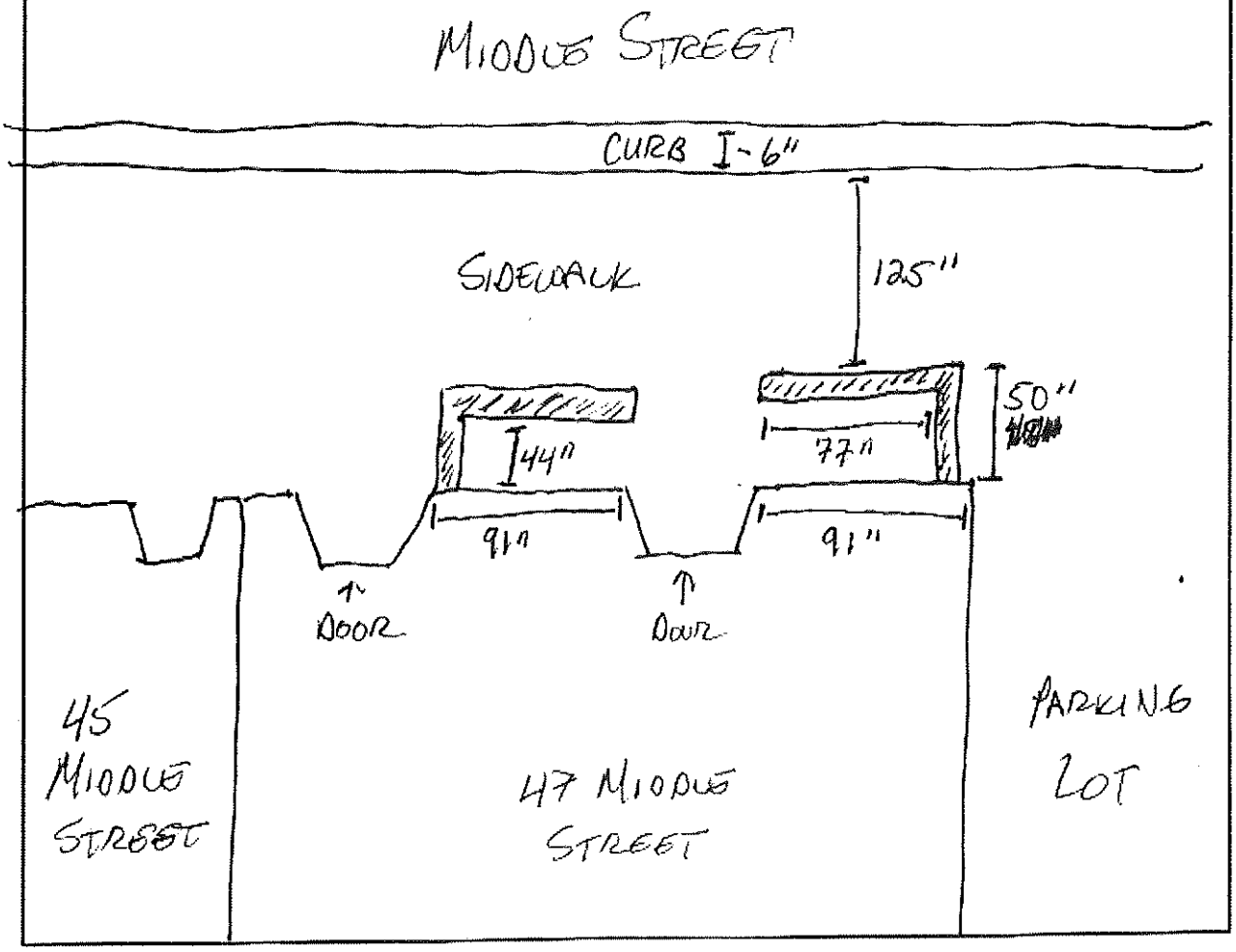
Amount: _____
Date Paid: _____
CC _____ CA _____ CK _____

Amount: _____
Date Paid: _____
CC _____ CA _____ CK _____

	Request Date / Approval	Notes:
FD:	_____/_____	_____
Health:	_____/_____	_____
PD:	_____/_____	_____
Treasury:	_____/_____	_____
Zoning:	_____/_____	_____

389 Congress Street, Room 307 • Portland, Maine 04101 • 207-874-8557

OUTDOOR DINING AREA WILL BE TWO "L" SHAPED STANDING BAR RAILS. THESE WILL BE MADE FROM 2"×6" BOARDS SECURED TO A WELDED METAL FRAME. THE FRAME WILL BE FREE STANDING AND NOT ATTACHED TO THE SIDEWALK NOR PERMANENTLY ATTACHED TO THE BUILDING.



East Ender - 47 Middle St - Class Upgrade

Eric Nevins <ericn@portlandmaine.gov> Tue, May 23, 2023 at 4:13 PM
To: Zachary Lenhert <zlenhert@portlandmaine.gov>
Cc: Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>, Glen McGary <glenm@portlandmaine.gov>, Kevin Schneck <kschneck@portlandmaine.gov>

Approved

On Fri, May 19, 2023 at 2:49 PM Zachary Lenhert <zlenhert@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Eric Nevins
Lieutenant
Portland Police Department
(207) 874-8513

Zachary Lenhert <zlenhert@portlandmaine.gov>

East Ender - 47 Middle St - Class Upgrade

Zoning <zoning@portlandmaine.gov> Fri, May 26, 2023 at 2:10 PM
To: Zoning <zoning@portlandmaine.gov>
Cc: Zachary Lenhert <zlenhert@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <ericn@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>, Glen McGary <glenm@portlandmaine.gov>, Kevin Schneck <kschneck@portlandmaine.gov>

Good Afternoon,

The legal use is restaurant. Zoning approves.

Thank you,

Mac

Mac Coldwell

City of Portland
Zoning Specialist
Permitting & Inspections Department
389 Congress ST, Room #315
Email: mcoldwell@portlandmaine.gov
he/him

[Quoted text hidden]

City of Portland | Permitting and Inspections
Zachary Lenhert, Licensing and Housing Safety Manager

May 31, 2023

Small Axe LLC
47 Middle Street
Portland, ME 04101

Re: Small Axe LLC, dba East Ender. Application for Class XI Restaurant/Lounge with Outdoor Dining on Public Property and Indoor Entertainment at 47 Middle Street

Dear Small Axe LLC:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday June 5, 2023 at 5:00 p.m., for the review of application for Class XI Restaurant/Lounge with Outdoor Dining on Public Property and Indoor Entertainment at 47 Middle Street. The meeting will take place in person and virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 2, 2023.

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 at bl@portlandmaine.gov.

Sincerely,

Z Lenhert

Zachary J. Lenhert
Licensing and Housing Safety Manager

Legal Advertisement

Notice of Public Hearing
City of Portland

A Public Hearing will be held on June 5, 2023 at 5:00 P.M., virtually Small Axe LLC, dba East Ender. Application for Class XI Restaurant/Lounge with Outdoor Dining on Public Property and Indoor Entertainment at 47 Middle Street - Sponsored by Danielle P. West, City Manager

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS:	Yes ☐ No ☐

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Section I: Licensee/Applicant(s) Information; Type of License and Status

Legal Business Entity Applicant Name (corporation, LLC): EEA: SMALL AXE, LLC	Business Name (D/B/A): EAST ENDER
Individual or Sole Proprietor Applicant Name(s):	Physical Location: 47 MIDDLE ST. PORTLAND, ME 04101
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
Mailing address, if different from DBA address:	Email Address: KEL@EASTENDERPORTLAND.COM
Telephone # Fax #:	Business Telephone # Fax #: 207.879.7669
Federal Tax Identification Number: 46-2074748	Maine Seller Certificate # or Sales Tax #: 1162913
Retail Beverage Alcohol Dealers Permit: PENDING	Website address: EASTENDERPORTLAND.COM

1. New license or renewal of existing license? ☐ New Expected Start date: _____
   ☒ Renewal Expiration Date: 5/24/2023

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
   Food: 410,000 Beer, Wine or Spirits: 532,000 Guest Rooms: 0

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
   ☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

4. Indicate the type of license applying for: (choose only one)

☐	Restaurant (Class I, II, III, IV)	☒	Class A 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)
☐	Golf Course (included optional licenses, please check if apply) (Class I, II, III, IV)	☐	Auxiliary	☐	Mobile Cart
☐	Tavern (Class IV)	☐	Other: _____		
☐	Qualified Caterer	☐	Self-Sponsored Events (Qualified Caterers Only)		

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

47 Middle St. Portland, ME 04101

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

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If **Yes**, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

_____

11. Do you own or have any interest in any another Maine Liquor License? ☒ Yes ☐ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
SMALLS	13601	28 BRACKETT ST. PORTLAND, ME 04102

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
KARL DEUBEN	6/29/1977	

Residence address on all the above for previous 5 years

Name KARL DEUBEN	Address: 51 FOUR WINDS ROAD PORTLAND, ME 04102
Name	Address:
Name	Address:
Name	Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If **Yes**, provide name of law enforcement officer and department where employed:

_____

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☐ Yes ☒ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

SCARECROW HOLDINGS, LLC 5 MOULTON ST. PORTLAND, ME 04101

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: 0

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

EAST ENDER IS A RESTAURANT + BAR WITH TWO FLOORS OF DINING ROOMS. IN THE BASEMENT IS DRY STORAGE, WALK-IN REFRIGERATION. AND ON THE THIRD FLOOR ARE TWO OFFICES WITH STORAGE. THE KITCHEN IS ON THE FIRST FLOOR.

20. 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?

Name: ST PETER PARISH

Distance: .25 MILES

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to $2,000 or by both.

Please sign and date in blue ink.

Dated: 5/2/2023

Signature of Duly Authorized Person

Signature of Duly Authorized Person

KARL DEUCEN

Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

This Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html

§653. Hearings; bureau review; appeal

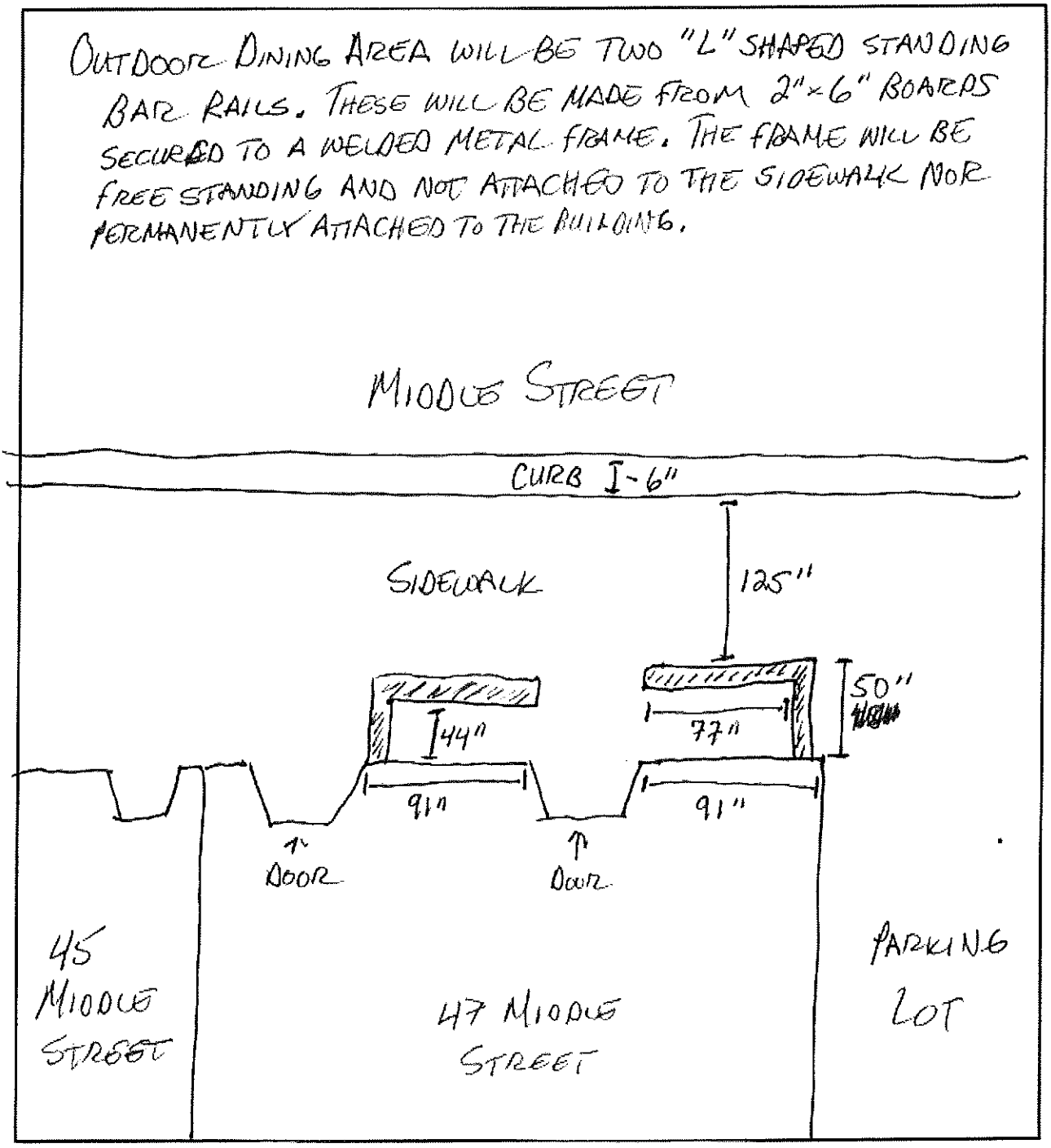
1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Section VII Premises Floor Plan

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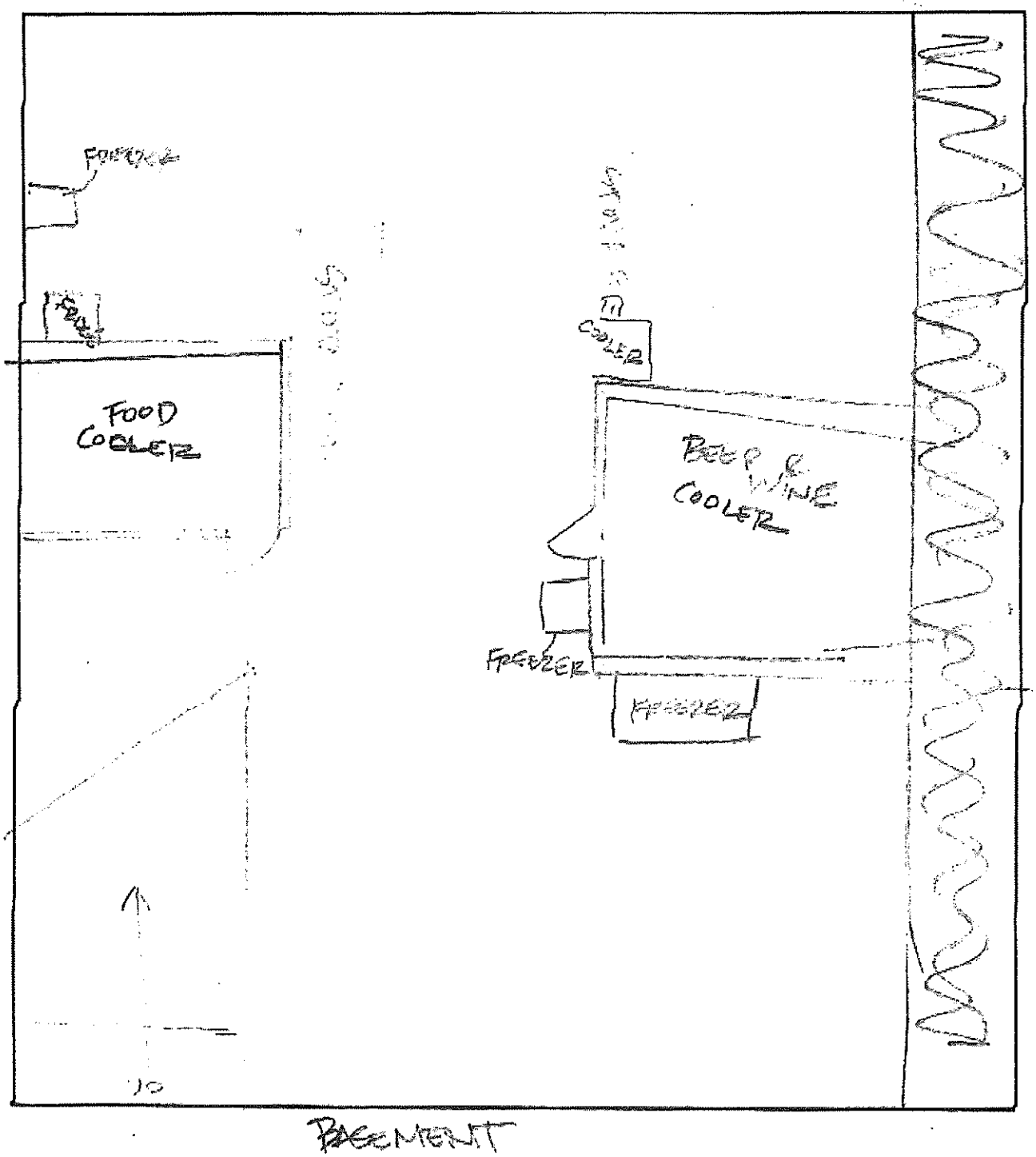

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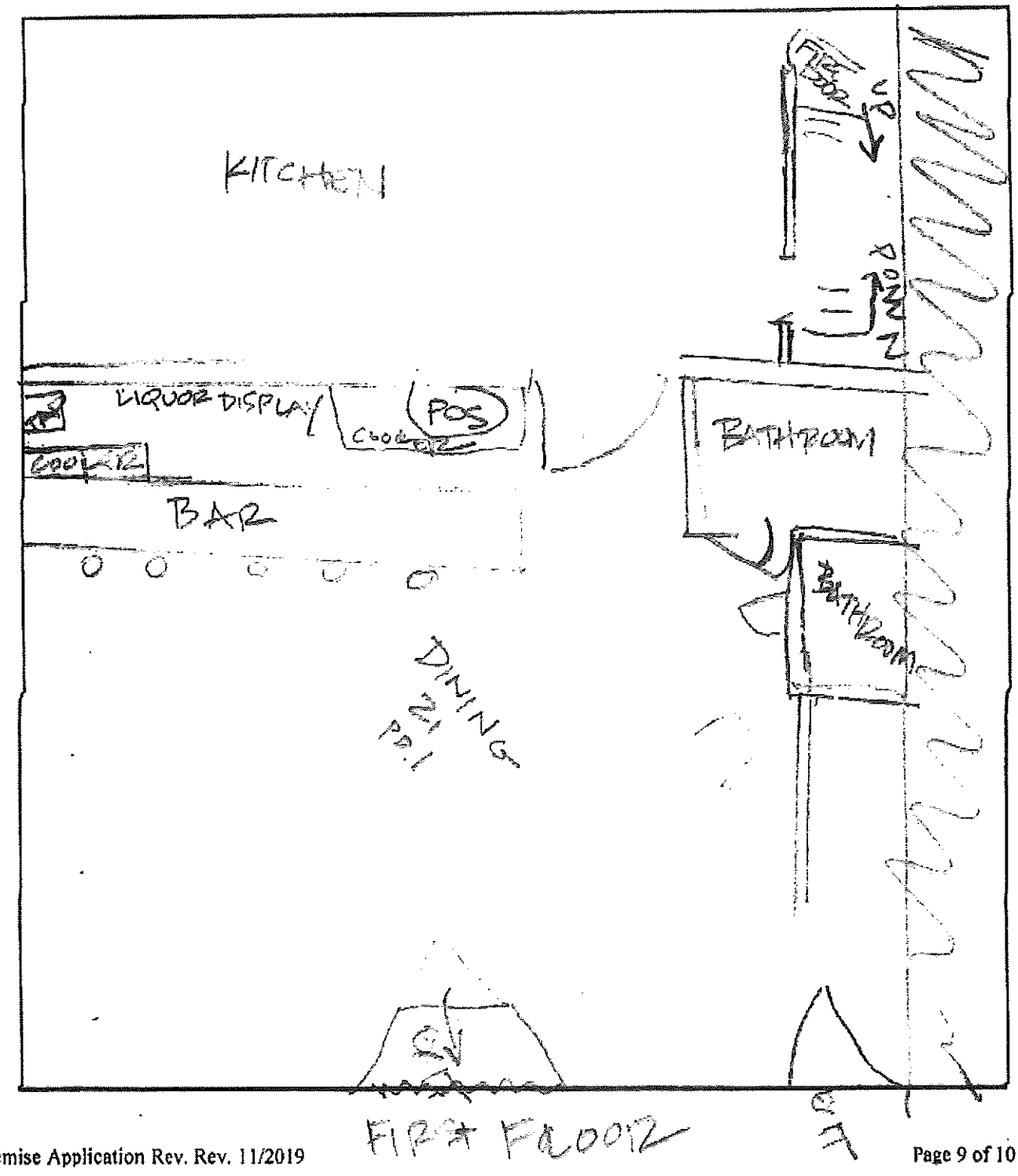

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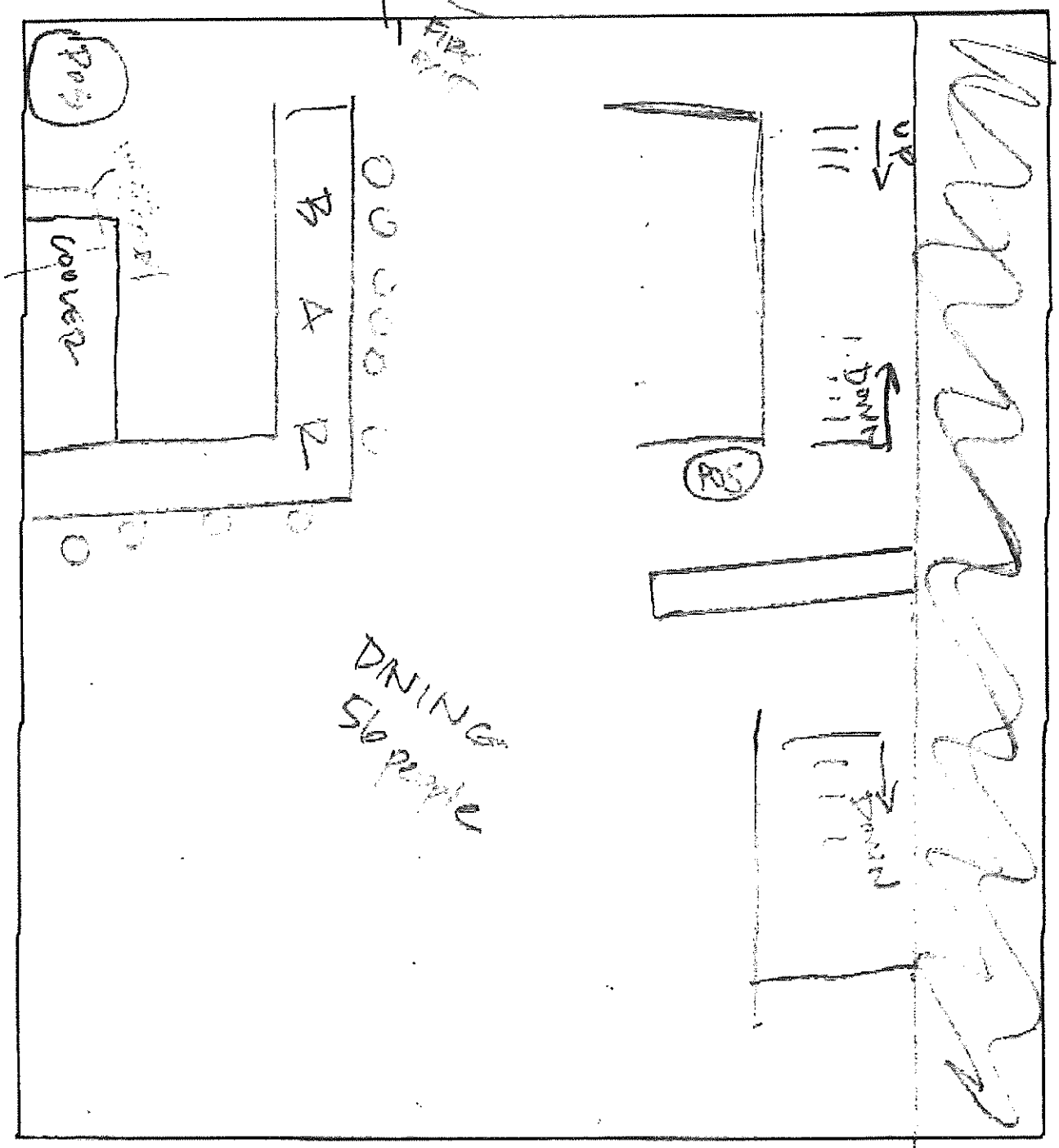

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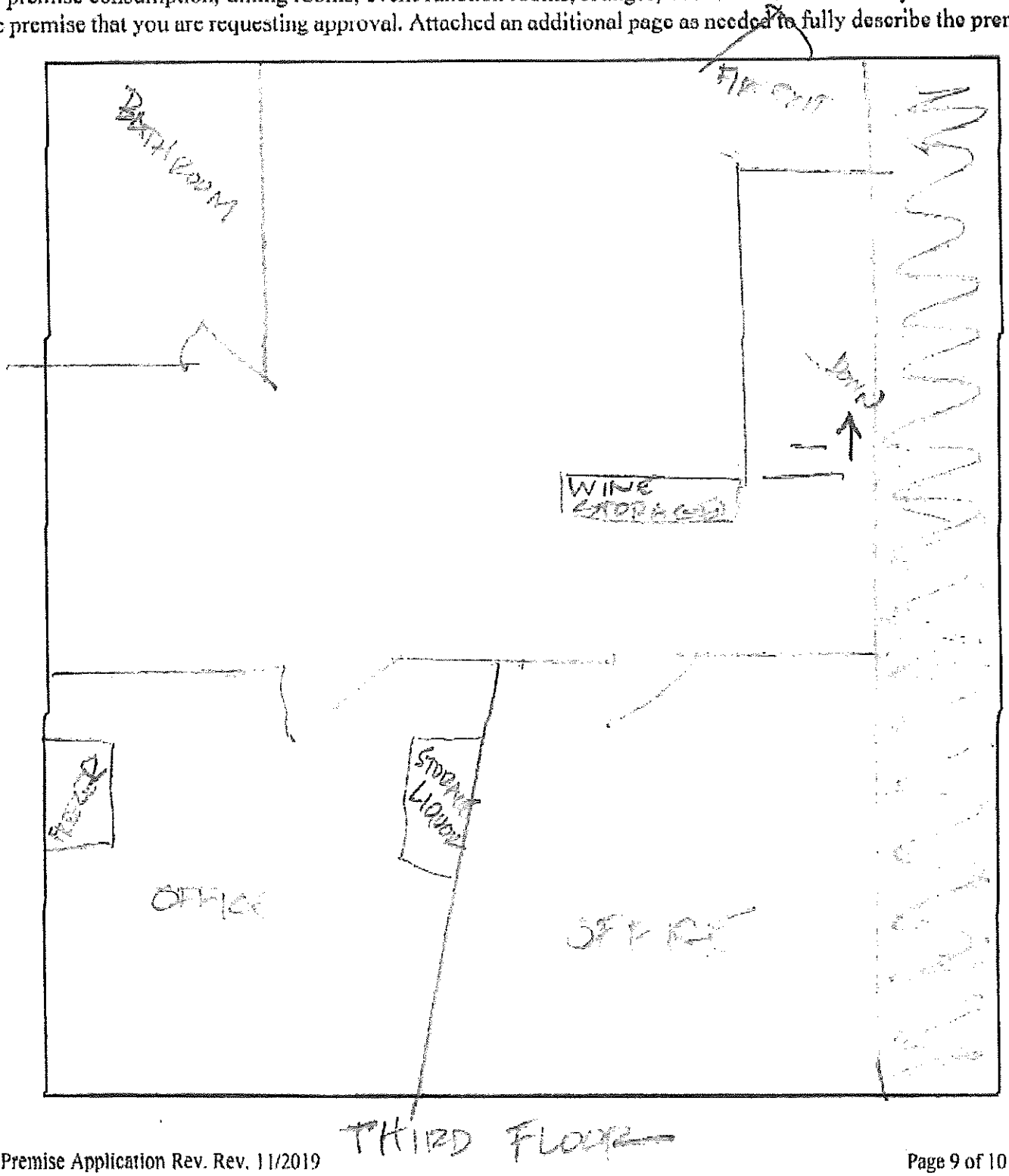


Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: SMALL AXE, LLC
2. Doing Business As, if any: EAST ENDER
3. Date of filing with Secretary of State: 1/2/2013 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, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
KARL OLSEN	51 FOUR WINDS RD. PORTLAND, ME 04107	6/29/1977	GENERAL PARTNER	54
CRAIG MUDGE	2 ALDEN COT AVE CAMDEN, ME 04843	2/8/1949	MEMBER	46
CRAIG MUDGE	20 CHICKADEE DR TOPSHAM, ME 04086			

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

FOOD AND DRINK SEVEN DAYS A WEEK

FOOD MENU

SNACKS & SIDES

MAINE OYSTERS*
freshly shucked oyster on the half shell
choice of cocktail sauce or mignonette
order per piece.....three bucks a shuck!

BRAG'S ISLAND MUSSELS.....18
salsa brava, anise liqueur, grilled bread from night moves bakery
need more bread? its special .....+3

DEEP FRIED DEVILED EGGS.....10
shallot jam, crispy garlic

SUNCHOKE DIP.....10
with grilled night moves bread
that bread tho! need more? .....+3

POPCORN CHICKEN.....13
fried chicken sprinkled with magic dust served with special sauce

THE ROCK POTATOES.....8
fried chunks of baked potato sprinkled with magic dust served with special sauce

ROASTED VEGETABLES.....12
vegetable demi-glace, fried sage

SIDE SALAD.....8
frisee, red onion, snap peas, fennel, crumbled croutons, house vinaigrette

POTATO SALAD.....10
fingerlings, mustard, peppadew, dill

MAIN COURSE

ST. LOUIS PORK RIBS.....25
braised and glazed, potato salad, vinegary coleslaw

FISH STEW.....16
pollock, tomato, potato, dill

BURRATA SALAD.....19
snap pea, frisee, fennel, red onion, breadcrumbs, currant-balsamic reduction

SAFFRON RISOTTO.....19
roasted vegetables, pecorino, pistachio-chili crisp

MUSHROOM STROGANOFF.....22
egg noodles, button mushrooms, fried oyster mushrooms

SMOKED SAUSAGE.....23
house made pork sausage, pickled leeks roasted vegetables, demi-glace

FISH FRY.....22
cornmeal crusted deep fried pollock, coleslaw, rock potatoes & tartar sauce

SMASH BURGER*.....19
griddled house-smoked patty, american cheese, shreddy lettuce, special sauce served with rock potatoes or a side salad
make it a double .....+5
add bacon .....+3

ICE CREAM

three scoops from dear dairy!
brown butter caramel, honey pecan or sourdough cookie.....9

HOUSE COCKTAILS

HEY JEALOUSY.....12
gin, lillet, tonic, thyme, orange, lime

GET THE PARTY STARTED.....10
local Dasch hard seltzer spritz, grapefruit, grenadine

MARGARITAVILLE.....12
tequila, lemon, lime, orange, coffee rim

WAP.....12
dark rum, pineapple, lime, cardamom

TUBTHUMPING.....12
rye whiskey, fortified french wine, spanish white vermouth, sage

HOT FOR TEACHER.....12
jalapeño infused tequila, lime, pineapple, orange fanta

WHAT IT TAKES.....12
rye whiskey, lime, ginger, a wet pump and a hot pump of green chartreuse

N/A COCKTAIL

HIP TO BE SQUARE.....9
pineapple, caramom, lime

DRINKS!!!

BEER AND SELTZER

High Noon Hard Seltzer 12oz grapefruit or black cherry	6
Twisted Tea Original 12oz	6
Modelo Especial Lager 12oz	5
Sacred Profane 'Pale' 12oz	7
Miller Lite 12oz	4
'Gansett 12oz	3
Switchback Ale 12oz	6
Allagash White 12oz	6
KIT Non Alcoholic Blonde or IPA 12oz	4

DRAFTS GLASS/32oz PITCHER

Oxbow Luppolo Pilsner	16oz 8/14
Tributary Pale Ale	16oz 8/14
'Plain' Hard Seltzer Spritz	10oz 5/13
High Life	16oz 5/8
Freedom's Edge Dry Cider	10oz 8/22
Goodfire Prime IPA 10oz	10oz 8/22
Sacred Profane Dark Lager	16oz 8/14
Three of Strong Mojito (rum)	14oz 14

COCKTAIL PITCHERS

(serves three)

MOJITO
rum, lime, mint 32

TRASHY MARGARITA
tequila, beer, sprite. 32

HOUSE WINE

Sparkling Cava	13
Sauvignon Blanc	11
Rosé	11
Chardonnay	11
Pinot Noir	11
Cab Sauv	11

CLASSIC COCKTAILS

Aperol Spritz	12
Wet Martini	12
French 75	12
Sex on the Beach	12

NON-BOOZE

Root/Ginger Beer	5
Orange Soda	3
Red Bull	6

HappyHour
3-6pm 7 Days

The East Ender applies a 4% Kitchen Admin Fee to all food sales because tips cannot legally be distributed to kitchen workers. This money goes to the line cooks that made your food today. All of us thank you for your business.

the East Ender

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 19, 2023

SUBJECT: Order 237-22/23 Granting Municipal Officers' Approval of Thanh Thanh LLC, dba Thanh Thanh 2. Application for Class I FSE at 782 Forest Ave - Sponsored by Danielle P. West, City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(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 action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: N/A

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

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 5/11/23. New City and State applications. Change of ownership and upgrade of license classification of existing establishment.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is $50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2023.06.05_Thanh Thanh 2
2. Thanh Thanh 2_Council Packet

Prepared by:
Date: 05/19/2023

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA PHILLIPS (3)
ANDREW ZARRO (4)

CITY OF PORTLAND

IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

Thanh Thanh LLC, dba Thanh Thanh. Application for Class I FSE at 782 Forest Ave

May 10,, 2020

From: Thanh Nguyen, ThanhThanh LLC
782 Forest Ave Portland, Maine 04103

To: The City of Portland
Subject: Letter of Intent for food and liquor.

To Whom It May Concern,

I am writing this letter of intent to the City of Portland as part of my application to serve beer, wine, and spirits at my restaurant Thanh Thanh 2.

I am a local Mainer that was raised for the majority part of my life in Maine. I grew up working at Thanh Thanh 2 restaurant and fell in love with it. The restaurant was previously owned by my mother and she plans on retiring and I can't bare to watch it closed or sold to someone outside my family so I decided to buy it. I want to change and add some more asian culture and flavor into the city of Portland with the addition of liquor in the restaurant. I'm planning on mainly mixing drinks with vietnamese flavoring such as tamarind and other fruits in the drink to make it more tropical and southeast Asian.

I have had a lot of people request for mixed drinks but I'm unable to offer because we always only had beer and wine. I fully understand the consequences of being under the influence of alcohol and operating vehicles. Every server will be trained properly in when to serve and when not to. Including employees to check photo IDbefore any attempt to order any alcoholic beverage. Customers will not be served if no photo ID is provided, no exception.

Hours of operations will be from 10:30am to 9:00pm. We will stop serving alcohol at 8:30pm. Hours will be adjusted per local and state laws as required.

My goal is to ramp up my business and help the city expand, creating more job opportunities for people in Portland.

Best Regards,
Thanh Nguyen
Thanh Thanh LLC
Tnguyen0031@gmail.com
(207)812-2302

CITY OF PORTLAND

Permitting and Inspections Department

Application for Food Service Establishment with Alcoholic Beverages License

Business Information			
Establishment Name (d/b/a):	Thanh Thanh 2	Phone:	(207) 828-1114
Location Address:	782 Forest Ave Portland Maine	Zip:	04103
If new, what was formerly at this location:			
Mailing Address:	782 Forest Ave Portland Maine	Zip:	04103
Contact Person:	Thanh Nguyen	Phone:	(207) 812-2302
Contact Person Email:	Tnguyen0031@gmail.com		
Manager of Establishment:	Thanh Nguyen Date of Birth: 04/18/92	Phone:	(207) 812-2302
Owner of Premises (Landlord):	Portlandom LLC		
Address of Premises Owner (Landlord):	100 Conifer Hill Drive Suite 402 Danvers Mass	Zip:	04923

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		
Thanh Thanh LLC	782 Forest Ave Portland Maine	Zip:	04103
Contact Person: Thanh Nguyen		Phone:	(207) 812-2302

Principal Officers	Title	Date of Birth	Residence Address
Thanh Nguyen	Partner	04/18/1992	27 Jennies CT, South Portland Maine

Class of Liquor License: / Class A Restaurant : (Class 1 FSE)

CITY OF PORTLAND

Permitting and Inspections Department

Type of food served:	Vietnamese
Please circle all that will be served:	(Beer) (Wine) (Liquor)
Projected percentage of sales:	Generated from Food: 120,000 Generated from Alcohol: 15,000
Hours & days of operation:	10:30am 9:00 pm Everyday

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:	
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 Entertainment is required.)	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 amusements: _____ # of pool tables: _____	
What is your targeted opening date?	Asap
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): Thanh Thanh 2 Restaurant Transfer of ownership.	
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 Thanh Nguyen 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.

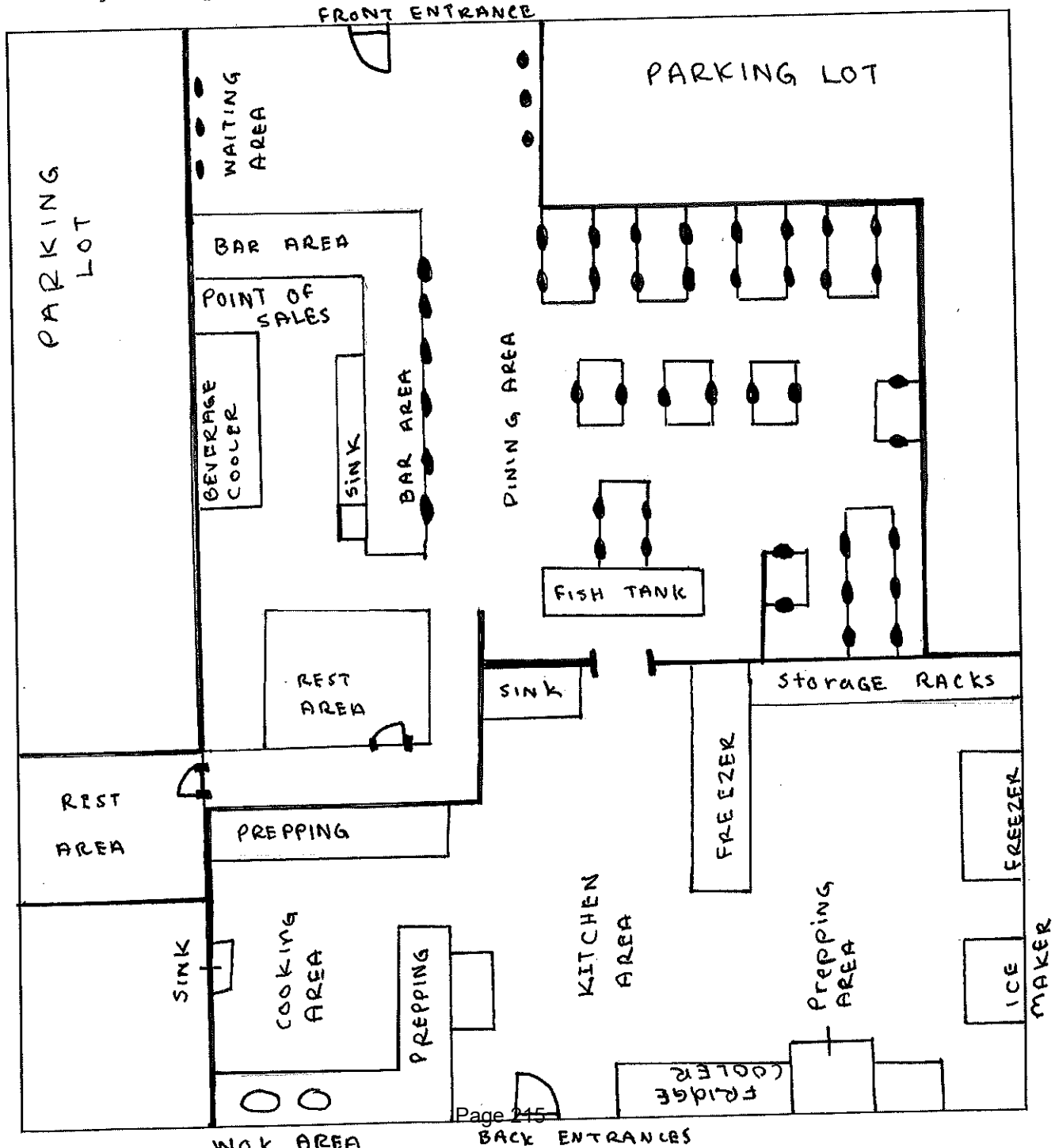
It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive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

Signature _____ Title member Date 05/09/2023

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Thanh Thanh - 782 Forest Ave - Class I FSE

Eric Nevins <ericn@portlandmaine.gov> Tue, May 23, 2023 at 4:17 PM
To: Zachary Lenhert <zlenhert@portlandmaine.gov>
Cc: Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>

Approved

On Fri, May 19, 2023 at 2:51 PM Zachary Lenhert <zlenhert@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Eric Nevins
Lieutenant
Portland Police Department
(207) 874-8513

portland

Zachary Lenhert <zlenhert@portlandmaine.gov>

Thanh Thanh - 782 Forest Ave - Class I FSE

Zoning <zoning@portlandmaine.gov> Fri, May 26, 2023 at 11:29 AM
To: Zoning <zoning@portlandmaine.gov>
Cc: Zachary Lenhert <zlenhert@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <ericn@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>

Good Morning,

The legal use for the tenant space is restaurant. Zoning approves.

Thank you,

Mac

Mac Coldwell

City of Portland
Zoning Specialist
Permitting & Inspections Department
389 Congress ST, Room #315
Email: mcoldwell@portlandmaine.gov
he/him

[Quoted text hidden]

Legal Advertisement

Notice of Public Hearing
City of Portland

A Public Hearing will be held on June 5, 2023 at 5:00 P.M., virtually Thanh Thanh LLC, dba Thanh Thanh 2. Application for Class I FSE at 782 Forest Ave - Sponsored by Danielle P. West, City Manager

City of Portland | Permitting and Inspections
Zachary Lenhert, Licensing and Housing Safety Manager

May 31, 2023

Thanh Thanh LLC
782 Forest Avenue
Portland, ME 04103

Re: Thanh Thanh LLC, dba Thanh Thanh 2. Application for Class I FSE at 782 Forest Avenue

Dear Thanh Thanh LLC:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday June 5, 2023 at 5:00 p.m., for the review of application for Class I FSE at 782 Forest Avenue. The meeting will take place in person and virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on June 2, 2023.

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 at bl@portlandmaine.gov.

Sincerely,

Zachary J. Lenhert
Licensing and Housing Safety Manager

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Division Use Only
License No:
Class: By:
Deposit Date:
Amt. Deposited:
Payment Type:
OK with SOS: Yes ☐ No ☐

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Section I: Licensee/Applicant(s) Information; Type of License and Status

Legal Business Entity Applicant Name (corporation, LLC): Thanh Thanh LLC	Business Name (D/B/A):
Individual or Sole Proprietor Applicant Name(s): Thanh Nguyen	Physical Location: 782 Forest ave Portland Maine
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
Mailing address, if different from DBA address:	Email Address: Tnguyen0031@gmail.com
Telephone # Fax #: (207) 812-2302	Business Telephone # Fax #: (207) 828-1114
Federal Tax Identification Number: 20-5319882	Maine Seller Certificate # or Sales Tax #:
Retail Beverage Alcohol Dealers Permit:	Website address:

1. New license or renewal of existing license? ☑ New Expected Start date: 06/30/2023
   ☐ Renewal Expiration Date: _____

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
   Food: 120,000 Beer, Wine or Spirits: 15,000 Guest Rooms: _____

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
   ☑ Malt Liquor (beer) ☑ Wine ☑ Spirits

4. Indicate the type of license applying for: (choose only one)

☑	Restaurant (Class I, II, III, IV)	☐	Class A 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)
☐	Golf Course (included optional licenses, please check if apply) (Class I, II, III, IV)	☐	Auxiliary	☐	Mobile Cart
☐	Tavern (Class IV)	☐	Other: _____		
☐	Qualified Caterer	☐	Self-Sponsored Events (Qualified Caterers Only)		

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

782 Forest Ave PorHand Maine

6. Is the licensee/applicant(s) citizens of the United States? ☑ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☑ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☑ Yes ☐ No If **Yes**, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☑ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☑ No

If yes, please provide details: _____

_____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☑ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Thanh Nguyen	04/18/1992	Vietnam

Residence address on all the above for previous 5 years	
Name	Address: 27 Jennies Court South Portland Maine
Name	Address:
Name	Address:
Name	Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☑ No

If **Yes**, provide name of law enforcement officer and department where employed:

_____

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☑ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☑ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☐ Yes ☑ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☑ No

If No, please provide the name and address of the owner:

Portlandom LLC

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

_____

_____

_____

_____

20. 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?

Name: Deering Highschool

Distance: 1 mile

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to $2,000 or by both.

Please sign and date in blue ink.

Dated: 05/09/2023

_____
Signature of Duly Authorized Person

_____
Signature of Duly Authorized Person

Thanh Nguyen
Printed Name Duly Authorized Person

_____
Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

This Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html

§653. Hearings; bureau review; appeal

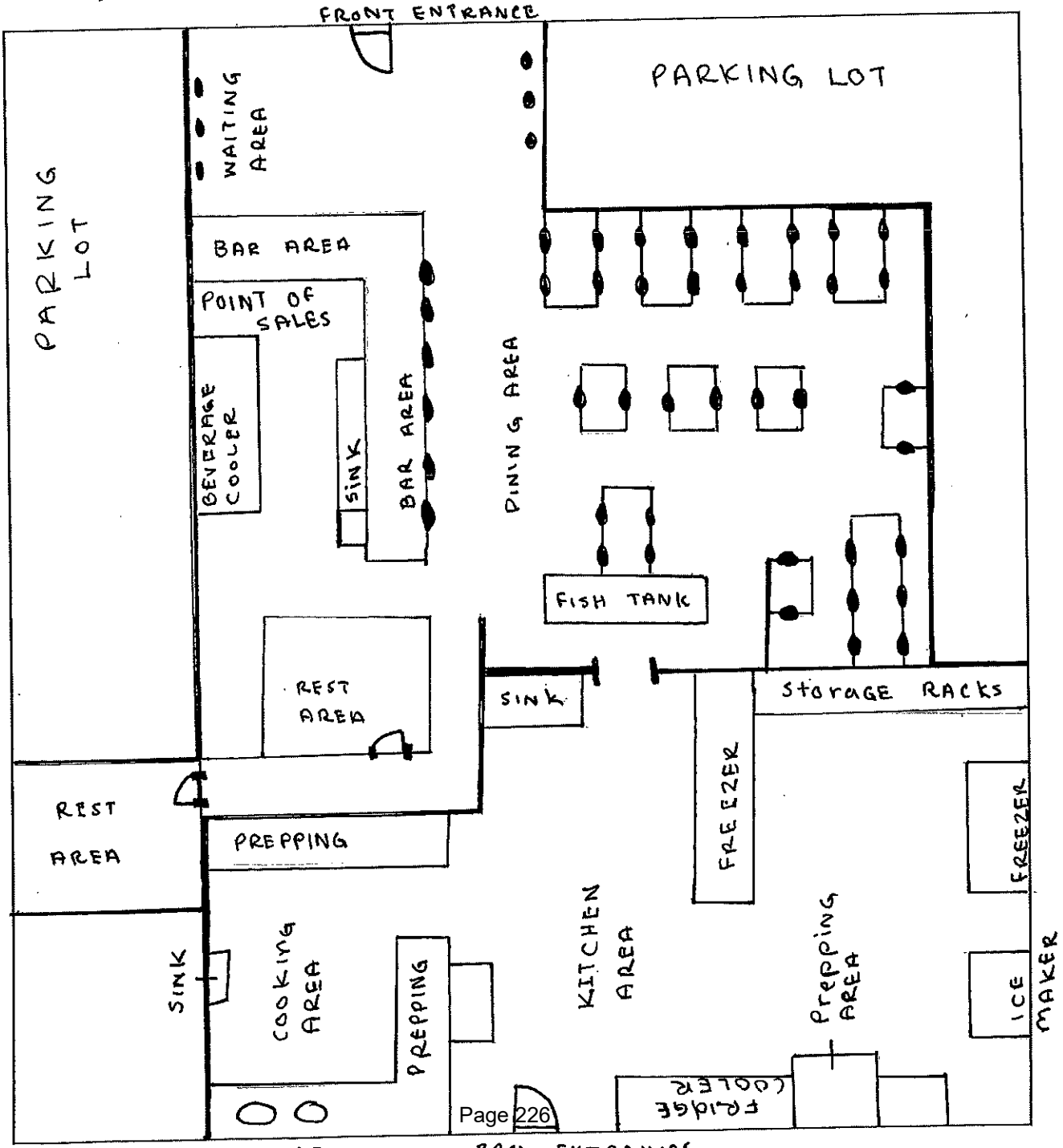
1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Thanh Thanh LLC
2. Doing Business As, if any: _____
3. Date of filing with Secretary of State: 05/09/2023 State in which you are formed: Maine
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, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Thanh Nguyen	27 Jennies CT Saporday Maine	04/18/1992	member	Full

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

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 16, 2023

SUBJECT: **PUBLIC COMMENT WILL BE TAKEN AT THIS COUNCIL MEETING ON ALL MUNICIPAL BUDGET ORDERS.**

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(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 action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: n/a

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

I. SUMMARY

II. AGENDA DESCRIPTION

THIS IS THE SECOND PUBLIC HEARING ON THE CITY BUDGET. STAFF IS REQUESTING THAT ALL BUDGET ORDERS BE POSTPONED TO JUNE 26, 2023, TO PROVIDE TIME FOR THE MAINE STATE LEGISLATURE TO DETERMINE GENERAL ASSISTANCE REIMBURSEMENT LEVELS.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is $50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

None

Prepared by:

Date: 05/16/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER APPROVING FISCAL YEAR 2024 ADMINISTRATIVE FEES FOR CITY PARKING GARAGES AND THE PARKS, RECREATION, AND FACILITIES DEPARTMENT

ORDERED, that the monthly parking garage fee increase for city-owned Elm and Spring Street Garages, as shown in the schedule attached hereto as Exhibit A from the Parking Division, is hereby approved; and

BE IT FURTHER ORDERED, that various recreation fees, as shown in the schedule attached hereto from the Parks, Recreation & Facilities Department as Exhibit B, are hereby approved; and

BE IT FURTHER ORDERED, that these fees shall be effective on July 1, 2023.

FY24 REVENUE FEE SCHEDULE CHANGE
GARAGES
MONTHLY PARKING

Department: Parking

*Administrative Fee

Account #	Revenue Description	Current Fee	FY24 Proposed Fee
100-**18-200-364020**	Garages, Lots, Meters **Elm St. Monthly Parking**	$140.00 / mo	$150.00 **/ mo**
100-**18-300-364020**	Garages, Lots, Meters **Spring St. Monthly Parking**	$140.00 / mo	$150.00 **/ mo**

Last Revision:
FY23 Administrative Fee:
CO #245-21/22

Updated: 03/17/23

Parks, Recreation and Facilities Management
Ethan Hipple
Director
Amber Brooks
Principal Financial Officer
1/30/2023

To: Brendan O'Connell, Finance Director
Anne Bilodeau, Deputy Finance Director
Jennifer Lodge, Budget Analyst
Ethan Hipple, Director of Parks, Recreation & Facilities
From: Amber Brooks, Principal Financial Officer
Date: 1/30/2023
Re: FY24 Recreation Fee Changes

The Recreation Division is proposing to increase select fees as of July 1,2023 to keep up with increasing operating, staffing, and supply costs. This division runs multiple sites for Before & After care, four community centers, multiple summer camps and various recreational activities throughout the year.

In FY24 we are proposing to increase the daily fee for After Care by $2 or $10 per week and select Community Center fees. These increases will keep us in line with market rates and will also cover some of the additional costs of the programs caused by inflation.

Select fees were last increased in FY23 to help offset the cost of wage increases that were necessary due to a shortage of employees to run the Before and After Care sites. We operate a significant fee-waiver program for those who are not able to pay the full rate.

Fee Description	Current FY23 Fees	Proposed FY24 Fees
After School Program, Per Week (East End, Longfellow, Ocean Ave & Talbot)	$103	$113
After School Program, Per Week (Lyseth, Prosempscot, Reiche & Rowe)	$66	$76
Community Center Fees - East End & Riverton Adult	$85	$125

Non-Resident Per Hour		
Community Center Fees - East End & Riverton Youth Per Hour	$25	$30
Community Center Fees - Reiche Adult Non-Resident Per Hour	$85	$125
Community Center Fees - Reiche Youth Per Hour	$25	$30
Community Center Fees - Adult Drop-In Fees - Resident	$4	$5
Community Center Fees - Adult Drop-In Fees - Non-Resident	$5	$10
Community Center Fees - East End & Riverton Non-Portland Non-Profit Per Hour	$50	$75
Community Center Fees - Reiche Non-Portland Non-Profit Per Hour	$50	$75
Community Center Fees - For Profit Adult Leagues Long Term Rentals	$45	$55
Community Center Fees - Small Recreation Community Center Room Per Hour	$30	$35

Amber Brooks
Principal Financial Officer
Parks, Recreation & Facilities

FY24 Revenue Fee Schedule Change
Department: Parks, Recreation & Facilities Division: Recreation
Fee Schedule Change is Administrative

Effective: 7/1/2023

Account Number	Revenue Description	Current Rates	FY24 Proposed Rates
Camp Fees			
10033302 347100	Camp Play All Day (K - 1st Grade) Per Week	$225	$225
10033302 347100	Camp Xperience (2nd - 5th Grade) Per Week	$225	$225
10033302 347100	Camp Cast Away (6th - 8th Grade) Per 3 Day Week	$215	N/A
Before & After The Bell Program Fees			
10033302 347200	After School Program, Per Week (East End, Longfellow, Ocean Ave & Talbot)	$103	$113
10033302 347200	After School Program, Per Week (Lyseth, Prosempscot Reiche & Rowe)	$66	$76
10033302 347200	Before School Program, Per Week (Lyseth, Presumpscot, Reiche & Rowe)	$35	$35
Community Center Fees	**Community Center Gyms (For Profit)**		
10033302 363000	East End & Riverton Adult Resident Per Hour	$80	$80
10033302 363000	East End & Riverton Adult Non Resident Per Hour	$85	$125
10033302 363000	East End & Riverton Youth Per Hour	$25	$30
10033302 363000	Reiche Adult Resident Per Hour	$80	$80
10033302 363000	Reiche Adult Non-Resident Per Hour	$85	$125
10033302 363000	Reiche Youth Per Hour	$25	$30
10033302 363000	Adult Drop-In Fees Resident	$4	$5
10033302 363000	Adult Drop-In Fees Non Resident	$5	$10
Community Center Fees	**Community Center Gyms (All Other)**		
10033302 363000	East End & Riverton Portland Non-Profit Per Hour	$50	$50
10033302 363000	East End & Riverton Non Portland Non-Profit Per Hour	$50	$75
10033302 363000	Reiche Portland Non-Profit Per Hour	$50	$50
10033302 363000	Reiche Non Portland Non-Profit Per Hour	$50	$75
10033302 363000	For Profit Adult Leagues Long Term	$45	$55
Community Center Fees	**Community Center Room Rental**		
10033302 363000	Large Recreation Community Center Room Per Hour	$50	$50
10033302 363000	Small Recreation Community Center Room Per Hour	$30	$35
10033302 363000	Recreational Staff Fees if Needed Hourly Rate	$25	$25
10033302 363000	School Custodial Fees if Needed Hourly Rate ***Three Hour Minimum	$81	$81

Parks, Recreation and Facilities Management
Ethan Hipple
Director
Amber Brooks
Principal Financial Officer
1/31/2023

To: Brendan O'Connell, Finance Director
Anne Bilodeau, Deputy Finance Director
Jennifer Lodge, Budget Analyst
Ethan Hipple, Director of Parks, Recreation & Facilities
From: Amber Brooks, Principal Financial Officer
Date: 1/31/2023
Re: FY24 Aquatics Fee Changes

The Aquatics Division is proposing to increase select fees as of July 1, 2023 to keep up with operating costs of running three pools. The cost of pool chemicals, general maintenance, repairs to aging mechanical units and staff wages have increased greatly over the past 2 years so these fee increases are set to reflect those changes. Since the swimming lesson market is very competitive, some of the fees could not be raised without pricing ourselves out of the market.

We are proposing to increase fees for select swimming lessons, punch cards, and hourly rentals in FY24. As the pools within the City of Portland continue to age, we are seeing more frequent mechanical breakdowns. These increases will help offset some of those costs as well as provide some additional revenue to cover increased wages and supply costs. Please see attached fee schedule for details.

Fees were last increased in FY23 for our lifeguard courses and pool rentals.

Amber Brooks
Principal Financial Officer
Parks, Recreation & Facilities

FY24 Revenue Fee Schedule Change
Department: Parks, Recreation & Facilities Division: Aquatics
Fee Schedule Change is Administrative

Effective: 7/1/2023

Account Number	Revenue Description	Current Rates	FY24 Proposed Rates
Swimming			
10033303 347080	Child - Resident	$1.00	$2.00
10033303 347080	Child - Non Resient	$2.00	$5.00
10033303 347080	Teen - Resident	$1.00	$2.00
10033303 347080	Teen - Non Resident	$2.00	$5.00
Swimming	**Kiwanis Pool**		
10033303 347080	Adult - Resident	$5.50	$5.50
10033303 347080	Adult - Non Resident	$6.00	$6.00
Swimming	**Reiche & Riverton Pools**		
10033303 347080	Adult - Resident	$5.00	$5.50
10033303 347080	Adult - Non Resident	$5.50	$6.50
10033303 347080	Senior - Resident (62 & Older)	$3.50	$4.00
10033303 347080	Senior - Non Resident (62 & Older)	$4.00	$5.00
10033303 347080	Masters - Resident	$6.75	$7.00
10033303 347080	Master - Non Resident	$7.25	$8.00
Swimming	**Punch Cards**		
10033303 347080	Adult - Resident - 12 Punch Pass	$60.00	$65.00
10033303 347080	Adult - Non Resident - 12 Punch Pass	$66.00	$80.00
10033303 347080	Adult - Resident - 20 Punch Pass	$100.00	$110.00
10033303 347080	Adult - Non Resident - 20 Punch Pass	$110.00	$125.00
10033303 347080	Adult - Resident - 40 Punch Pass	$200.00	$210.00
10033303 347080	Adult - Non Resident - 40 Punch Pass	$220.00	$245.00
10033303 347080	Kiwanis - Adult - Resident - 12 Punch Pass	$66.00	$66.00
10033303 347080	Kiwanis - Adult - Non Resident - 12 Punch Pass	$72.00	$72.00
10033303 347080	Kiwanis - Adult - Resident - 20 Punch Pass	$110.00	$110.00
10033303 347080	Kiwanis - Adult - Non Resident - 20 Punch Pass	$120.00	$120.00
10033303 347080	Kiwanis - Adult - Resident - 40 Punch Pass	$220.00	$220.00
10033303 347080	Kiwanis - Adult - Non Resident - 40 Punch Pass	$240.00	$240.00
10033303 347080	Senior Adult - Resident - 12 Punch Pass (62 & Older)	$42.00	$42.00
10033303 347080	Senior Adult - Non Resident - 12 Punch Pass (62 & Older)	$48.00	$48.00
10033303 347080	Senior Adult - Resident - 20 Punch Pass (62 & Older)	$70.00	$70.00
10033303 347080	Senior Adult - Non Resident - 20 Punch Pass (62 & Older)	$80.00	$80.00
10033303 347080	Senior Adult - Resident - 40 Punch Pass (62 & Older)	$140.00	$140.00
10033303 347080	Senior Adult - Non Resident - 40 Punch Pass (62 & Older)	$160.00	$160.00
10033303 347080	Senior Adult - Resident - 6 Month Pass (62 & Older)	$160.00	$160.00
10033303 347080	Senior Adult - Resident - Yearly Pass (62 & Older)	$280.00	$280.00
10033303 347080	Adult Aerobics - Resident - 12 Punch Pass	$66.00	$70.00
10033303 347080	Adult Aerobics - Non Resident - 12 Punch Pass	$72.00	$75.00
10033303 347080	Adult Aerobics - Resident - 20 Punch Pass	$110.00	$115.00
10033303 347080	Adult Aerobics - Non Resident - 20 Punch Pass	$120.00	$130.00
10033303 347080	Senior Aerobics - Resident - 12 Punch Pass (62 & Older)	$48.00	$48.00
10033303 347080	Senior Aerobics - Non Resident - 12 Punch Pass (62 & Older)	$57.00	$57.00
10033303 347080	Senior Aerobics - Resident - 20 Punch Pass (62 & Older)	$80.00	$80.00
10033303 347080	Senior Aerobics - Non Resident - 20 Punch Pass (62 & Older)	$95.00	$95.00
10033303 347080	Masters - Resident - 10 Punch Pass	$67.50	$70.00
10033303 347080	Masters - Non Resident - 10 Punch Pass	$72.50	$80.00
Swimming	**Swimming Instruction**		
10033303 347080	Infant/Toddler/Preschool - Resident	$8.00	$8.25
10033303 347080	Infant/Toddler/Preschool - Non Resident	$8.50	$8.76
10033303 347080	Level 1 - Level 3 - Resident	$8.75	$9.00
10033303 347080	Level 1 - Level 3 - Non Resident	$9.25	$10.00
10033303 347080	Level 4 - Level 6 - Resident	$9.00	$9.25
10033303 347080	Level 4 - Level 6 - Non Resident	$9.50	$10.25
10033303 347080	Adult Aerobics - Daily - Resident	$5.50	$5.75
10033303 347080	Adult Aerobics - Daily - Non Resident	$6.00	$6.50
10033303 347080	Senior Adult Aerobics - Daily - Resident (62 & Older)	$4.00	$4.00
10033303 347080	Senior Adult Aerobics - Daily - Non Resident (62 & Older)	$4.75	$5.00
Swimming			
10033303 347080	Water Safety Instruction Course - Resident	$302.00	$302.00
10033303 347080	Water Safety Instruction Course - Non Resident	$302.00	$302.00
10033303 347080	Private Lessons - 1/2 Hour - Resident	$30.00	$30.00
10033303 347080	Private Lessons - 1/2 Hour - Non Resident	$35.00	$35.00

FY24 Revenue Fee Schedule Change
Department: Parks, Recreation & Facilities Division: Aquatics
Fee Schedule Change is Administrative

Effective: 7/1/2023

Account Number	Revenue Description	Current Rates	FY24 Proposed Rates
10033303 347080	Semi - Private Lessons - 1/2 Hour - Resident	$45.00	$45.00
10033303 347080	Semi - Private Lessons - 1/2 Hour - Non Resident	$50.00	$50.00
10033303 347080	Private Lessons - 1 Hour - Resident	$50.00	$50.00
10033303 347080	Private Lessons - 1 Hour - Non Resident	$60.00	$60.00
10033303 347080	Semi - Private Lessons - 1 Hour - Resident	$70.00	$70.00
10033303 347080	Semi - Private Lessons - 1 Hour - Non Resident	$85.00	$85.00
10033303 347080	Lifeguard Course - Resident	$260.00	$260.00
10033303 347080	Lifeguard Course - Non Resident	$275.00	$275.00
Swimming	**Pool Rentals**		
10033303 347080	Pool Rental - Portland Porpoise - Per Hour	$40.00	$60.00
10033303 347080	Pool Rental - Portland Porpoise - Guard Per Hour	$45.00	$65.00
10033303 347080	Pool Rental (One Guard) - Resident, Per Hour/Additional Guard $25 Per Hour	$90.00	$90.00
10033303 347080	Pool Rental (One Guard) - Non Resident, Per Hour/Additional Guard $25 Per Hour	$115.00	$115.00
10033303 347080	Pool Rental (Two Guards)- Resident, Per Hour/Additional Guard $25 Per Hour	$105.00	$105.00
10033303 347080	Pool Rental (Two Guards) - Non Resident, Per Hour/Additional Guard $25 Per Hour	$125.00	$125.00

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER AUTHORIZING THE CITY MANAGER TO ENTER INTO CERTAIN AGREEMENTS TO IMPLEMENT THE FISCAL YEAR 2024 HUMAN RESOURCES AND CERTAIN FRINGE BENEFITS BUDGETS

WHEREAS, each year, the City of Portland enters into agreements to obtain services that the Human Resources Department requires to administer various City programs and benefits, which benefits and programs are provided for in the City budget; and

WHEREAS, the Human Resources administrative budget includes funds for services such as professional coaching and training; physical fitness testing and written examinations as required by the Employment Subcommittee of the Civil Service Commission; and similar professional services; and

WHEREAS, the Human Resources benefit budget includes contracted services for claims administration for its health plan, administration of other benefits, administration of the City's wellness program, benefits brokerage and consulting services, and similar services necessary to administer the City's health and benefits programs; and

WHEREAS, the Human Resources workers' compensation budget includes contracted services for claims administration, drug and alcohol testing, safety related consulting services, and similar services necessary to implement the City's workers' compensation, drug testing, and safety programs;

NOW, THEREFORE, BE IT ORDERED, that the City Manager is hereby authorized to enter into such agreements as necessary to implement the programs provided for the Human Resources budgets.

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
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ORDER APPROVING THE FISCAL YEAR 2024 SELF-INSURED LIABILITY PROGRAM

ORDERED, that pursuant to Article VII, Sec. 15 of the Portland City Charter there is hereby established a Cumulative Reserve Fund for the purpose of enabling the City to pay losses under its self-insurance program or incurred under any deductible insurance policies, which fund shall continue from year to year and shall not lapse as provided in Article VII, Sec. 7 of the Charter; and

BE IT FURTHER ORDERED, that pursuant to 14 M.R.S. Sec. 8116, the City Council of the City of Portland hereby states that the City of Portland has self-insured (to the extent set forth herein) against the obligations and liabilities imposed by the Maine Tort Claims Act (hereinafter the "Act"):

1. The Council has, and may from time to time, set aside funds in an account identified as "Liability" to be added to funds previously appropriated and held in reserve, all of which funds have been designed to enable the City to meet the obligations imposed by the Act; and to implement its self-insurance program, including but not limited to, the costs of administration of the program, investigation of claims, and of defense of claims against the City, its officers and employees;

2. The limit of liability assumed by the City is the $400,000 required by the Act, as it may be amended from time to time, notwithstanding the fact that its appropriation or reserve may exceed the statutory limit of liability;

3. The scope of coverage is limited to those areas for which governmental immunity has been expressly waived by 14 M.R.S.A. Sec. 8104-A, as limited by 14 M.R.S.A. Sec. 8104-B, and 14 M.R.S.A. Sec. 8111. Liability coverage shall not be deemed a waiver of any immunities or limitation of damages available under the Maine Tort Claims Act, other Maine statutory law, judicial precedent, or common law; and

4. The fund shall be administered by the City Manager and Corporation Counsel who shall settle all claims and pay all judgments for which the City may be legally liable under the Act or under the law of any jurisdiction to which the City, its officers or employees may be subject.

City of Portland | Office of Corporation Counsel
Michael Goldman, Acting Corporation Counsel

To: Danielle P. West, Interim City Manager
From: Michael Goldman, Acting Corporation Counsel
Date: May 4, 2023
Re: Re: Self-Insured Liability Program

STATEMENT OF FACT:

This proposed Order outlines the City's Self-Insurance Liability Program and clearly indicates that the City's limit of liability is that imposed by the Maine Tort Claims Act, notwithstanding the fact that the annual appropriation or the cumulative reserve may exceed $400,000. The Office of Corporation Counsel strongly recommends Council adoption of this Order. This item should be given a first reading on May 15, 2023 and then postponed to the June 5, 2023 meeting along with other budget related items.

cc: Nancy English, Paralegal / Legal Assistant
Jennifer Lodge, Budget Analyst

MIG: jlr 05/04/23

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
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MARK DION (5)

ORDER AUTHORIZING THE DIRECTOR OF PARKS, RECREATION AND FACILITIES TO SET FEES AND ENTER RENTAL AGREEMENTS FOR CITY FACILITIES

ORDERED, that the Director of Parks, Recreation and Facilities or their designee is hereby authorized to set fees, enter and sign rental lease agreements or contracts for City facilities.

CITY OF PORTLAND, MAINE

MEMORANDUM

City Council Agenda Item

TO: Danielle P. West, Interim City Manager

FROM: Ethan Hipple, Deputy Director of Parks Recreation & Facilities

DATE: May 4, 2023

RE: **Order Authorizing the Director of Parks, Recreation and Facilities to Set Fees and Enter into Rental Agreements for City Facilities**

Staff has historically set fees and signed rental agreements for City facilities such as Merrill Auditorium, the Portland Exposition Building, and Ocean Gateway. These facilities host 100s of events on an annual basis and while many events are similar in nature, all are also somewhat unique and require different staffing levels and services, and are therefore priced accordingly. The City's legal department has created a standard rental agreement. Any changes to the terms of standard agreement, other than pricing are reviewed by legal prior to being changed. This order would authorize the Director or her/his designee to continue to sign such agreements and reaffirm this long-standing practice.

Also these venues and others, such as the Riverside Golf Course, Cemeteries and the Troubh Ice Arena, are run in a business-like manner and need the flexibility to be able to offer specials and adjust pricing based on market conditions. This order will further reaffirm the practice of these fees being set administratively.

5/8/23

cc: Nancy English, Paralegal / Legal Assistant
Jennifer Lodge, Budget Analyst

EJH: jlr 05/04/23

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
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MARK DION (5)

ORDER AUTHORIZING THE CITY MANAGER TO ENTER INTO CERTAIN AGREEMENTS TO IMPLEMENT FISCAL YEAR 2024 HEALTH & HUMAN SERVICES BUDGET

ORDERED, that the City Manager or designee be and hereby is authorized to enter into:

1. Standard agreements and amendments to standard agreements with other governmental agencies for Fiscal Year 2024 to implement the Health & Human Services operating budget; and

2. Agreements with providers of services and lessors of property to provide services for Health & Human Services programs.

City of Portland, Maine
Memorandum

To: Danielle P. West, Interim City Manager

From: Brendan O'Connell, Finance Director

Date: 05/04/23

BTU

Re: FY24 Budget Council Order – HHS Agreements

Each year the City of Portland enters into agreements and amendments to those agreements, to receive reimbursement for services provided by the Health and Human Services department.

In addition, the City enters into agreements with service providers and landlords to provide services for department programs.

I have asked Corporation Counsel to prepare the necessary order for inclusion on the May 15, 2023 agenda.

O'Connell: jlr 05/04/23

To: Members of the Portland City Council

From: Dr. Heidi Wierman, MD

Re: Funding for the Barron Center

Date: 5/15/2023

My name is Dr. Heidi Wierman, and I am a geriatrician at Maine Medical Center as well as a resident of the city of Portland. I would like first to take this opportunity to thank you for your leadership and your continued support for Portland's various social service programs and continuing to support initiatives that help vulnerable people in our City and state. Portland is experiencing a number of crises, from housing, to social services and homelessness, to the opioid epidemic that is ravaging so many people. I do not envy your jobs.

In my role at Maine Medical Center, I spend a great deal of time working with patients and their families to identify those options that will allow patients to lead their best quality lives. For patients who can no longer live safely on their own, that can mean a referral to a nursing home.

As you may know, the Barron Center has been operating at just 40% capacity for over a year. The Barron Center has 219 licensed beds and, as of February 15, just 89 patients. There are currently completely empty units and floors in this long term care facility.

We are unclear about the reasons for this situation but when representatives from MaineHealth met with staff last year, they were told that a deliberate decision had been made not to hire contract staff to support access to care. What I do know is that the decision not to accept new patients and maintain a reduced census has significant consequences to the individuals who need nursing levels of care and are now stuck in the most restrictive settings – hospitals – because there is insufficient access to nursing facilities. On May 10, that represented 28 patients at Maine Medical Center alone.

This lack of access also impacts residents of Portland who may need to transition to a nursing home for a variety of reasons. In my role on inpatient consults and at our outpatient geriatrics center, I see individuals who have family caregivers that are no longer able to provide the needed level of support due to their own health, death, or need to support their family by working multiple jobs. Our care teams work diligently to try to assist with patients being able to transition to nursing homes but reduced number of staffed beds has led to crisis, then hospitalization for some. The Barron Center has been a well-respected and convenient option for residents of Portland to still be close to their families and supports even as they require a level of care that can no longer be supported at home.

In fact, due to the lack of long term nursing home beds, Maine Medical Center has been forced to set up a “Transitions of Care” unit that cohorts patients awaiting a nursing home bed and provides them with a few of the activities, such as rehabilitation, so they do not decompensate while stuck in the wrong setting of care. But living in the hospital is not a good quality of life. Nursing Homes, like the Barron Center, provide a much needed community for individuals requiring significant physical assistance to live.

I am testifying today to ask that City Council allocate sufficient funding for the Barron Center to hire and staff this vital facility to its intended capacity. Maine Medical Center, as Maine’s only Level 1 Trauma Center, cares for the most acute and complex patients across the region. We are near or at capacity nearly every day, and having patients who cannot transition to the appropriate level of care creates significant stress on the system.

We are currently facing a crisis caused by the effects of a lack of long-term care beds in the Greater Portland area and the state. In fact, there have been times where we have been forced to cancel non-emergent surgeries, board patients, open disaster hallways, and increase the already increasing workload on social workers and case managers.

As the state with the highest median age in the country, we need to work together, communicate and collaborate to ensure we are prioritizing vulnerable individuals. Maine Medical Center provides critically important medical care to all in need – regardless of ability to pay – but we are challenged in our ability to maintain access to needed inpatient services as we cannot discharge those who no longer need that level of care. I hope that you will support a budget and policy that ensures that the Barron Center rebuilds the vital role that it once played in Greater Portland’s health care ecosystem.

Thank you for your time, and please do not hesitate to contact me with questions.

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
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ANDREW ZARRO (4)
MARK DION (5)

ORDER AUTHORIZING THE CITY MANAGER TO ACCEPT SCHOLARSHIP AND TRUST DONATIONS AND BEQUESTS AND ENTER INTO TRUST AGREEMENTS

ORDERED, that the City Manager is authorized to accept and to appropriate new scholarship funds, and bequests from wills and trusts in amounts of up to $50,000 in Fiscal Year 2024; and

BE IT FURTHER ORDERED, that the City Manager is authorized to enter into standard form trust agreements and other associated documents and/or agreements as approved by the Corporation Counsel.

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
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MARK DION (5)

ORDER AUTHORIZING THE DIRECTOR OF PARKS, RECREATION AND FACILITIES TO ACCEPT DONATIONS UP TO $10,000 FOR PARKS, RECREATION & FACILITIES DEPARTMENT PROGRAMS AND CITY FUNDS

ORDERED, that the Director of Parks, Recreation & Facilities is authorized to accept and to appropriate donations in amounts of up to $10,000 in Fiscal Year 2024 for the following:

- The Land Bank Fund, Chapter 2, Section 2-45; and
- The Tree Trust Fund, Chapter 29, Section 29-14; and
- The Portland Youth Corps; and

BE IT FURTHER ORDERED, that City-funded Parks, Recreation & Facilities Department gift catalog and program donations in amounts of up to $10,000 in Fiscal Year 2024 may also be accepted.

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
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CITY OF PORTLAND
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MARK DION (5)

ORDER AUTHORIZING CORPORATION COUNSEL TO UNDERTAKE CIVIL ACTIONS TO COLLECT DELINQUENT PERSONAL PROPERTY TAXES

ORDERED, that the Corporation Counsel, through the use of City Attorneys or Contractors, is hereby authorized to institute legal proceedings on behalf of the City to collect delinquent personal property taxes against debtors who have failed to pay the taxes when due.

City of Portland

Memo

To: Danielle P. West, Interim City Manager

From: Brendan O'Connell, Finance Director

Date: May 4, 2023

BTO

Re: FY24 Budget Council Order Agenda Item Request – Authorizing Collection Actions

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Please place the attached order on the City Council agenda for first reading on May 15th and second reading and passage on June 5, 2023. I am recommending we present this to the City Council for action as it is related to the financial business of the upcoming fiscal year. We have passed this order annually with the budget approved since fiscal year 2003.

This order arises out of the staff proposal to maintain of our efficient personal property tax collections. Many times during the fiscal year our personal property tax standard billing and collection procedures prove to be inadequate, and we need to seek legal assistance from the Corporation Counsel's Office. This could involve a company refusal to pay, a bankruptcy declaration or title dispute or other similar matter that requires legal action.

Corporation Counsel advises that the City Council needs to grant specific authority to file legal actions in these kinds of tax cases. Many times we need to act quickly to ask for legal assistance when information comes to our attention, in order to protect the City's interest. We also want to avoid administrative delays by seeking this general authority from the City Council to collect delinquent personal property taxes when necessary. Delegating this authority greatly enhances our personal property collection efforts.

O'Connell: jlr 05/04/23

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
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CITY OF PORTLAND
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MARK DION (5)

ORDER AUTHORIZING NON-UNION WAGE ADJUSTMENT

ORDERED, that an overall wage increase of four percent (4%) for non-union employees is hereby approved effective July 2, 2023; and

BE IT FURTHER ORDERED, that the Mayor, the City Council, the City Clerk and Corporation Counsel shall receive a four percent (4%) wage increase effective July 2, 2023.

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
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ANDREW ZARRO (4)
MARK DION (5)

ORDER DESIGNATING FISCAL YEAR 2024 FUNDS FOR SPECIFIC ISLAND SERVICES

ORDERED, that $45,000 from the Fiscal Year 2024 municipal budget is hereby designated to pay for the Peaks Island services specified as follows:

Item A: Peaks Island Summer Bike Ticket Program $250
Item B: PI Needs-Based Boat Tickets $1,000
Item C: PI Portland Public Middle & High School Student Boat Passes $3,500
Item D: PI Full Time College Students (Portland Area) 3 Monthly Stickers $300
Item E: PI Children Attending Private Schools Vouchers $300
Item F: PI ITS (Island "Taxi"): Island Transportation System $22,500
Item G: PI PEAT (PI Environmental Team: Signage and equipment) $2,000
Item H: PI Administrative Expenses $2,150
Item I: Brackett Church (Community Arts & Play Recreation Programs) $1,000
Item J: Island Compost Project $3,500
Item K: New Brackett Church for utilities for community programs $2,000
Item L: Illustration Institute for Island Resident Programming $1,500
Item M: Fifth Maine Museum Institute Program, code compliance $1,500
Item N: Peaks Island Children's Workshop building repairs $3,500

TOTAL: $45,000

Peaks Island Council
FY 2024 Budget Request
As Approved for Submission
February 22, 2023

Motion: The Peaks Island Council requests the Portland City Council to allocate the following funds to the Peaks Island Council FY2024 Parking and Transportation Fund in the amount of $45,000 in accordance with the following items:

Item A: The Peaks Island Council requests the City Manager or her designee to expend monies from the Parking and Transportation Fund payable to Casco Bay Lines to purchase bicycle tickets for a summer bike ticket program on Peaks Island. The total is not to exceed $250.00 .

_____ _____
Danielle West, Portland City Manager Date

Item B: The Peaks Island Council requests the City Manager or her designee to expend monies from the Parking and Transportation Fund payable to Casco Bay Lines to purchase tickets for needs-based Peaks Island residents. To receive Needs-Based tickets, recipients must fit defined criteria developed by the Peaks Island Council. The total is not to exceed $1,000.00

_____ _____
Danielle West, Portland City Manager Date

Item C: The Peaks Island Council requests the City Manager or her designee to expend monies from the Parking and Transportation fund payable to Casco Bay Lines to purchase tickets for Peaks Island public middle and high school students. The total is not to exceed $3,500.00.

_____ _____
Danielle West, Portland City Manager Date

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Item D: The Peaks Island Council requests the City Manager or her designee to expend monies from the Parking and Transportation Fund payable to Casco Bay Lines for Island resident college students: for up to 3 monthly stickers per student @ $82.45/sticker, not to exceed $300. For the purposes of PIC transportation support, a college student shall be defined as a full-time island resident carrying a full-time course load (12 credits) at a Portland-area institution of higher education.

_____ _____
Danielle West, Portland City Manager Date

Item E: The Peaks Island Council requests the City Manager or her designee to issue vouchers in the amount of $82.45 per voucher per student to the parents of children attending private schools off-island. Criteria for determination of residency will be directed through the Island/Neighborhood Administrator's Office. Total cost allocated is $300.00.

_____ _____
Danielle West, Portland City Manager Date

Item F: ITS: a.k.a., Island "Taxi" The Peaks Island Council requests the City Manager or her designee to provide an allocation of $22,500 to the Island Transportation System for continued support of the only public transportation service available on Peaks Island.

_____ _____
Danielle West, Portland City Manager Date

Item G: The Peaks Island Council requests the City Manager or her designee to provide an allocation of $2,000.00 to the Peaks Island Environmental Team (PEAT)/Friends of Little John Trott for the purposes of improvements to enhance the immediate usability of the park. These include signage to provide useful information to park visitors (maps indicating trailheads and trails, park history, and identification of special features such as the pollinator garden). Funds will also support purchase of equipment (containers, clean-up sticks and buckets) to enable volunteers to assist DPW's efforts to manage trash and recyclable removal.

_____ _____
Danielle West, Portland City Manager Date

Item H: The Peaks Island Council requests the City Manager, or her designee to provide an allocation of $2,150.00 to the Peaks Island Council for Administrative Expenses.

_____ _____

Danielle West, Portland City Manager Date

Item I: The Peaks Island Council requests the City Manager, or her designee provide an allocation of $1,000.00 to the New Brackett Church in support of the Community Arts and Play (CA&P) program which provides a summer curriculum of arts, music and structured play for elementary-aged Island children. This project will provide lifeguards and swimming instruction to children ages 5-12 during the summer 2023.

_____ _____

Danielle West, Portland City Manager Date

Item J: The Peaks Island Council requests the City Manager, or her designee provide an allocation of $3,500.00 to support Phase I of the Island Compost Project, developed in collaboration with the City of Portland's Sustainability Office, to create an island-wide composting solution on Peaks Island. Beginning in the summer of 2023, drop-off points will be established for compostable waste on Peaks Island for island residents to use voluntarily. Project volunteers will transport the waste to Portland weekly for inclusion in Portland's municipal composting program. Phase II of the Project will include fundraising and securing the necessary permits to create a permanent, on-island composting facility.

_____ _____

Danielle West, Portland City Manager Date

Item K: The Peaks Island Council requests the City Manager, or her designee provide an allocation of $2,000 to the New Brackett Church. The Church supports community organizations on the Island which are in need of year-round space to hold their recurring meetings and special events. These include organizations like Alcoholics Anonymous (Al-Anon), Cook Club, and space for the Peaks Island Community Food Pantry and Community Arts and Play, among many others. These funds will assist in defraying some of the costs of janitorial services and utilities so that space can continue to be provided to local groups on a year-round basis.

_____ _____

Danielle West, Portland City Manager Date

Item L: The Peaks Island Council requests the City Manager, or her designee provide an allocation of $1,500.00 to the Illustration Institute for the presentation of 5 lectures and workshops for island residents.

_____ _____
Danielle West, Portland City Manager Date

Item M: The Peaks Island Council requests the City Manager, or her designee provide an allocation of $1,500.00 to the Fifth Maine Museum Institute to support design work for the restoration and improvement in the safety of the porch railings on this historic structure, bringing them in compliance with current code.

_____ _____
Danielle West, Portland City Manager Date

Item N: The Peaks Island Council requests the City Manager, or her designee provide an allocation of $3,500 to the Peaks Island Children's Workshop, the only licensed and accredited childcare facility on the island, to support needed repairs (windows, siding, doors) to the physical structure of the Workshop's building and playground.

_____ _____
Danielle West, Portland City Manager Date

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER APPROPRIATING $3,611,343 IN FUND BALANCE

ORDERED, that $2,850,000 is hereby appropriated from Assigned Fund Balance for pension obligation bond debt service payments due in Fiscal Year 2024; and

BE IT FURTHER ORDERED, that $761,313 is hereby appropriated from Unassigned Fund Balance for additional Cumberland County tax payments due in Fiscal Year 2024 resulting from the County's change from a calendar to a fiscal year.

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER FOR FISCAL YEAR 2023-2024 APPROPRIATING $276,000 FROM EXCESS FUND FOR CASCO BAY ISLAND TRANSIT DISTRICT

ORDERED, that the City Council hereby authorizes and appropriates $276,000 from the Casco Bay Island Transit District Excess Fund pursuant to the lease agreement between the City of Portland and the Casco Bay Island Transit District, $250,000 of which is for capital costs associated with Casco Bay Island Transit District's public transportation operations in Casco Bay and $26,000 of which is for the City for other mass transportation needs related to summer shuttle service between the Marginal Way Park and Ride lot and the Casco Bay Lines Ferry Terminal.

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

AMENDMENT TO PORTLAND CITY CODE CHAPTERS 24, AND 28
RE: VARIOUS FEE INCREASES FOR FISCAL YEAR 2024

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:

1. That Sections 24-72 and 24-84 are hereby amended, which said sections read as follows:

Sec. 24-72. Sanitary sewer user charges.

(a) *Applicability.* There are levied upon all parcels of land charges for cost of treatment of wastewater and stormwater and for the operation and maintenance of the wastewater system.

...

(c) *Computation.* The user charges shall be computed in accordance with the following schedule, as from time to time amended, which shall be sufficient to meet costs of the eligible purposes for which such charges may be used. Beginning July 1, ~~2022~~2023, user charges under this section for both dwelling units and commercial units shall be twelve dollars and ~~thirty~~ seventy-five cents ($~~12.30~~12.75) per hundred cubic feet of volume for connected parcels of land. The user charge for developed but unconnected parcels of land shall be one dollar and seventy-one cents ($1.71) per hundred cubic feet of volume. Each metered billing unit shall have a minimum charge of at least one hundred (100) cubic feet per month.

...

Sec. 24-84. Stormwater Service Charge.

(a) There is levied upon all developed land stormwater service charges for the cost of providing stormwater services. All developed land shall be charged seven dollars and ~~twenty-~~

~~five~~seventy-five cents ($~~7.50~~7.75) per month per one thousand two hundred (1,200) square feet of impervious surface area, rounded to the nearest one thousand two hundred (1,200) square feet of impervious surface area.

...

2. That Section 28-101 is hereby amended, which said section reads as follows:

Sec. 28-101. Applicability.

(a) *In general.* ...

(b) *Scofflaw.* Any vehicle which has accumulated three (3) or more notices of violation of any parking regulation or regulations made pursuant to this chapter for which there has been neither payment of waiver fees nor issuance of court process and which is then parked in violation of any such provision may, at the option of any city police, parking control or other officer authorized to enforce the parking regulations of the city, be immobilized in place or may be removed and stored pursuant to the provisions of this chapter until all waiver fees established pursuant to 30-A M.R.S.A. § 3009 for all such outstanding notices of violations and also the charges authorized by article IV have been paid or until the requirements of section 28-103(b) or (c) have been met. If impoundment by immobilization is utilized, a charge of ~~fifty~~ seventy dollars ($~~50.00~~70.00) shall be charged and paid prior to such release.

BE IT FURTHER ORDERED, that this amendment shall be effective on July 1, 2023.

FY24 REVENUE FEE SCHEDULE CHANGE
Parking Administration
Denver Boot

Department: Parking

*Ordinance Fee

Account #	Revenue Description	Current Fee	FY24 Proposed Fee
100-**18-100-351100**	Code Violations **Denver Boot**	**$50**	**$70**

Last Revision:
FY06 City Code Section 28-101:
CO #248-04/05

Updated: 03/17/23

FY24 REVENUE FEE SCHEDULE CHANGE

Department: Sewer Fund (0570)

Ordinance Chapter 24 § 72(c)

Account #	Revenue Description	Current Fee	FY24 Proposed Fee
570-31-000 344xxx	Sewer User Fees	$12.30 hcf	$12.75 hcf

Printed: 4/25/23

Prepared: 04/14/23

FY24 REVENUE FEE SCHEDULE CHANGE

Department: Stormwater Fund (571)

Ordinance Chapter 24 § 84(a)

Account #	Revenue Description	Current Fee	FY24 Proposed Fee
571-31-000 344650	Stormwater Service Charges	$7.50	$7.75
	*per 1,200 sf of impervious surface area		

Printed: 4/25/23

Prepared: 04/14/23

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
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MARK DION (5)

FISCAL YEAR 2023-2024 APPROPRIATION RESOLVE

RESOLVED, that the sum of **$332,799,323** is hereby appropriated for Fiscal Year 2024 for General Municipal purposes; and

BE IT FURTHER RESOLVED, that the sum of **$143,810,343**, is hereby appropriated for Fiscal Year 2023 for School purposes; and

BE IT FURTHER RESOLVED, that the Assessor of Taxes of the City of Portland be and hereby is directed to assess a tax upon all real estate liable to be taxed therein and to assess the owner of, or such other persons as may be liable by law for, personal property liable to be taxed therein on the first day of April, 2023 and not exempt from taxation, to the aggregate amount of **$103,559,653** for municipal purposes and **$110,850,008** for school purposes for a total tax levy of **$214,409,661** for Fiscal Year 2024, in accordance with the provisions of the Statutes of Maine; and

BE IT FURTHER RESOLVED, all taxes assessed as above and committed to the Director of Finance shall be due 30 days after the City's Tax Commitment 2023, and payable in two equal installments, the first due 30 days after the City's Tax Commitment 2023, and the second installment due on the 15th day of March, 2024. The delinquency rate of interest shall be eight percent (8%) per annum on all payments received after the respective due dates and the abatement rate of interest shall be four percent (4%) per annum.

City of Portland, Maine

City Manager's Recommended Budget

FY24 Budget

July 1, 2023 – June 30, 2024

City of Portland | Executive Department
Danielle P. West, *Interim City Manager*

To: Mayor and Members of the Portland City Council
CC: City of Portland Leadership Team and City Staff
From: Danielle P. West, Interim City Manager
Date: April 24, 2023
Re: City Manager's FY24 Recommended Budget

Pursuant to Article VI, Section 5(e) and Article VII, Sections 5 and 6 of the City of Portland Charter, I am hereby submitting the City Manager's Recommended $332.8 million FY24 Municipal Operating Budget. I'm humbled and honored to continue leading our dedicated group of public servants during this time of transition as they work tirelessly each day to provide excellent municipal services to and for the City of Portland and its residents.

As we continue to work through the realities of post-pandemic life there are several major challenges that we continue to face. Inflation continues to affect all of our departmental budgets in one way or another through higher costs for goods and services, fuel, and labor. We also face significant reductions in revenues including, but not limited to, the expiration of $7.4 million in one-time funding to address asylum seeker related expenditures and an estimated reduction of $1.7 million in State of Maine Revenue Sharing dollars for the upcoming fiscal year. Additionally, we continue to deal with a high number of staff vacancies, roughly 250 over the last year. In order for us to continue performing the high quality of services that our community has come to expect, we must work to reduce and prevent these staff vacancies. This is why the leadership team and I have made the retention and recruitment of staff our top goal for the year.

The other – larger and more unique – challenge we face in Portland is a national one with regional and statewide implications. The State of Maine and the City of Portland continue to attract record numbers of asylum seeking families from the southern U.S. border, as well as California and New York, and circumstantially and chronically homeless individuals, all seeking emergency shelter services. Portland is proud to be a welcoming city, we take our General Assistance (GA) obligation under state law very seriously, and we understand the value and benefits of having new residents in Maine. But we are in a dire situation that we cannot continue to manage on our own. The one time $7.4 million of revenue we received from the State of Maine in FY23 was intended to address what was anticipated to be a temporary increase in asylum seeker intakes and the lack of available housing. But the volume of arrivals and intakes has not declined and instead has continued to increase over the past year. We are now sheltering almost 1,200 people on a nightly basis between our single adult shelter, family shelter, and overflow spaces. As a result, our staff is stretched thin, our shelters are beyond their capacity, we are currently unable to guarantee shelter for any new arrivals, and available permanent housing is extremely limited.

We recently even had to open the James A. Banks Portland Expo building as a temporary emergency shelter. After its first week in operation, we reached capacity with a census of 300 people. We expect to use this space through this summer until a planned transitional housing space by a private developer can open and help alleviate some of the need. I can't stress enough how more transitional housing is needed in communities around the State of Maine other than just Portland as our staff and community partners are at their maximum capacity and we have no other physical locations available to us.

In an effort to not increase the property tax rate too significantly or make major cuts to City services, the Mayor, myself, the City's Legislative Committee, and other members of City staff have

been working diligently with our State and Federal delegations, as well as the Governor's Office, to find solutions and alternative sources of funding for increased GA reimbursement, transitional housing for asylum seekers, and resettlement coordination. Due to these circumstances, the budget I'm presenting continues to dedicate a significant amount of money and staff resources to providing social services, emergency shelter, public health, and long-term care to our neediest populations.

It is important to note that under the State's GA law, municipalities are currently reimbursed for 70% of the GA costs described above, and the municipality is required to cover the remaining 30%. There are currently, however, several bills before the State Legislature that seek to increase this reimbursement to 90% in an attempt to avoid further adverse impacts on municipal budgets across the State. In order to present you with a budget within the guidance you provided, this budget includes a presumption that the GA reimbursement formula will change and/or one-time funding will be provided to the City to address the significant needs it faces in response to this dire situation. Therefore, if we do not secure one of these funding sources, we will need to make cuts to core municipal services or push our municipal tax rate increase up to at least 10.4% or more.

Another important factor in our ability to be able to close our budget gap this year is the third installment and use of the federal American Rescue Plan Act (ARPA) funds. As you know, in addition to using ARPA funds to fund specific one-time necessary public priority projects, the City Council approved a phased plan to help cover revenue losses over the course of three budget cycles. We used $8.75 million in FY22 to cover revenue losses, $5.5 million in FY23, and this FY24 recommended budget includes the use of $2.75 million plus pulls in an additional $2 million of ARPA funds which had been intended for use in FY23, but are being held in part for FY24 to help address the revenue shortfall. It's important to note that next year we will not have any significant remaining City ARPA funds to help close any budget gaps we may face.

In addition to revenue losses, GA budget increases, and inflation, we continue to face many other cost increases including debt service costs (an approximately $1.2 million increase in our pension obligation bond debt service alone), Cumberland County's tax, our required METRO contribution, and in contractually obligated union wage increases.

While we always ask our Department Directors to take a hard look at their budgets every year and achieve any cost savings, there are things they need in order to be able to continue to provide core municipal services. Facing a tax rate increase in excess of 14% just to maintain existing levels of those core City services, we were required to make many tough decisions in order to present you with a recommended budget that contains a property tax rate increase lower than inflation.

We worked hard to reduce existing expenses, respond to required full-time equivalent (FTE) employee increases and staffing changes, while at the same time increasing revenue streams to avoid having to cut any existing FTE staff positions. We, however, continue to defer adding most new position requests that were not offset by associated revenues and addressing other needs. In most cases, Department Directors are still struggling with workloads that exceed pre-COVID levels with staff headcounts that are below pre-COVID levels. With very limited exceptions we have been unable to restore or add positions within most Departments. Despite these realities, we have worked to address some of the Council's stated priorities including additional funding for our Justice, Diversity, Equity and Inclusion work, more than doubling our funding for homeless shelter operations (an over 100% increase from $5.25 million in FY23 to in excess of $10.6 million for FY24), significantly increasing investment in other asylum seeker transitional housing options, all while attempting to maintain other levels of core services and not bring forward a tax rate increase above inflation.

In light of all this, I'm presenting you with a recommended budget that includes a **6.1% increase in the tax rate** on the city side of the overall budget with a new city-side mill rate of **$6.96 per $1,000 of assessed property value**. It is important to note that should there be any additional priorities or services the Council would like to address in this year's budget, I felt it most appropriate for those

decisions to be made by the Finance Committee/Council during the upcoming budget review process.

To provide some context on changes in the City budget over the last several fiscal years, the following is a chart that outlines the City, County, and School portions of the tax levy since FY16:

FY16 - FY24 City of Portland Tax Levy History & Breakdown							
	MUNICIPAL PORTION				SCHOOL PORTION		OVERALL
Fiscal Year	City Tax Levy	City % of Total	County Tax Levy	County % of Total	School Tax Levy	School % of Total	City of Portland Tax Levy
FY16	$75,785,193	47.6%	$5,240,009	3.3%	$78,073,211	49.1%	$159,098,413
FY17	78,445,570	47.8%	5,417,119	3.3%	80,331,376	48.9%	164,194,065
FY18	80,187,454	47.5%	5,907,743	3.5%	82,787,921	49.0%	168,883,118
FY19	83,323,749	46.9%	6,288,845	3.5%	88,003,431	49.5%	177,616,025
FY20	86,173,337	46.3%	6,640,316	3.6%	93,345,139	50.1%	186,158,792
FY21	86,743,535	46.1%	7,011,159	3.7%	94,338,744	50.2%	188,093,438
FY22	83,867,622	44.1%	7,147,309	3.8%	99,083,251	52.1%	190,098,182
FY23	89,023,703	44.4%	7,563,215	3.8%	103,851,071	51.8%	200,437,989
FY24 Rec	94,353,230	44.0%	9,206,423	4.3%	110,850,008	51.7%	214,409,661
The City portion of the overall tax levy has increased by $18.6M or 24.5% since FY16 (2.8% CAGR)							
The County portion of the overal tax levy has increased by $2.3M or 75.7% since FY16 (11.1% CAGR)*							
The School portion of the overall tax levy has increased by $32.8M or 47.0% since FY16 (4.5% CAGR)							

* Note: FY24 County Tax Levy inludes (and FY25 through FY28 will include) an additional $761,342.80 due to County change to 6/30 year end

CAGR = Compound Annual Growth Rate

FY23 RECAP

While our outlook remains hopeful, I'm cognizant of the toll the pandemic and the current labor market continues to have on our workforce. They have had to do more with less given budget constraints, but also due to major staff vacancies in many of our front-line service departments. We've also had several vacancies in our Department Director positions, which means many staff members have been doing multiple jobs at any one given time.

First, our Health & Human Services Department has faced many challenges this year, but continues to respond impressively when confronted with these complex situations. Despite these challenges, there have also been many proactive successes worthy of highlighting.

The Oxford Street Shelter placed a total of 96 clients, 34 of whom were long-term stayers into permanent housing. The 96 housing placements represent 20,418 bed nights or 56 years. The 34 long-term stayer placements represented 15,394 of those bed nights or 75%. The Family Shelter placed 42 families representing 146 individuals into housing placements. It's important to keep in mind that this number represents those families staying in the Family Shelter buildings proper, and not the multiple overflow spaces we are currently occupying such as hotels.

I'm also pleased to report that we opened the new Homeless Services Center at 654 Riverside Street (which replaces the now shuttered Oxford Street Shelter) last month with 208 beds. While this emergency shelter was full on night one, clients now have access to a facility that was specifically designed to serve as an emergency shelter facility all with on-site access to critical wrap-around services like meals, a Greater Portland Health medical and dental clinic, and housing counseling. We also established a neighborhood advisory group to ensure our commitment to being a good neighbor while operating this facility.

Over the past year, the Public Health Division has continued its efforts in responding to the ongoing COVID-19 pandemic, notably with the reinvigoration of the Immunization Program as part of the Portland Public Health Clinic. In November 2022, the Public Health Clinic celebrated one year in the new space at 39 Forest Avenue, where they have continued to provide STD, primary care, and harm

reduction services to Portland's underserved communities. The Immunization Program organized City staff and community vaccination clinics and prevention efforts, resulting in the administration of 1,188 COVID-19 vaccinations given since July 1, 2022. In March 2022, the Harm Reduction Program expanded its services to include the distribution of Fentanyl Test Strip kits. Since the start of this expanded service, staff has distributed 1,292 Fentanyl Test Strip kits, amounting to 3,876 individual strips distributed. These new initiatives reflect the Public Health Division's commitment to providing essential services and responding to the evolving public health needs of the community.

For our Planning & Urban Development Department, 2022 included a significant amount of both development review and long range planning activity. With regard to new housing within the city, 317 housing units (not including single and two family homes) were approved, 65 of them on-site affordable units. Currently, approximately 1,500 housing units are under construction, the product of thousands of approvals over the previous five years. Significant approvals shepherded through the planning review process in 2022 included 129 housing units on a former City-owned property at 57 Douglass Street, a Master Development Plan at 385 Congress Street that includes 297 housing units, a hotel, and a publicly accessible pocket park, a new teen shelter, creation of an Institutional Overlay Zone to accommodate a new campus for the Roux Institute, as well as campus expansions for both the University of Southern Maine and the University of New England. A total of $707,916 was committed to the Jill C. Duson Housing Trust as a result of Hotel Inclusionary approvals. As a result of the Impact Fee Ordinance created by Planning & Urban Development and adopted by the Council in 2018, $825,790 was collected through development review to support parks & recreation, wastewater, and transportation infrastructure.

In addition to review of new developments, Planning & Urban Development has a host of long range and policy initiatives under way. Planning for significant open spaces, such as Congress Square Park, Portland Harbor Common, and Western Promenade improvements occurred in 2022, and numerous transportation planning initiatives such as the launch of the City's first bikeshare program, design of the union branch trail, community engagement for the Better Bikeways Initiative, the Libbytown Safety & Accessibility Project, East Coast Greenway/Veranda Street Bikeway design, and further implementation of the Neighborhood Byways network. Significant progress was made in 2022 on projects that will be rolled out for public review starting in the first half of 2023, including ReCode Phase II, a proposal for climate resiliency zoning tools, shoreland zoning amendments, and the Historic Preservation Impact Study, each with implications for sustainability, equity, housing opportunities, and Portland's economy.

Our small business community, which is the backbone of Portland's economy and contributes so much to its authenticity and character, has faced and continues to face challenges from the pandemic. In response, the City created various pandemic related business assistance loan and grant programs which resulted in an investment of over $330,000 in 61 businesses during FY22. In FY23, the focus returned to non-pandemic related business assistance programs and, to date in FY23, the Portland Development Corporation has approved four new loan applications, providing a total of $490,000 in funding for these Portland businesses. This focus will continue for FY24.

The ARPA funded Microenterprise Program launched in the Spring of 2022, supporting 51 low-moderate income small business owners with approximately $270,000 in funding. Our Housing & Economic Development Department was awarded additional ARPA funding in the Fall of 2022 for business program grants due to the success of the first round of funding. ARPA funds are also being utilized to offer grants to aspiring day care providers and existing centers to open or expand, adding much needed day care slot openings to Portland. To date with use of $145,000 in funds, 49 new slots for care have been documented.

The Housing and Economic Development Department also administers the Brownfields Program, which provides funding for assessment and cleanup of environmentally contaminated properties to facilitate redevelopment. The City's Brownfields Assessment Fund and Revolving Loan Fund are important tools available to assist redevelopment projects in the city. Staff is awaiting the results of

a recent application to EPA for additional assessment grant funding of up to $500,000. The EPA should be announcing grant awards later this Spring. The City recently received an additional $3 million to recapitalize the City Brownfields Revolving Loan Fund.

Housing availability and affordability continue to be a focus for City officials. To that end, the Council's Housing and Economic Development Committee (HEDC) recently recommended approval of the 2023 Affordable Housing Development and TIF Application. The application was drafted by staff in the Housing and Economic Development Department and includes guidance from the HEDC on goals and priorities for the use of the available funds. When approved by the Council, the application will be released and will make over $9 million dollars from the City's HOME Program and the Jill C. Duson Housing Trust Fund available to housing developers.

Our Permitting and Inspections Department continues to see its workload increase. The department continues to be impacted by recent citizen-initiated referendum questions passed by voters. This includes the Green New Deal, Rent Control ordinance, and regulations related to Marijuana retail establishments. In FY22, the Department managed an increase in workload, staff shortages, and dealing with returning to more of a pre-pandemic model. In FY23, the Department is continuing to manage record breaking numbers on top of additional Rent Control Referendum amendments that have impacted its workload.

In FY22, permitting staff processed 2,399 building permits, 1,692 electrical permits and 464 plumbing permits. Permit numbers continue to increase each year, and during the current fiscal year we are continuing on that same trend for permit numbers. The City's four Building Inspectors performed 5,976 inspections in FY22, which was an increase from FY21. So far in FY23 (7/1/2022-3/31/2023), they have executed 5,180 inspections. Zoning has also had an increase in permit reviews due to the sheer number of permit applications. In FY22, they reviewed 958 permits and so far in FY23 they have reviewed 768 permits.

In FY22, staff issued 1,469 business licenses and performed 1,322 Health Inspections. So far in FY23 (7/1/2022-3/31/2023), 1,038 business licenses have been issued and 937 Health Inspections have occurred. The city currently has 65 licensed marijuana businesses and 15 pending, of those are 35 licensed marijuana retail stores.

In our Housing Safety Office, the division was required to collect data on more than 20,000 units, staff a Rent Board, investigate illegal rent increases, and to educate the public on both of the voter-approved Tenants Rights ordinances. This work is in addition to the safety inspections they conduct of rental units in Portland. The City's four inspectors are both Certified Code Enforcement and Certified Fire Inspectors. They handle Long-Term, Short-Term, Complaints, and now Rent Inspections. In FY22, the Inspectors performed 3,204 inspections. The office issued 4,639 Long-Term licenses and 744 Short-Term licenses. So far in FY23 (7/1/2022-3/31/2023), they have executed 2,835 inspections and issued 3,550 Long-Term and 673 Short-Term Registrations.

The Portland International Jetport continued its record for customer service in 2022, winning the Airports Council International's Easiest Airport Journey & Most Dedicated Staff in North America awards. The Jetport also saw significant improvement in passenger volumes despite lingering negative pandemic related impacts on air travel nationwide early in 2022. The Jetport saw all-time record passenger volume in June and October 2022 but remained down 9.3% in passenger boardings in 2022 compared to pre-pandemic 2019 levels. Leisure travel continued to outpace business travel, and thanks to Maine's strong leisure tourism market, the Jetport was nearly back to 2019 levels during the summer season. The busy June - October summer travel season saw the Jetport down just 1% from 2019 levels. Although passenger recovery was strong in 2022, pandemic related reductions were still present and kept operating revenues below 2019 levels. Operating revenues were 9.1% below FY19 in FY22. Thankfully federal relief funding for airports remained available to overcome this reduction. Revenues are expected to fully recover and exceed pre-pandemic levels in FY24 with outbound seat capacity for 2023 up 5% over 2022 and 3% over 2019, our busiest year. Breeze Airways will begin its inaugural service to the Jetport on May 17, 2023. The Jetport's FY24

operating revenues are budgeted at $28.9 million, which is up 23.1% from FY23 and up 10.7% over FY19. This is a good indicator of the strength of Portland and Maine's economy.

We also remain committed to our sustainability goals outlined in our climate action plan, One Climate Future. Over this past year we've achieved successes in implementing components of it. The first phase of Electrify Everything! concluded last fall and helped residents implement more than 100 electrification projects in their homes. During our Earth Day celebration on April 22 the Sustainability Office announced the launch of Electrify Bikes!, which will help income eligible residents purchase an e-bike in order to provide reliable transportation that does not require fossil fuels. Later this spring they will launch DIY Electrify!, which will provide incentives for residents to purchase induction cooktops and energy saving tools such as clothes drying racks. We have also built on the successful community composting program to expand the number of public composting sites and bring composting to City facilities for the first time. City facilities include City Hall, the new Homeless Services Center, and the Barron Center. We plan to add additional City buildings during upcoming months.

We continue to deploy EV charging infrastructure as part of our partnership with EVgo. Four stalls of fast charging recently came online in the parking lot at the corner of Spring Street and High Street. The neighborhood charging hubs at East End School and Deering Oaks are now complete and will be operational before the end of April. The Sustainability Office is working closely with EVgo to site an additional hub with DC fast chargers and additional community charging hubs that will be installed during the upcoming fiscal year.

Later this Spring the Sustainability Team will also launch a summer long campaign to educate the public about the City's Landcare Ordinance and offer tips on how to manage property sustainably. In addition to public events it will include lawn signs members of the public can display that promote Mow Tall Until Fall – encouraging neighbors to keep grass between 3.5" - 4" tall in order to promote healthy roots and to allow lower growing plants such as clover to feed pollinators.

We are additionally pleased to be launching our Sustainable Neighborhood Program, through which the Sustainability Team will work directly with neighborhood organizations to help them select and implement sustainable actions in their neighborhoods. The goal of the program is to build community resilience by connecting neighbors and helping them collaborate on projects that will make their neighborhood more sustainable. Earlier this spring we called for neighborhood groups to apply to be participants in the inaugural year of the program. We were pleased to announce during our Earth Day celebration that Parkside and Libbytown developed the most thorough and responsive applications and we look forward to working with them this year. Next spring we will invite additional neighborhoods to apply for the program with the goal of onboarding two neighborhoods each year.

Furthering our commitment to our environment and open spaces, our Parks, Recreation and Facilities Department budget supports many community and Council priorities, from maintaining 67 parks and 30 city and school playgrounds, to planting 150 trees annually. The budget supports beautification and enjoyment of the city through the Parks Division, which oversees planting of perennial plants, tulip beds, urban meadows and orchards, oversight of 8 miles of multi-use bike paths, and basic maintenance of our 67 parks and open spaces spread over 1,300 acres.

The budget also supports Recreational activities for the community such as the Before and After School Program with 1,000 participants, a youth basketball league with 500 participants, a Senior Adult program with over 500 participants, three city pools, and the Riverside Golf Course. Our Public Assembly Division runs our city venues and cultural institutions such as Merrill Auditorium, The Portland Expo, Troubh Ice Arena, and Ocean Gateway. Our Custodial Division cleans all City buildings, and cleans our public park toilets daily. And our Cemetery Division budget supports maintenance and operation of 13 City cemeteries, including 11 historic cemeteries that are largely full, and Evergreen Cemetery and Forest City Cemetery which are still active and offer families a beautiful location to bury and remember loved ones.

FY23 BUDGET GOALS & REALITIES

Over the last several months we have had several workshops and budget discussions with the Council and Finance Committee to set shared expectations for the upcoming budget year. During those discussions the Council was clear that they would consider any tax rate increase above inflation to be unacceptable and set guidance on an increase of between 5 and 7%. The majority of the Council also noted they did not want to see cuts to core municipal services. Based on this guidance, I asked Departments to prepare their budgets conservatively. However, due to the significant challenges facing the City, most of them revenue related, the requested year-over-year tax levy increase based on Department requested budgets was over 17%.

It was incredibly difficult to close the budget gap from the requested 17% down to within Council guidance. Ultimately, I had to make revisions to their proposals, set aside certain requests, and recommend fee increases to help balance the budget and double down on our lobbying efforts in Augusta to highlight the incredible work the City is doing to shelter asylum seekers and request additional funding and assistance. It was also important for me to balance the needs of our workforce in the budget since retention and recruitment has been a major issue. As a result, this budget does include funding for some retention strategies and wage adjustments given the extremely tight labor market and the significant number of vacancies we have had.

Portland prides itself on having the most diverse revenue base in Northern New England with nearly 58% of our FY24 estimated general fund revenue coming from non-property tax sources (charges for services, licenses and permits, intergovernmental revenue and more). As was stated before, balancing the budget with a 6.1% increase this year is only due to the use of those diverse revenue funds, ARPA funds, and debt service reserves. Otherwise, we'd be facing a much higher tax rate increase or a reduction in the level of core municipal services we would be able to provide.

DEPARTMENT HIGHLIGHTS

Health & Human Services: In FY22 our total City HHS budget was $35.9 million and that figure is rising to nearly $55.2 million for FY24. Despite a decrease in anticipated spending from FY23 to FY24, HHS still remains our largest Department budget by a significant margin. Our budget for sheltering is of particular note - we are more than doubling our homeless shelters budget (FY23 Oxford Street Shelter budget was $5.25 million and FY24 Homeless Services Center budget is $10.66 million) and our Family Shelters budget is also rising by over 35%.

Public Works: The Public Works Department continues to have a challenging time with managing the number of vacancies they have due to the current labor market. This budget does not include any new staffing requests nor any major operational changes in services provided.

Parks, Recreation & Facilities: This budget includes a 7% increase or roughly $750,000, and specifically includes the hiring of an Assistant Parks Director to help with the significant number of parks projects that the Department has on its agenda.

Planning & Urban Development: This budget includes a 20% increase in FY24 or roughly $300,000 due to the inclusion of the $150,000 bike share program expense which is fully reimbursable from outside revenue sources for the next two years.

Police: Of note with this budget is a reminder that the recently approved Community Development Block Grant (CDBG) budget recommendations for this year included a change in the funding plan for our $150,000 community policing program. Instead of funding this program with CDBG revenue, we recommended and have now made those dollars available for public CDBG applicants, and therefore are funding the community policing program in this budget via the property tax levy.

Dispatch: This budget includes a 53% increase due to the addition of contracting service and a Deputy Director position to help with the staffing challenges. We are working incredibly hard to

increase staffing at the dispatch center and reduce use of overtime which is one of the main factors of the increase. It is worth noting that the City is reimbursed for a portion of our costs from our dispatch partners in South Portland and Cape Elizabeth.

Fire: The Fire Department includes an almost 6% increase related to two new required positions at the Jetport. In 2022, due to an increase in flight volume, the Jetport moved to an Index C level Airport. In order to meet FAA requirements at the Index C level, the Fire Department's Air Rescue Station is required to respond with additional resources to emergencies. As such, four additional firefighters had to be added in the middle of the FY23 budget. The Department was able to fund two of these positions from the FY23 budget and the FY24 budget includes the addition of the two other positions to meet the requirements.

Assessor: This budget includes a 14% increase for contract and temporary staff assistance to help process work related to LD 290 and complex commercial valuations and appeals.

Public Buildings & Waterfront: Includes an approximately $662,000 increase due to an estimated $340,000 in facility upgrades being required by the US Customs and Border Protections and a variety of other budget inflationary pressures on parts and labor.

Permitting & Inspections: This budget includes a 15% increase mostly due to the increase in work from the recent voter-approved referendum questions. This marks several consecutive years of increased workload for the Department at the same time that the overall volume of permitting and inspections work continues to increase. We are continuing to assess how to best handle the increased workload and volume and will discuss the work in progress to address those issues during our Finance Committee reviews next month.

City Council: The Council's budget includes a 26% increase partly due to an increase in funds for the City's legislative lobbying efforts and $50,000 for the design phase for a future MLK memorial in the city.

City Clerk: This budget includes a 59% increase due primarily to the City Charter amendment which required incorporating funds for launching a clean elections campaign program.

City Manager: The budget includes a 26% increase due primarily to the new Justice, Diversity, Equity and Inclusion director and funds to hire an associate for that director during the upcoming fiscal year.

Information Technology: This budget includes a 16% increase due to several critical new position requests that have been repeatedly requested by the Department and the many Departments supported by IT. We currently have just under one IT staff for every 100 City employees and this is far below industry and municipal standards. IT network and cybersecurity has also become increasingly important over the last several years and the budget includes an IT security position.

Wage Adjustment: This budget includes funding for potential future wage and contract increases from various Departments, which are anticipated to be needed in the upcoming fiscal year. The City has eight labor unions along with the non-union workforce and three Council appointed positions.

BUDGET CHALLENGES

During this budget cycle the City of Portland faced several significant budget challenges which made our budget goals incredibly difficult to achieve. The immensity of the challenges highlighted the fantastic work of our budgeting team who were able to limit the City tax levy increase to just 40 cents via offsetting budget reductions and revenue additions. This was in spite of the fact that our four largest budget challenges alone represented more than triple the amount of tax increase that is being proposed to be passed along to the taxpayers.

Loss of $7.4M in State of Maine Funding: In FY23 the City received $7.4 million of lump sum payment from the State of Maine to support the regional efforts to house asylum seekers. The funding was provided in light of historic levels of asylum seeker intakes into the State via Portland. This funding is not currently continued in the State of Maine's upcoming budget, but the historic levels of asylum seeker arrivals in Portland persists with roughly 1,200 arrivals during 2023 to date. The loss of this revenue triggered a 50-cent increase in the local mill rate, an approximately 7.6% increase from this line item alone.

State Revenue Sharing: Our State revenue sharing projection from the State of Maine is projected to decrease by $1.7 million from the prior year projection. This presents a significant budget challenge for the City. This decrease triggered a 12-cent increase in the local mill rate.

Increase in Cumberland County Tax: The budget for payments to Cumberland County for their tax assessments to the City is increasing by over $1.6 million. The increase is related to higher costs for County operations and a County switch from a calendar year to a fiscal year. This increase in expense triggered an 11-cent increase in the local mill rate.

Reduction in Programmed American Rescue Plan Act (ARPA) Revenues: The City utilized a participatory budgeting process to allocate our ARPA funds. Funding for sheltering the unhoused was set at $7.5 million in the FY23 budget and this was set to decrease to $2.75 million in the FY24 budget and $0 in FY25. At this point our ARPA funds have been fully allocated towards the public priorities from our participatory process and the vast majority of the funds have been for social services/addressing homelessness/housing. The decrease in programmed ARPA funds from FY23 to FY24 of $4.75 million represented a 32-cent increase to the mill rate.

Health Insurance: There is a nearly $1.9 million increase in the estimated cost of our health insurance plan. We are raising premiums for employees by 4% to help partially offset this increase.

Debt Service: Our debt service is up 3.9% or roughly $2.05 million overall. This is mostly attributable to an increase in debt service related to our 2001 pension obligation bonds, enterprise fund debt, and estimated interest expense on our upcoming 2023 bond issue.

METRO: The FY24 budget includes a 3.35% increase in our METRO contribution or an additional $105,000.

Portland Public Library: The Portland Public Library has requested a 5% increase in FY24 funding or $215,649.

POSITIVE BUDGET DRIVERS

Excise Tax: Excise taxes are still a significant source of revenue for the city's transportation needs. Despite rising interest rates and car prices, we are projecting excise taxes to rise to $11.25 million in FY24, a budgeted increase of $750,000.

Property Valuation: Property valuation is estimated to grow by $150 million resulting in nearly $1 million in additional revenue for municipal use and $1.1 million for School use.

Interest Income: The City has a strict investment policy which prioritizes safety and capital preservation. The City has taken advantage of the rising interest rate environment and expanded our portfolio of fully insured certificates of deposit. As a result, we are expecting an increase in interest income to help offset the property tax levy of approximately $2 million.

Credit Rating Upgrade: Last year Standard & Poor's Global Ratings (S&P) raised its credit rating on all of Portland's general obligation debt up to 'AAA' from 'AA+'. This elevated the City rating to the highest available measure of creditworthiness from S&P. The highly coveted 'AAA' rating significantly reduces debt service costs on bonds issued with the rating in place and creates additional demand for City municipal bonds. The rating increase is due to continued growth in the

local economy, very strong financial management and financial policies, and very well managed debt metrics. The upgrade marks the second rating increase from the S&P in the last five years. The reduction in debt service costs continues to be significant during a time when cost savings for both the City and Schools is badly needed. The AAA rating typically reduces total interest costs on a debt issue by an estimated 10 to 15 basis points when compared to similar costs prior to our recent upgrades (savings of $10,000 to $15,000 per million of debt issued).

BALANCING THE BUDGET

At this time, the growth of non-tax revenues and property valuation results in a City side tax rate increase for municipal services of 6.1%. This means the city-side mill rate is $6.96 per $1,000 of assessed property value. The impact of this increase on an average homeowner with a property valued at $375,000 would be $150.

CONCLUSION

I would like to thank the Finance Director Brendan O'Connell, the Finance Department staff, Human Resources Director Anne Torregrossa, and Communications Director Jessica Grondin for their assistance in developing this budget recommendation and presentation, as well as the hard work and diligence of all of the Department Directors and their staff in developing their budget requests.

I'd also like to thank all City employees for the work they've done in helping us accomplish the many goals we've achieved over the last several years, as well as the exemplary municipal services they provide each and every day. And I'd like to express my sincere gratitude for the way in which they have continued to perform top-notch public service in light of the many challenges we face including staffing shortages. It has been a long and ever-changing year in which we've faced many obstacles, and I'm proud of how we all worked together to keep our community strong and continue to provide excellent services to and for our City.

Finally, I'd like to thank the Council for advising us on your priorities and working collaboratively with staff over the last year. We look forward to reviewing this proposed budget in more detail with you in the weeks ahead.

Sincerely,

Danielle P. West
Interim City Manager

CITY OF PORTLAND, MAINE

COMPARATIVE BUDGET PLAN FY2024

July 1, 2022 - June 30, 2023

July 1, 2023 - June 30, 2024

City Manager's Recommendation

		FY23	FY24	FY24-CM / FY23 $ +/( )	%
CITY GENERAL FUND REVENUES					
31	Property Taxes	$96,586,918	$103,559,653	$6,972,735	7.2%
31	Other Local Taxes	6,078,477	5,588,477	(490,000)	-8.1%
32	Licenses & Permits	7,079,950	7,312,873	232,923	3.3%
33	Intergovernmental Revenue	64,392,196	40,158,019	(24,234,177)	-37.6%
34	Charges for Services	38,696,672	40,723,175	2,026,503	5.2%
35	Fines, Forfeits and Penalties	1,966,254	2,085,204	118,950	6.0%
36	Use of Money and Property	10,882,236	13,028,881	2,146,645	19.7%
39	Other Sources	43,163,239	48,113,223	4,949,984	11.5%
	Fund Balance Use / (Restoration)	-	761,343	761,343	
	Total General Fund Revenues	$268,845,942	$261,330,848	($7,515,094)	-2.8%
GENERAL FUND EXPENDITURES					
100-11	City Council	$426,699	$532,220	$105,521	24.7%
100-12	City Clerk	681,447	1,085,708	404,261	59.3%
100-13	Executive	1,047,862	1,328,780	280,918	26.8%
100-14	Assessor	478,268	547,107	68,839	14.4%
100-15	Finance Administration	1,320,399	1,392,938	72,539	5.5%
	Treasury	731,669	823,920	92,251	12.6%
	Total Finance	2,052,068	2,216,858	164,790	8.0%
100-16	Legal	1,050,737	1,081,002	30,265	2.9%
100-17	Human Resources	1,261,163	1,368,502	107,339	8.5%
100-18	Parking Administration	1,534,970	1,561,443	26,473	1.7%
	Elm Street Garage	304,572	293,774	(10,798)	-3.5%
	Spring Street Garage	516,845	506,836	(10,009)	-1.9%
	Temple Street Garage	117,800	119,120	1,320	1.1%
	Total Parking/Garages	2,474,187	2,481,173	6,986	0.3%
100-19	Economic Development Admin	883,824	979,625	95,801	10.8%
	Portland Development Corp	28,522	39,122	10,600	37.2%
	Housing & Community Development	574,738	778,390	203,652	35.4%
	Total Housing & Economic Development	1,487,084	1,797,137	310,053	20.8%
100-21	Police Administration	1,329,925	1,371,288	41,363	3.1%
	Uniformed Operations Group	10,837,455	11,506,750	669,295	6.2%
	Bureau Investigative Services	2,047,944	2,272,627	224,683	11.0%
	Operations Support Services	966,425	997,159	30,734	3.2%
	Jetport Security	580,738	503,433	(77,305)	-13.3%
	Total Police	15,762,487	16,651,257	888,770	5.6%

CITY OF PORTLAND, MAINE

COMPARATIVE BUDGET PLAN FY2024

July 1, 2022 - June 30, 2023

July 1, 2023 - June 30, 2024

City Manager's Recommendation

		FY23	FY24	FY24-CM / FY23 $ +/( )	%
100-22	Fire Administration	769,636	899,791	130,155	16.9%
	Code Enforcement & Comm Svcs	326,899	359,553	32,654	10.0%
	Field Operations	15,878,547	16,492,965	614,418	3.9%
	Operations Support Services	935,001	1,045,755	110,754	11.8%
	Air Rescue	1,263,589	1,474,498	210,909	16.7%
	Total Fire	19,173,672	20,272,562	1,098,890	5.7%
100-23	Dispatch Services	2,418,809	3,694,113	1,275,304	52.7%
100-24	Planning & Urban Dev. Admin	255,084	282,684	27,600	10.8%
	Planning	1,316,183	1,616,527	300,344	22.8%
	Total Planning & Urban Development	1,571,267	1,899,211	327,944	20.9%
100-25	Permitting & Inspections Administration	193,366	206,737	13,371	6.9%
	Inspections	1,254,118	1,381,204	127,086	10.1%
	Housing Safety	653,111	824,333	171,222	26.2%
	Business Licensing	356,150	372,004	15,854	4.5%
	Total Permitting & Licensing	2,456,745	2,784,278	327,533	13.3%
100-29	Information Technologies	2,892,962	3,212,243	319,281	11.0%
100-31	Public Works Administration	787,173	830,122	42,949	5.5%
	Streets	1,906,294	1,948,821	42,527	2.2%
	Solid Waste	2,807,094	3,055,233	248,139	8.8%
	Communications	199,907	214,763	14,856	7.4%
	Portland Downtown District	411,055	474,349	63,294	15.4%
	Winter Operations	1,504,853	1,450,785	(54,068)	-3.6%
	Island Services	823,097	956,062	132,965	16.2%
	Traffic & Transportation Operations	1,667,028	1,758,878	91,850	5.5%
	Transportation Engineering	484,194	511,808	27,614	5.7%
	Engineering	1,346,075	1,392,734	46,659	3.5%
	Fleet Services	4,376,633	4,482,128	105,495	2.4%
	Total Public Works	16,313,403	17,075,683	762,280	4.7%
100-33	Parks Rec & Facilities Admin	514,589	528,648	14,059	2.7%
	Parks	1,057,088	1,199,129	142,041	13.4%
	Forestry	834,291	883,527	49,236	5.9%
	Athletic Facilities	942,489	1,031,807	89,318	9.5%
	Cemeteries	785,723	696,000	(89,723)	-11.4%
	Recreation	1,809,159	1,859,046	49,887	2.8%
	Aquatics	536,670	564,029	27,359	5.1%
	Golf Course	1,050,902	1,186,340	135,438	12.9%
	Golf Course Restaurant	29,660	32,960	3,300	11.1%
	Ice Arena	531,153	570,647	39,494	7.4%
	Public Assemblies	924,265	1,038,567	114,302	12.4%
	Concessions	532,466	583,436	50,970	9.6%
	Custodial Services	1,003,164	1,031,921	28,757	2.9%
	Merrill Auditorium	147,514	221,519	74,005	50.2%
	Total Parks Rec & Facilities	10,699,133	11,427,576	728,443	6.8%

CITY OF PORTLAND, MAINE

COMPARATIVE BUDGET PLAN FY2024

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City Manager's Recommendation

		FY23	FY24	FY24-CM / FY23 $ +/( )	%
100-35	Public Bldgs & Waterfront Admin	458,517	479,394	20,877	4.6%
	Trades	617,991	657,625	39,634	6.4%
	School HVAC	618,574	735,454	116,880	18.9%
	Public Safety Bldg.	317,100	390,120	73,020	23.0%
	City Hall	778,587	851,356	72,769	9.3%
	Merrill Auditorium (PB)	207,455	281,815	74,360	35.8%
	Hadlock Stadium	299,395	319,495	20,100	6.7%
	Expo Building	207,870	273,580	65,710	31.6%
	Canco Road Buildings	407,130	408,730	1,600	0.4%
	Other Public Buildings	321,627	223,567	(98,060)	-30.5%
	Waterfront	1,504,009	1,779,944	275,935	18.3%
	Total Public Buildings & Waterfront	5,738,255	6,401,080	662,825	11.6%
100-44	HHS - Administration	508,407	539,378	30,971	6.1%
	Public Health	2,877,587	2,988,798	111,211	3.9%
	Social Services	60,000,745	36,827,723	(23,173,022)	-38.6%
	Barron Center	17,076,665	14,829,605	(2,247,060)	-13.2%
	Total HHS	80,463,404	55,185,504	(25,277,900)	-31.4%
100-47	Debt Service	52,546,994	54,596,478	2,049,484	3.9%
100-48	Public Library	4,312,969	4,528,618	215,649	5.0%
100-51	Pension	9,448,120	10,911,142	1,463,022	15.5%
100-52	Health Insurance	18,154,207	20,018,555	1,864,348	10.3%
	Workers' Comp	1,697,605	1,722,605	25,000	1.5%
	FICA	1,325,660	1,578,873	253,213	19.1%
	Group Life	230,240	260,451	30,211	13.1%
	Unemployment	100,000	100,000	-	0.0%
	Total Employee Benefits	21,507,712	23,680,484	2,172,772	10.1%
100-61	Contingency	350,000	250,000	(100,000.00)	-28.6%
100-62	Liability Insurance	901,907	971,678	69,771	7.7%
100-65	Regional Transportation Program	67,939	66,522	(1,417.00)	-2.1%
	Contributions	709,645	488,416	(221,229)	-31.2%
	Total Memberships/Contributions	777,584	554,938	(222,646)	-28.6%
100-67	Wage Adjustment	(150,000)	2,346,263	2,496,263	-1664.2%
	Total General Fund Expenditures	258,144,938	248,881,595	(9,263,343)	-3.6%
100-63	County Tax	7,563,215	9,206,423	1,643,208	21.7%
100-65	Metro Assessment	3,137,789	3,242,830	105,041	3.3%
Total General Fund and Assessments		$268,845,942	$261,330,848	($7,515,094)	-2.8%

CITY OF PORTLAND, MAINE

COMPARATIVE BUDGET PLAN FY2024

July 1, 2022 - June 30, 2023

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City Manager's Recommendation

		FY23	FY24	FY24-CM / FY23 $ +/( )	%
ENTERPRISE FUND REVENUES					
31	Property Taxes, Current Year	-	-	-	
32	Licenses & Permits	$8,700	$7,200	($1,500)	-17.2%
33	Intergovernmental	5,716,660	2,577,283	(3,139,377)	-54.9%
34	Charges for Services	38,302,827	39,552,717	1,249,890	3.3%
36	Use of Money and Property	24,484,568	29,145,565	4,660,997	19.0%
39	Other Sources	523,596	520,821	(2,775)	-0.5%
	Fund Balance Use / (Surplus)	(3,893,155)	(335,111)	3,558,044	-91.4%
	Total Enterprise Fund Revenues	$65,143,196	$71,468,475	$6,325,279	9.7%
ENTERPRISE FUND EXPENDITURES					
530	Fish Pier	$427,217	$421,638	($5,579)	-1.3%
570	Sewer Finance Admin	101,027	97,248	(3,779)	-3.7%
	Sewer Public Works Admin	883,910	918,110	34,200	3.9%
	Sewer Operations	2,987,120	2,913,802	(73,318)	-2.5%
	Sewer Communications	65,992	70,886	4,894	7.4%
	Sewer Engineering	635,197	661,115	25,918	4.1%
	Sewer Debt Service	9,234,630	9,805,378	570,748	6.2%
	Sewer Fringe Benefits	1,531,681	1,571,738	40,057	2.6%
	Sewer PWD Assessment	13,879,425	16,588,680	2,709,255	19.5%
	Total Sewer	29,318,982	32,626,957	3,307,975	11.3%
571	Stormwater Finance Admin	280,160	299,211	19,051	6.8%
	Stormwater Management	1,853,709	2,455,063	601,354	32.4%
	Stormwater Debt Service	2,660,693	3,405,428	744,735	28.0%
	Stormwater Fringe Benefits	351,984	440,212	88,228	25.1%
	Total Stormwater	5,146,546	6,599,914	1,453,368	28.2%
583	Jetport Admin	1,239,982	1,254,338	14,356	1.2%
	Jetport Marketing	429,390	462,130	32,740	7.6%
	Jetport Fringe, Indirects & Chargebacks	4,587,702	4,971,391	383,689	8.4%
	Jetport Field	4,617,834	5,242,086	624,252	13.5%
	Jetport General Aviation	18,576	19,072	496	2.7%
	Jetport Operations	2,773,732	3,044,191	270,459	9.8%
	Jetport Terminal	7,624,682	8,575,374	950,692	12.5%
	Jetport Parking	5,074,541	5,192,557	118,016	2.3%
	Jetport Airfield Deicing	713,945	729,414	15,469	2.2%
	Jetport Anticipated Surplus	3,170,067	2,329,413	(840,654)	-26.5%
	Total Jetport	30,250,451	31,819,966	1,569,515	5.2%
Total Enterprise Fund Expenditures		65,143,196	$71,468,475	$6,325,279	9.7%
TOTAL CITY EXPENDITURES		$333,989,138	$332,799,323	($1,189,815)	-0.4%

TAX RATE COMPUTATION--FY2024
City Manager's Recommendation

	General Fund	County Tax	City General Fund	Enterprise Funds	TOTAL CITY
Total Expenditures	$252,124,425	$9,206,423	$261,330,848	$71,468,475	$332,799,323
Less: Revenues	(157,009,852)	-	(157,009,852)	(71,803,586)	(228,813,438)
Surplus	(761,343)	-	(761,343)	335,111	(426,232)
Tax Levy	**$94,353,230**	**$9,206,423**	**$103,559,653**	-	**$103,559,653**
Valuation	*14,879,000,000*				
Tax Rate:					
FY24	$6.34	$0.62	***$6.96***	$0.00	**$6.96**
FY23	$6.05	$0.51	*$6.56*	$0.00	$6.56
$ Increase	***0.29***	***0.11***	***0.40***	-	***0.40***
% of Total Increase	***4.4%***	***1.7%***	***6.1%***	***0.0%***	***6.1%***

CITY OF PORTLAND, MAINE

FY2024 Non-Tax Revenue

Excludes Taxes & Surplus

City Manager's Recommendation

Department	FY22 Collected	FY23 Est (budget)	FY24 Est (budget)	FY24 Est vs FY23 Est (budget)	%
General Fund Revenues:					
City Council	$5,000	$5,000	$55,000	$50,000	1000.0%
City Clerk	219,334	183,643	178,383	(5,260)	-2.9%
Executive	867,776	915,794	1,011,867	96,073	10.5%
Assessor	985	500	500	-	0.0%
Finance	28,424,153	28,763,280	29,980,688	1,217,408	4.2%
Legal	185,352	201,587	233,537	31,950	15.8%
Human Resources	53,692	56,388	71,420	15,032	26.7%
Parking	12,244,477	9,965,776	10,367,220	401,444	4.0%
Housing & Economic Dev	1,137,685	1,487,084	1,697,137	210,053	14.1%
Police	2,586,986	2,350,462	2,141,946	(208,516)	-8.9%
Fire	5,157,274	5,305,845	5,716,754	410,909	7.7%
Dispatch Services	1,088,296	1,127,544	1,791,996	664,452	58.9%
Planning & Development	555,337	683,322	855,350	172,028	25.2%
Permitting & Inspections	7,009,718	5,282,589	5,512,512	229,923	4.4%
Information Technology	299,942	322,599	380,407	57,808	17.9%
Public Works	6,477,465	5,896,834	6,215,651	318,817	5.4%
Parks, Rec & Facilities	8,790,526	7,538,313	8,155,210	616,897	8.2%
Public Bldgs & Waterfront	3,654,835	2,092,379	4,061,084	1,968,705	94.1%
HHS--Administration	-	-	-	-	-
HHS--Public Health	1,526,014	1,869,838	1,884,824	14,986	0.8%
HHS--Social Services	27,503,382	49,606,117	27,770,151	(21,835,966)	-44.0%
HHS--Barron Center	18,423,283	20,852,437	19,100,566	(1,751,871)	-8.4%
Employee Benefits	6,941,837	7,046,332	8,083,301	1,036,969	14.7%
Insurance	432,049	216,063	237,377	21,314	9.9%
Debt Service Reimb.	20,125,991	24,982,556	27,316,928	2,334,372	9.3%
Memberships / Other	640,266	640,265	563,566	(76,699)	-12.0%
Total General Fund:	$154,351,655	$177,392,547	$163,383,375	($14,009,172)	-7.9%
Enterprise Funds Revenue:					
Fish Pier Authority	686,100	643,448	676,628	33,180	5.2%
Sewer	28,910,905	30,197,514	31,192,953	995,439	3.3%
Stormwater	7,117,032	7,944,938	8,114,039	169,101	2.1%
Jetport	30,703,557	30,250,451	31,819,966	1,569,515	5.2%
Total Enterprise Funds:	$67,417,593	$69,036,351	$71,803,586	$2,767,235	4.0%
Total City Revenue	$221,769,249	$246,428,898	$235,186,961	($11,241,937)	-4.6%

FY2024 CITY BUDGET SUMMARY

by category

City Manager's Recommendation

	FY23 Approp.	FY24 Proposed	FY24 / FY23 $ +/-	FY24 / FY23 % +/-	% Of Total
01 Personnel--General Fund	$91,947,482	$100,113,935	$8,166,453	8.9%	38.3%
--Ent Funds	7,866,336	8,405,324	538,988	6.9%	11.8%
Total	99,813,818	108,519,259	8,705,441	8.7%	32.6%
02+ Contractual--General Fund	112,934,961	93,467,607	(19,467,354)	-17.2%	35.8%
--Ent Funds	31,643,667	35,788,210	4,144,543	13.1%	50.1%
Total	144,578,628	129,255,817	(15,322,811)	-10.6%	38.8%
55+ Supplies--General Fund	6,752,993	7,989,862	1,236,869	18.3%	3.1%
--Ent Funds	1,283,813	1,337,384	53,571	4.2%	1.9%
Total	8,036,806	9,327,246	1,290,440	16.1%	2.8%
63 Utilities--General Fund	3,884,487	4,257,601	373,114	9.6%	1.6%
--Ent Funds	1,559,010	1,256,150	(302,860)	-19.4%	1.8%
Total	5,443,497	5,513,751	70,254	1.3%	1.7%
70 Capital--General Fund	779,025	905,365	126,340	16.2%	0.3%
--Ent Funds	3,822,300	5,221,020	1,398,720	36.6%	7.3%
Total	4,601,325	6,126,385	1,525,060	33.1%	1.8%
75 Debt Svc--Total GF	52,546,994	54,596,478	2,049,484	3.9%	20.9%
--Ent Funds	11,702,503	13,017,624	1,315,121	11.2%	18.2%
Total	64,249,497	67,614,102	3,364,605	5.2%	20.3%
75 Jetport Rev Bond Debt Svc	4,095,500	4,113,350	17,850	0.4%	5.8%
Jetport Surplus	3,170,067	2,329,413	(840,654)	-26.5%	3.3%
Total General Fund	268,845,942	261,330,848	(7,515,094)	-2.8%	100.0%
Total Enterprise Funds	65,143,196	71,468,475	6,325,279	9.7%	100.0%
Total	$333,989,138	$332,799,323	($1,189,815)	-0.4%	100.0%

City of Portland
FY24 Staffing FTE Change
City Manager's Recommendation

Department	FY19	FY20	FY21	FY22	FY23	FY24	+/- Chg
General Fund:							
City Council	-	-	-	-	-	-	-
City Clerk	7.9	7.9	7.9	7.9	8.6	8.7	0.1
Executive	10.5	9.5	8.5	8.5	10.5	11.5	1.0
Assessor	5.9	5.9	5.7	5.9	5.9	5.9	-
Finance	25.0	25.0	24.4	25.0	25.0	25.0	-
Legal	7.0	7.0	7.0	8.0	9.0	9.0	-
Human Resources	11.0	10.5	11.3	11.5	12.0	12.60	0.6
Parking	29.6	30.0	29.0	29.2	29.2	29.0	(0.2)
Housing & Economic Dev.	7.1	7.0	16.0	16.0	16.8	15.8	(1.0)
Police	226.3	227.0	224.0	189.0	187.0	187.0	-
Fire	226.0	226.0	224.0	224.0	226.0	229.0	3.0
Dispatch Services				36.0	36.0	37.0	1.0
Planning & Urban Dev.	24.0	24.0	17.0	17.0	17.0	17.0	-
Permitting & Inspections	28.0	28.5	30.8	35.0	36.0	40.0	4.0
Information Technologies	17.3	16.0	16.0	15.8	16.0	19.0	3.0
Public Works	131.0	131.5	122.1	126.5	129.0	129.5	0.5
Parks & Recreation	142.0	141.7	116.4	113.7	126.7	130.4	3.7
Public Bldgs & Waterfront	24.5	24.5	22.0	24.0	24.4	24.6	0.2
HHS Administration	5.0	4.0	4.0	4.0	5.0	5.0	-
Public Health	27.1	28.3	32.3	32.8	38.4	36.6	(1.8)
Social Services	87.8	93.5	94.5	96.2	118.0	163.6	45.6
Barron Center	244.0	246.8	237.6	245.0	244.8	201.4	(43.4)
Total HHS:	*363.9*	*372.6*	*368.4*	*378.0*	*406.2*	*406.6*	*0.4*
General Fund Subtotal:	**1,287.0**	**1,294.6**	**1,250.5**	**1,271.0**	**1,321.3**	**1,337.6**	16.3
Enterprise Funds:							
Sewer Fund	33.0	33.0	34.0	34.0	34.0	34.0	-
Stormwater Fund	10.0	10.0	9.0	10.0	10.0	10.0	-
Jetport Fund	56.0	59.0	57.0	57.0	58.0	58.0	-
Enterprise Subtotal:	**99.0**	**102.0**	**100.0**	**101.0**	**102.0**	**102.0**	-
Total City Employees:	**1,386.0**	**1,396.6**	**1,350.5**	**1,372.0**	**1,423.3**	**1,439.6**	16.3

City of Portland | Office of the Mayor

To: Members of the Portland City Council
From: Kate Snyder, Mayor
Date: June 2, 2023
Re: Ad Hoc Search Committee

The already constituted ad hoc City Manager Search Committee will continue its work to support the City Council's process to appoint a Corporation Counsel.

The committee has already supported search processes in support of the hiring of a City Clerk (June 2022) and the recently appointed City Manager (May 2023).

Mindful of the continued expansion of the scope of work for this committee, we will from now on refer to it as simply the ad hoc Search Committee of the City Council.

City of Portland | Health & Human Services Department
Kristen Dow, *Director*

To: Mayor Snyder and Members of the Portland City Council
CC: Danielle West, City Manager
From: Kristen Dow, Director of Health & Human Services
Date: June 2, 2023
Re: Expo Temporary Emergency Shelter Update

On Monday April 12th, 2023 the Portland Expo was opened as a temporary emergency shelter for asylum-seeking families who were in overflow spaces in a middle school gymnasium and in the day space at our Family Shelter. Within the first week of opening, we quickly reached the 300-person capacity of the space and to date we have remained at or close to capacity.

Our Emergency Operations Center (EOC) command staff continues to hold briefings twice per week. Operations have been going smoothly, with 393 unduplicated individuals served; 3 meals per day served on site; 336 medical screenings and 764 vaccines administered on site; 352 registered volunteers; and 15 different service providers providing services on site.

Use of the Expo for emergency shelter was always intended to be temporary. With that in mind, a subgroup of the EOC command staff has begun discussing the decommissioning of the space, and has determined that Wednesday, August 16th will be the closing date of the emergency shelter. This will allow for necessary cleaning and restoration ahead of the first scheduled event on September 8th.

No new shelter guests will be admitted to the Expo after Monday, June 5, to ensure the building is completely vacated by the decommissioning deadline.This will allow for just over 9 weeks for staff to rehouse the families currently at the Expo. This depopulation/rehousing strategy was used effectively when the Expo was last activated as a temporary emergency shelter (in 2019), as well as more recently at the temporary emergency shelter operating out of the Days Inn in South Portland. We are hopeful that this will allow us time to have the same level of success through a variety of housing and sheltering methods.

City of Portland | Health & Human Services Department
Kristen Dow, *Director*

To: Mayor Snyder and Members of the Portland City Council
CC: Danielle West, City Manager
From: Kristen Dow, Director of Health & Human Services
Date: June 2, 2023
Re: Encampment Crisis Response Team

In response to the guidance given by the Council's Health & Human Services Committee on May 9, staff have begun working toward implementing a task force to improve our encampment removal process by working directly with individuals living in encampments to transition them into shelter or housing prior to removal. This will be known as the Encampment Crisis Response Team (ERCT).

The technical assistance consultants provided by the United States Department of Housing & Urban Development have assisted with the development and implementation of the ECRT. The ECRT is made up of seven functional teams: Outreach and Housing Navigation/Mobile Engagement Center; Housing Matching; Basic Needs and Logistics; Inventory Management; Landlord Management; Performance & Data Management; and Funding Infrastructure. All seven teams will report into command staff (City department directors).

The first meeting of the ECRT was held May 31, and included 18 nonprofit service providers representing six different sectors (outreach, emergency shelter, housing, medical & mental health, faith based organizations, and funders). At the kick-off meeting, City staff and HUD technical assistants explained the mission of this housing-focused approach and the need for broad stakeholder support to be successful.

The functional ECRT teams are working to begin meeting the week of June 5, with the purpose of planning engagement strategies to transition individuals from a large encampment along the Fore River Parkway Trail at Frederic Street. This encampment has been prioritized based on its size (49 tents as of June 2, 2023), health concerns, and safety concerns as observed by City staff and communicated by nearby businesses.

We will continue to keep you informed on the ECRT as we move forward.

City of Portland | Executive Department

To: Members of the Portland City Council
From: Kate Snyder, Mayor
Danielle P. West, Interim City Manager
Date: June 5, 2023
Re: Correspondence to Governor Janet Mills

As you know, our City continues to be overwhelmed by a public demand for emergency shelter and housing. While we have and will continue to creatively leverage the resources at our disposal, we need coordination, policy change, and support at the State level to effectively respond to the crisis at hand.

Enclosed is a letter to Governor Mills describing our challenges, efforts, and request for help. Specifically, we ask for:

- The development of State-level capacity to coordinate services for asylum seekers;
- Additional shelters throughout Maine to meet the emergency shelter needs of all Mainers; and
- Support of and funding for LD 1644, to support an increase in General Assistance reimbursement.

We are aware of community concerns regarding the proliferation of encampments on public property, and share those concerns. On Tuesday, June 13, from 5:30 - 8:00 PM, the City Council and City Manager will host an in-person listening and information session to hear directly from residents (both housed and unhoused), businesses, and other members of our community. We will open the time together by sharing information about the City's multifaceted response to the myriad issues, and welcome any and all suggestions or creative solutions.

City of Portland
Kate Snyder, *Mayor*
Danielle P. West, *City Manager*
June 2, 2023

The Honorable Janet T. Mills
Governor
State of Maine
210 State Street
Augusta, ME 04333

Dear Governor Mills,

Thank you for your work to lead the State of Maine through so many challenges and opportunities. It was good to see you in your office on March 21st. We appreciated the time you spent with us, and the brainstorming we did together regarding housing and homelessness including the availability of state owned facilities as options for emergency shelter.

We are writing today to share information regarding the City of Portland's efforts to respond to the ever-increasing emergency shelter needs of two distinct populations: asylum seekers and the circumstantially unhoused.

Since the fall of 2021, thousands of asylum seekers have arrived in Portland seeking shelter and services. And, since January 2023, the average weekly census of new arrivals is 80 asylum seekers, consisting of individuals and families. The majority of people seeking shelter are asylum seekers coming to Maine from our country's southern border.

As we all know, the City of Portland made a decision decades ago to operate a municipal emergency shelter. Since that time, in response to the State of Maine's General Assistance (GA) law, and consistent with the City's commitment to help people in need, our municipal commitment to providing emergency shelter has grown and expanded - in terms of both budget and beds. At this time we host and staff 654 municipal emergency shelter beds, which include:

- 208 beds for individuals at the recently opened Homeless Services Center on Riverside Street;
- 146 beds for families at the Family Shelter on Chestnut Street; and
- 300 temporary beds at the Expo (which will stay open until mid-August).
    - 70% of the beds at the Homeless Services Center are occupied by asylum seekers;
    - 100% of beds at the Family Shelter are occupied by asylum seekers; and
    - 98% of the beds at the Expo are occupied by asylum seekers.

With all of the above emergency shelter beds full, hotels in the region either at capacity and/or no longer accepting unhoused individuals due to changes in Covid protocol or because of changes to local ordinances, and very limited affordable housing stock, we are unable to meet the ever-growing demand for emergency shelter beds. As a result, more circumstantially unhoused people than ever before have resorted to sleeping outside in tents; at last count, over 130 tents had been erected at various locations throughout the city. Many of these encampments pose hazards for those in tents, the general public, and nearby local businesses.

We continue to do our best to work collaboratively, expand municipal resources, leverage much needed and appreciated State and Federal funding, and meet people's needs with humanity. However, starting on May 8, 2022, we alerted the community, including State and service organization partners, that anyone applying for GA in Portland is given information needed to conduct a self directed housing search.

In response to the issue of encampments, we have convened an Encampment Crisis Response Team (ECRT) inclusive of nonprofit service organizations, health providers, housing providers, Maine State Housing Authority (MSHA), and the Corporation for Supportive Housing, contracted by Housing and Urban Development (HUD). This convening is modeled on the structure of an Emergency Operations Center and is our attempt to organize, coordinate and execute a plan to transition those living in tents to housing (whether that is emergency shelter, transitional housing, or permanent housing) before encampments are removed due to their hazardous conditions. The ECRT met for the first time on Wednesday, May 31st. The meeting was well attended and productive. In support of this work, we have also requested assistance from Maine Emergency Management Association (MEMA) in order to ensure that this endeavor is successful.

We greatly appreciate your partnership and continued support for the emergency shelter for asylum seekers located in Saco, and we respectfully request your leadership to develop additional state level capacity to coordinate services for asylum seekers, and to develop additional emergency shelters and/or transitional housing with supportive services throughout the state to meet the needs of all Mainers. We also ask for your support of LD1644 and its fiscal note, which supports an increase in State reimbursement from 70% to 90% for all municipalities administering GA.

We know that the ECRT, and some of our above requests, will take time to yield results. And so we have been looking to other cities and states, to find alternative options and more immediate responses to the need for shelter. We understand that some states have called on the National Guard to assist with the provision of temporary shelter, as well as logistical and operational support until long term solutions can be implemented. Our hope is to avoid a need to request such action, but should we not be able to meet the goal of housing people living outdoors soon, we would like to be able to discuss that and other available options with you.

Lastly, we invite you to visit Portland this summer. We'd welcome the opportunity to give you a tour of the new Homeless Services Center, and other shelter sites as time allows.

Thank you for your time and consideration of our requests. We look forward to continuing to work with you, your staff, and the Legislature on addressing these critical issues.

Sincerely,

Kate Snyder, Mayor

Danielle P. West, City Manager

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

RESOLUTION REAFFIRMING A SISTER CITY RELATIONSHIP WITH CAP-HAITIEN, HAITI

WHEREAS, Konbit Sante is a Portland-based, non-profit health care organization established in 2001 for the purpose of developing a sustainable health care system to meet the needs of the Cap-Haitien community; and

WHEREAS, Cap-Haitien has been a sister city of the City of Portland since the passage of Resolve 3-02/03 on September 18, 2002, when this Haitian port city had a population of 150,000, and today has a population estimated to be 190,000; and

WHEREAS, relationships established through Mainers' volunteer work at Konbit Sante have developed a broader exchange program with Cap-Haitien's residents, including cultural, educational, and governmental interactions; and

WHEREAS, Cap-Haitien and the rest of Haiti are now experiencing an unprecedented political crisis, leading to many disruptions, not least in its ability for care for the health of its people; and

WHEREAS, deteriorating security in Port-au-Prince has disrupted food and fuel supplies around the country and inflation has reached an unprecedented high and makes life even harder for the majority of Haitians; and

WHEREAS, Konbit Sante is celebrating its work and international connections with a virtual event called Stand with Haiti. Move with Konbit, which starts June 1 and continues to July 31, 2023, in order to raise funds for its work delivering medical supplies and improving healthcare in northern Haiti; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and the City Council reaffirm the City of Portland's sister city relationship with Cap-Haitien, as well as its partnership with Konbit Sante, and commit to celebrating and deepening the connection between our two cities.

Resolve 3-02/03 Passed 9/18/02 8-0 (Hibbard absent)

KAREN A. GERAGHTY (MAYOR) (2)
PETER E. O'DONNELL (1)
NATHAN H. SMITH (3)
CHERYL A. LEEMAN (4)
JAY M. HIBBARD (5)

JAMES F. CLOUTIER (A/L)
PHILIP J. DAWSON (A/L)
JILL C. DUSON (A/L)
NICHOLAS M. MAVODONES (A/L)

RESOLUTION SUPPORTING THE ESTABLISHMENT OF A SISTER CITY RELATIONSHIP WITH CAP-HAITIEN, HAITI

WHEREAS: Konbit Sante is a Portland-based, non-profit health care organization established in the year 2000 for the purpose of developing a sustainable health care system to meet the needs of the Cap-Haitien community; and

WHEREAS: Over twenty Portland area health care professionals have traveled to Cap-Haitien under the auspices of Konbit Sante, contributing personal and financial resources and their medical expertise to the goal of improved health care; and

WHEREAS: The relationships established through Konbit Sante provides an opportunity for the development of a broader exchange program with Cap-Haitien's residents, including cultural, educational and governmental interactions; and

WHEREAS: Cap-Haitien's is a port city with a population of about 150,000; and

WHEREAS: Establishing a sister-city relationship with Cap-Haitien will provide Portland with the benefits of cultural exchange, in addition to the spiritual and emotional benefits that grow out of helping people to make a better life for themselves; and

WHEREAS: Establishing a sister city relationship will deepen the connection already established through Konbit Sante's health care initiative and demonstrate the respect of Portland's residents for the residents of Cap-Haitien; and

WHEREAS: Konbit Sante is fully committed to continuing its work with the City and residents of Cap Haitien and will nurture the relationship between the two cities; and

WHEREAS: Portland is currently a member of Sister Cities International;

NOW, THEREFORE BE IT RESOLVED, that the City of Portland shall establish a sister city relationship with Cap-Haiten through the Sister Cities International Program in order to deepen the connection already established between our two cities as a result of the health care initiatives developed by Konbit Sante.

MEMORANDUM
City Council Agenda Item

FROM: Mary Davis, Division Director

DATE: May 16, 2023

SUBJECT: Order 224-22/23 Authorizing Amendment to Downtown Transit Oriented Development and Omnibus Tax Increment Financing District to Increase Funding for Creative Portland - Sponsored by Danielle P. West, City Manager

SPONSOR: Danielle P. West, Interim 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 5/15/2023 **Final Action 6/5/2023**

Can action be taken at a later date: No This was advertised in the *Portland Press Herald* as a public hearing on the item to be held on June 5, 2023.

Does this item involve a new contract with the City: No new contract involved.

PRESENTATION: Mary Davis/5 Minutes

I. SUMMARY

As part of the FY24 City Budget, the Interim City Manager has recommended that the Downtown Transit Oriented Development (TOD) TIF District be amended to include funding in the amount of $200,000 for Creative Portland staff, programs, and services.

II. AGENDA DESCRIPTION

As part of the FY24 City budget process, the Interim City Manager has recommended that Downtown Transit Oriented Development and Omnibus Tax Increment Financing District (DT TOD TIF) funding in the amount of $200,000 be provided to Creative Portland (CP).

The Downtown TOD TIF currently has a cap of $100,000 annually to support CP. Currently, costs associated with two full time positions assigned to support the work of the CP Board has primarily been funded through the DT TOD TIF. The Proposed TIF District Amendment would establish an annual level of funding for CP in the amount of $200,000. CP would use the funding to support staff, programs and services. See below funding table:

CP Funding Table		
Timeframe and Use	**Source**	**Total**
Existing – City Staff Costs - CP Programs and Services	$172,496 – DT TOD TIF $25,000 - DT TOD TIF	$197,496
Budget Amendment Request: - CP Staff, Programs and Services	$200,000 – DT TOD TIF	$200,000

This item must be read on two separate days. It received its first reading on May 15, 2023. The City Manager is requesting final consideration of the Fiscal Year 2024 budget orders be postponed to June 26, 2023, to provide

time for additional votes in the Maine State Legislature concerning General Assistance reimbursement levels. A motion and second to postpone to June 26, 2023 requires five votes for passage.

III. BACKGROUND

From FY2010 through mid-FY 2020, the City funded Creative Portland $100,000 annually (to support staff costs) from the Downtown TOD TIF District. Beginning January 2020, Creative Portland's Executive Director and Program Assistant became employees of the City of Portland in the Housing and Economic Development Department. The total annual costs to the City for these two full-time positions, including salary and fringe benefits, is $172,496. The Housing and Economic Development Department Budget for FY 2024 includes a recommendation to remove the CP staff from the City budget and provide additional funding to CP to support these positions.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The intended result would be for CP to have $200,000 annually in municipal funding from the Downtown TOD TIF District to support CP staff, programs and services.

V. FINANCIAL IMPACT

The financial impact would be an annual allocation of $200,000 from the Downtown TOD TIF District to support CP's staff, program and services. The two full-time positions assigned to the CP Board would transition from City employees to employees of CP.

VI. STAFF ANALYSIS AND BACKGROUND

The Interim City Manager's FY2024 City Budget supports the funding to CP of $200,000 from the DT TOD TIF.

VII. RECOMMENDATION

Approval of the Interim City Manager's FY2024 budget recommendation to amend the Downtown TOD TIF District to include funding in the amount of $200,000 annually to support Creative Portland staff, programs, and services.

VIII. LIST ATTACHMENTS

1. Amendment of Downtown Transit Oriented Dev and Omnibus TIF re Creative Portland 5.15.2023
2. Narrative Redlines 5-9-2023 for CP Funding
3. Narrative Clean 5-9-2023 for CP Funding

Prepared by:
Mary Davis, Division Director
Date: 05/16/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER AMENDING THE DOWNTOWN TRANSIT ORIENTED DEVELOPMENT AND OMNIBUS TAX INCREMENT FINANCING DISTRICT TO INCREASE FUNDING FOR CREATIVE PORTLAND

ORDERED, that the Downtown Transit Oriented Development and Omnibus Tax Increment Financing (TIF) District, as adopted by Order 139-14/15 and amended by Order 99-17/18, Order 78-18/19, Order 279-18/19, Order 13-20/21, and Order 297-20/21is hereby amended to increase the Tax Increment Financing funding from this district for Creative Portland 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 execute said documents and any other related documents necessary or convenient to carry out the intent of said documents.

2021 PROPOSED DOWNTOWN/TRANSIT TIF AMENDMENT #~~645~~ REGARDING INCREASED FUNDING FOR CREATIVE PORTLAND

I. Introduction – Portland Downtown Transit Oriented Municipal Development and Omnibus Tax Increment Financing District Amendment #~~6~~5

On February 9, 2015, the City of Portland (the "City") designated the Portland Downtown Transit Oriented Municipal Development and Omnibus Tax Increment Financing District (the "District") and adopted this Development Program (the "Development Program") for the District in an effort to fully realize the visions and goals of the City of Portland Downtown Revitalization Investment Plan ("Downtown Plan"); the Downtown Plan is attached as Exhibit A. The duration of this District will be 30 years beginning July 1, 2015 (Tax Year 4/1/2015; FY2015-16) ending June 30, 2045 (Tax Year 4/1/2044; FY2044-45).

a. District Amendment #1 Approved by MDECD February 27, 2018: The purpose of this District amendment was to remove the parcel designated by the City Assessor as 22-F-1 at 54 Lancaster – a tax exempt parcel (so no value attributed to the Original Assessed Value) with approximately .48 acres, which will be turned into a free-standing Affordable Housing TIF District. Portland's amended District remained the same at approximately 422 acres and bounded by Washington Avenue to the east, State Street to the west, following the edges of the adjacent Bayside and Waterfront Capital Improvement TIF Districts to the north and south. The District encompasses the central business district of Portland and the abutting east and west ends of the District. In creating the District, the outlying residential areas of the Eastern and Western Promenades have been purposely excluded.

b. District Amendment #2 approved by MDECD February 11, 2019: The purpose of this District Amendment was to increase the allowable uses for Municipal TIF Revenue and increase the percentage capture from up to 22% to up to 100%, all as more detailed in Section II below.

c. District Amendment #3 approved by MDECD September 18, 2019: The purpose of District Amendment #3 is to remove the parcel designated by the City Assessor as 44-H-1 at 66 State Street – a tax exempt parcel (so no value attributed to the Original Assessed Value), with approximately .5087 acres, which will be turned into a free-standing Affordable Housing TIF District. Portland's amended District, with Amendment #3, reduced it from approximately 422 to 421.01 acres. The boundaries remain the same, i.e., bounded by Washington Avenue to the east, State Street to the west, following the edges of the adjacent Bayside and Waterfront Capital Improvement TIF Districts to the north and south. The District encompasses the central business district of Portland and the abutting east and west ends of the District. In creating the District, the outlying residential areas of the Eastern and Western Promenades have been purposely excluded. The Downtown Plan includes a listing of current projects and categories of future investment. It is recognized that meeting the infrastructure needs of Portland's downtown will be a dynamic process that will be updated locally on an annual

basis or as needed. Though the specific public projects prioritized and undertaken from year to year will change, with the exception of this District funding up to $100,000 annually for the Creative Portland Corporation, categories of investment for the purpose of eligible uses of the TIF Revenues will remain consistent. Actual project selections and prioritization for funding will continue to be made on an annual basis during the City budget and Capital Improvements Plan (CIP) process, based on categories contained in Table 1 hereinbelow. The CIP is the document that presents the City's capital needs in the current year and plans for capital needs in future years. As a five year plan that is annually updated, the CIP is a dynamic planning document; the FY2015 to 2019 CIP document is included in the Downtown Plan as an appendix.

d. District Amendment #4 approved by MDECD September 16, 2020: The purpose of District Amendment #4 is to remove the parcels designated by the City Assessor as 28-O-17 at 83 Middle Street – a tax exempt parcel (so no value attributed to the Original Assessed Value), with approximately .2183 acres, and 28-O-3 at 160 Newbury Street with an OAV of $281,100 with approximately .0665 acres, which parcels will be turned into a free-standing Affordable Housing TIF District.

~~Proposed~~ District Amendment #4 also include~~s~~ technical amendments as follows:

- CBL 37-B-14, 17 Shepley Street, a tax exempt parcel, was on the original map but needs to be added to original CBL listing attached to the Assessor's Certificate – increasing acreage by .1512, with no change in OAV as tax exempt;

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- CBL 43-C-6, 431 Commercial Street, a tax exempt parcel, was on original map and listing attached to the Assessor's Certificate but was transferred to the Waterfront TIF District as approved by MDECD on April 5, 2019 – decreasing acreage by 1.2912, with no change in OAV as tax exempt.

With the above removal of 83 Middle Street and 160 Newbury Street, and the technical amendments, the net change to the District's OAV is reduced from $968,136,850 to $965,007,320, and the District's acreage is reduced from 421.010 to 417.7882.

e. ~~Proposed~~ District Amendment #5 approved by MDECD August 18, 2021: The purpose of District Amendment #5 was to remove 73 Winter Street and 91 Winter Street from the District in order for the properties to be their own free-standing Affordable Housing TIF Districts. Those properties were then included in the parcel designated by the City Assessor as 45-C-7 at 120 State Street – a tax exempt parcel (so no value attributed to the Original Assessed Value), with approximately 99,597 sq. ft. or 2.2864 acres. The square footage/acreage being removed for 73 Winter Street footprint was 17,167/.3941 acres, and the square footage/acreage being removed for 91 Winter Street footprint was 15,364/.3527 acres for a total of .7474 acres to be removed from the Downtown TOD TIF District, reducing the current acreage from 417.882 to 417.0408. Once the subdivision is completed, the City will confirm with MDECD the Assessor parcel designations.

f. Proposed Amendment #6: The City of Portland proposes an amendment to remove the maximum annual cap of TIF Funding for Creative Portland (CP) now at $100,000 and instead have an annual funding at $200,000 for its staff, programs, and services, as approved by the City Council annually during its budget process.

II. Development Program Narrative

A. The Development Program as Amended with Amendment #~~6~~5

The Amended Development Program for the Downtown Transit Oriented Municipal Development and Omnibus TIF District is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised TIF Statutes, as amended (the "TIF Statute"). The City's designation of the District, combined with the adoption of this Amended Development Program, creates a single municipal TIF district in order to capture the value of the real property improvements made within the District and enable the use of TIF revenues for various municipal and other development projects.

Under this Amended Development Program, the City captured 12% in year one (City Fiscal Year 2015/2016), 22% in years 2 through 4, 25% in year 5, and 30% in year 6. This Amended Development Program now allows for the City to capture up to 100% of the new real property value located in the District for remainder of the term of the District, or through Tax Year April 1, 2044/City Fiscal Year 2044/2045. The City may retain those tax revenues generated by the captured assessed value (the "TIF Revenues") to fund infrastructure improvements and other administrative costs, all as further described in Table 1 hereinbelow. The City reserves the right to capture less than the full 100% in years 7 through 30, depending on the then-current needs of the City with respect to the approved project costs. Any

reduction in the captured value percentage shall adjust the amount of assessed value eligible for sheltering with respect to the tax shift benefit correspondingly. Although all TIF Revenues will be retained by the City at this time, the City reserves the right in the future to negotiate and execute commercial credit enhancement agreements pursuant to City Council approved TIF Policy as may be amended from time to time. CEAs would be limited, however, to the balance of District term at that time. Such future credit enhancement agreements would require a public hearing and City Council approval. Should the City enter into a credit enhancement agreement, it will provide the Maine Department of Economic and Community Development a description of the terms and conditions of any agreements, contracts, or other obligations related to the development program per City TIF Policy (see Table 1 last item and Exhibit B).

In designating the District and adopting this Amended Development Program, the City can accomplish the following goals:

- Maintain existing tax revenues;
- Invest in the Downtown public infrastructure, including public restrooms;
- Invest in the Creative Portland Corporation annually;
- Invest in new and enhanced transit services;
- Enjoy enhanced future tax revenues generated by new development within the District; and
- Create long-term, stable employment opportunities for area residents because of these TIF investments.

In addition, by creating the District, the City will "shelter" the increase in municipal valuation that development in the District will bring about. This tax shift benefit mitigates the adverse effect that the District's increased assessed property value has upon the City's share of state aid to education, municipal revenue sharing, and its county tax assessment. An estimate of the tax shift benefits is shown in Revised Exhibit D-2 attached hereto.

The City's designation of the District and pursuit of this Amended Development Program constitute a good and valid public purpose pursuant to Chapter 206 of Title 30-A because it represents a substantial contribution to the economic well-being of both the City and the region by providing jobs, contributing to property taxes, and diversifying the region's economic base.

B. The Projects

Development within the District will provide a revenue source for the City's economic development projects. The City intends to use TIF Revenues to further its overall plan to attract and retain businesses that want to take advantage of Portland's business-friendly location, while offering their employees a rich, dynamic, and high quality of life. This includes ~~f~~funding for CP~~ of Creative Portland Corporation~~, of which the City of Portland is the Corporator, with annual funding at $200,000 for its staff, programs, and services~~of up to $100,000 annually~~ as approved by the City Council annually during its budget process, as

well as City plans to invest in its public infrastructure in these investment focus areas:

- Sidewalk and Other Pedestrian Enhancements, including Public Restrooms
- Streetscape
- Lighting
- Street Alignment
- Utilities
- Bicycle Improvements
- Public Transit
- Wayfinding
- Multi-modal surface and structured parking
- Work force training
- Professional service costs
- Housing and Economic Development Department administrative costs and staff salaries, and prorated salaries of the City Manager, Finance Director, Planning and Urban Development Director, and Planning staff.

The District projects at this time are highlighted in Table 1 below:

TABLE 1

NOTE 1: All Citations refer to Title 30-A, Chapter 206, Section 5225

NOTE 2: While this Amended Development Program lists particular projects, the Amended Development Program shall not serve as an appropriation of TIF Revenues for any of these specific purposes, nor shall it commit the City to completing any particular project. The projects will only be undertaken following proper appropriation through the annual budget process and any other applicable required approvals.

Project	Downtown Revitalization Plan Reference by page no.	Statutory Citation	Estimated Cost
In District: Capital Infrastructure Design and Investments, including Financing Costs, for example:	19, 47	(1)(A)(1)(2)(3)(6)(7)	$150 Million over the life of the District for these Capital Infrastructure Items.
- Multi-modal surface and structured parking	19, 20, 34,35, 48	(1)(A)(1)(2)(3)(4)(6)(7)	
- Sidewalk and Other Pedestrian Enhancements, including Public Restrooms	19,20,34,35	(1)(A)(1)(2)(3)(6)(7)	
- Roadway Realignments/Paving	19, 46 34, 46	(1)(A)(1)(a)(i) (1)(A)(1)(2)(3)	

- Crosswalks - Traffic Signals - Intersection Redesigns - Bicycle lanes, racks, and stations Infrastructure - Stormwater Management, including water and sewer upgrades - Telecommunications, lighting, and electrical distribution upgrades; Infrastructure improvements/enhancements - Wayfinding (signage) - Public plaza intersection improvements	19,20,34,35 19, 34,47 19, 33 19, 36 19,23, 35,47 22, 46	(1)(A)(1)(2)(3)(6)(7) (1)(A)(1)(a)(i) (1)(A)(1)(2)(3)(6)(7) (1)(A)(1)(2)(3)(7) (1)(A)(1) (1)(A)(1)(2)(3)(6)(7)	
In and out of District: New and Enhanced Transit Services, including operational costs, for example (see Exhibit K – Transit Map): - Creation of high frequency bus service on Congress Street at 15-minute intervals between the Portland Transportation Center (PTC) and Washington Avenue; - Enhancing Stevens Avenue-Allen Avenue- Congress Street bus service areas; - Corresponding costs for these enhancements, including transit operator salaries; transit vehicle fuel, and transit vehicle parts replacements. - Transit capital costs including transit vehicles and related equipment; bus shelters and other related structures; benches; signs, and other transit-related infrastructure. - Shuttle service to downtown businesses.	17, 20, 21, 20 20 20 17, 20	(1)(A) and (1)(C)(7) (1)(A)(1)(a) and (1)(C)(7) (1)(A)(1)(a) and (1)(C)(7) (1)(A)(1)(a) and (1)(C)(7) (1)(A)(1)(a) and (1)(C)(7)	$15 Million for Transit in this category.

In and out of District: City Marketing and Promotion through Creative Portland Corporation (CPC), for example (see Exhibit M Arts District Map within Downtown TOD TIF District): - In District: Center for the Arts, including rental residential space; - In District: capital, financing, real property assembly and professional service costs; - **In and out of District:** CPC staffing, administrative and marketing expenses; revolving loan or investment fund.	 20, 21,47 20, 21,47 20, 21, 47	 (1)(C)(1)(2) (1)(C)(1)(2) (1)(C)(1)(2)	~~Up to~~ $200K~~100K~~ annually beginning FY2024; $5.2~~3~~ Million over life of District
In and out of District: - **Housing and** Economic Dev. Dept. administrative costs and staff salaries at 100%, and prorated salaries of City Manager, Finance Director, and Planning Urban Development Director, and Planning staff*; - Professional services costs; - Workforce training funds. Costs of services and equipment to provide skills development and training, including scholarships to in-state educational institutions or to online learning entities when in-state options are not available, for jobs created or retained.	21, Also TIF App. P. 3 See TIF App. P.3 See TIF App. P. 3	(1)(A)(5) and (1)(C)(1) (1)(A)(4);(1)(C)(1) (1)(C)(4)	$15 Million over life of the District.
In District: Small Public Capital Infrastructure and Equipment, for example (Downtown Plan pp. 6 and 7) - Parking meters - Vehicles for Public Works Dept., and Fire Dept., including ambulances	 19 21, 36 to 44	 (1)(A)(1)(a) (1)(A)(1)(a)	$10 Million over life of the District

In District: Relocation of Displaced Persons (TIF Application, p. 6)	(see TIF application, p. 6)	1(A)(6)	Not budgeted/not anticipated at time of TIF application
In District: CEAs as Approved by City Council (TIF application p. 2) with a maximum average percentage of 65% capture and up to a 20-year term, or the remaining term of this District, pursuant to City TIF Policy (Exhibit B hereto).	(see TIF application p. 2)	(1)(A)(1)(2)(3)(6)(7)	Unknown at time of TIF application
Total Estimate of TIF Revenue Expenditure over 30 year term:			**$195,23~~,0~~00,000**

*This item is not unique to this TIF District, it is also included in the Bayside TIF District and Waterfront TIF District.

C. Strategic Growth and Development

This Amended Development Program and the Downtown Plan meld various studies and plans for the District into one document, thereby promoting those studies and plans and making investments at the appropriate time. The studies and plans noted in the Downtown Plan represent a series of community initiatives, both completed and underway, or in planning process. The Amended Development Program and Project List (Table 1) noted hereinabove represents the best thinking of City staff about current opportunities for realizing the City's longstanding, evolving vision for its Downtown.

D. Improvements to the Public Infrastructure

As further set forth in Table 1 hereinabove, the City may use certain TIF Revenues for sidewalk and other pedestrian improvements including crosswalks, roadway realignments/paving, intersection redesigns, traffic signals, bicycle infrastructure, stormwater management improvements (including water and sewer maintenance), communications infrastructure improvements/enhancements, wayfinding, multi-modal surface and structured parking, and public plaza intersection improvements that are directly related and made necessary by development in the District.

E. Operational Components

1. **Public Facilities**

The City may use a portion of the TIF Revenues to fund certain projects approved within the District, outlined in Table 1 hereinabove.

2. **Commercial Improvements Financed through the Development Program**

At this time, no commercial improvements will be financed through the Development Program. The City may, in the future, reimburse a percentage of the TIF Revenues from any particular lot within the District to future developers through a credit enhancement agreement. Future credit enhancement agreements are authorized only if the City Council meets and holds a public hearing and votes to authorize, negotiate, and execute the credit enhancement agreement pursuant to City Council approved TIF Policy. Such credit enhancement agreements would be approved under the City's TIF Policy, as may be amended from time to time, but limited to the balance of the term of this District. Should the City enter into a credit enhancement agreement, it will provide the Maine Department of Economic and Community Development a description of the terms and conditions of any agreements, contracts, or other obligations related to the development program (see Table 1 last item and Exhibit B).

3. **Relocation of Displaced Persons**

It is not anticipated that any persons will be relocated; however, the City has provided that if, in the future, relocation of persons is necessary to accommodate future redevelopment within the District, the one-time relocation costs of such displaced persons can be paid for with TIF Revenues, exclusive of rent.

4. **Transportation Improvements**

The City may fund road/transportation improvements made necessary by the increased traffic to the District. Please see Table 1 hereinabove for more details.

5. **Environmental Controls**

The improvements made under this Development Program will meet or exceed all federal, state, and local environmental laws, regulations, and ordinances and will comply with all applicable land use requirements for the City.

6. **Plan of Operation**

During the term of the District, the City Manager or his designee will be responsible for all administrative matters within the purview of the City concerning the implementation and operation of the District.

III. Amended Physical Description

Proposed Amendment #6 does not change the acreage numbers for the Downtown TOD TIF.

The 417.7882-acre District is bounded by Washington Avenue to the east, State Street to the west, following the edges of the adjacent Bayside and Waterfront Capital Improvement TIF Districts to the north and south. The District encompasses the central business district of Portland and the abutting east and west ends of the District. In creating the District, the outlying residential areas of the Eastern and Western Promenades have been purposely excluded. The District is shown on revised Exhibit C. The statutory threshold limits addressing the conditions for approval mandated by 30-A M.R.S.A. Section 5223(3) are set forth in revised Exhibit E.

IV. Financial Plan

A. Amended Financial Characteristics

Amendment #6 does not change the original assessed value. With Amendment #5, the collective original assessed value of the real property in the District remains at $965,007,320 as set forth in Exhibit F, Revised Assessor's Certificate. The backup for the Certificate includes revisions from Amendment #3 and #4. It is noted that Downtown TOD/TIF acreage and value calculations are exempt from State TIF law limits.

The City captured 12% in year 1 (City Fiscal Year 2015/2016), 22% in years 2 through 4, 25% in year 5, and 30% in year 6 of the increased assessed value of the real property located within the District. Amendment 2 provided for the City to capture up to 100% for the duration of the 30-year term of the District. Personal property tax value will not be captured within the District. The TIF Revenues so collected will fund and/or contribute to the funding of the approved projects, including each of the projects described on Table 1 hereinabove, including entering into Credit Enhancement Agreements (see Table 1 last item and Exhibit B), which collectively increase the City's ability to stand out in a competitive marketplace as a dynamic municipality in which to grow a business. All assessed real property value captured in the District will be added to the general tax rolls at the end of the District's term. Please note that at any time during the term of the District, the municipality can vote to reduce the captured value percentage and instead deposit the tax revenues into the General Fund so long as the municipality does not receive the tax shift benefit associated with the tax revenues so deposited.

Upon each payment of real property taxes for property located inside the District, the City will deposit into a development program fund (the "Development Program Fund") the entirety of the property tax payments constituting TIF Revenues. The percentage of increased assessed value of real property within the District that will be captured shall be determined annually during the municipal budget process; however, the City may capture up to 100% in Years 5 through 30 of the increased assessed value of real property as captured assessed value. The Development Program Fund is pledged to and charged with the payment of the project costs in the manner and in the order provided in 30-A M.R.S.A. Section 5227(3). The Development Program Fund will consist of a development sinking fund account (the "Sinking Fund Account") to the extent municipal bonded indebtedness is used to pay for projects costs, and a project cost account (the "Project Cost Account"). From the Development Program Fund, the City will deposit the TIF Revenues into the City's Sinking Fund Account and/or the Project Cost Account to be used to fund projects listed in Table 1 hereinabove. If future credit enhancement agreements are approved by the City Council, then a subaccount within the Project Cost Account shall be created for any payments required to be made by the City pursuant to such credit enhancement agreement, dedicated to each credit enhancement agreement.

Estimates of the increased assessed property values of the Amended District, the anticipated TIF Revenues generated by the District, and the estimated tax shifts are shown in Revised Exhibit D-1 and Revised Exhibit D-2.

B. Costs and Sources of Revenues

The current and future developers owning or leasing properties located within the Districted are intended to pay for and/or finance all private improvements located in the District through private sources. Table 1 hereinabove provides estimated costs of the municipal projects costs to be undertaken with TIF Revenues.

C. Indebtedness

The City reserves the option to fund the project costs through public indebtedness.

V. Statutory Requirements and Thresholds

The statutory requirements and thresholds for approval required by Section 5223(3) of the TIF Statute are set forth in revised Exhibit E.

VI. Municipal Approvals

A. Notice of Public Hearing

Attached as Exhibit G hereto is a copy of the Notice of Public Hearing regarding amending the Development Program for the District, published in the *Portland Press Herald*, a newspaper of general circulation in the City, on May 24, 2023~~5, 2021~~, a date at least ten (10) days prior to the public hearing. The public hearing on the amended District was held on June 5, 2023~~May 17, 2021~~, in accordance with the requirements of 30-A M.R.S.A. Section 5226(1).

B. Minutes of Public Hearing Held by City Council

Attached as Exhibit H hereto is a certified copy of the minutes of the public hearing held on June 5, 2023~~May 17, 2021~~, at which time this amended District was discussed by the public.

C. Authorizing Votes

Attached as Exhibit I hereto is an attested copy of the City of Portland Order approving this amended District with the results of the vote noted on this Order duly called and held on June 5, 2023~~May 17, 2021~~.

I. Introduction – Portland Downtown Transit Oriented Municipal Development and Omnibus Tax Increment Financing District Amendment #6

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Under this Amended Development Program, the City captured 12% in year one (City Fiscal Year 2015/2016), 22% in years 2 through 4, 25% in year 5, and 30% in year 6. This Amended Development Program now allows for the City to capture up to 100% of the new real property value located in the District for remainder of the term of the District, or through Tax Year April 1, 2044/City Fiscal Year 2044/2045. The City may retain those tax revenues generated by the captured assessed value (the "TIF Revenues") to fund infrastructure improvements and other administrative costs, all as further described in Table 1 hereinbelow. The City reserves the right to capture less than the full 100% in years 7 through 30, depending on the then-current needs of the City with respect to the approved project costs. Any reduction in the captured value percentage shall adjust the amount of assessed value eligible for sheltering with respect to the tax shift benefit correspondingly. Although all TIF

Revenues will be retained by the City at this time, the City reserves the right in the future to negotiate and execute commercial credit enhancement agreements pursuant to City Council approved TIF Policy as may be amended from time to time. CEAs would be limited, however, to the balance of District term at that time. Such future credit enhancement agreements would require a public hearing and City Council approval. Should the City enter into a credit enhancement agreement, it will provide the Maine Department of Economic and Community Development a description of the terms and conditions of any agreements, contracts, or other obligations related to the development program per City TIF Policy (see Table 1 last item and Exhibit B).

In designating the District and adopting this Amended Development Program, the City can accomplish the following goals:

- Maintain existing tax revenues;
- Invest in the Downtown public infrastructure, including public restrooms;
- Invest in the Creative Portland Corporation annually;
- Invest in new and enhanced transit services;
- Enjoy enhanced future tax revenues generated by new development within the District; and
- Create long-term, stable employment opportunities for area residents because of these TIF investments.

In addition, by creating the District, the City will "shelter" the increase in municipal valuation that development in the District will bring about. This tax shift benefit mitigates the adverse effect that the District's increased assessed property value has upon the City's share of state aid to education, municipal revenue sharing, and its county tax assessment. An estimate of the tax shift benefits is shown in Revised Exhibit D-2 attached hereto.

The City's designation of the District and pursuit of this Amended Development Program constitute a good and valid public purpose pursuant to Chapter 206 of Title 30-A because it represents a substantial contribution to the economic well-being of both the City and the region by providing jobs, contributing to property taxes, and diversifying the region's economic base.

B. The Projects

Development within the District will provide a revenue source for the City's economic development projects. The City intends to use TIF Revenues to further its overall plan to attract and retain businesses that want to take advantage of Portland's business-friendly location, while offering their employees a rich, dynamic, and high quality of life. This includes funding for CP, of which the City of Portland is the Corporator, with annual funding at $200,000 for its staff, programs, and services as approved by the City Council annually during its budget process, as well as City plans to invest in its public infrastructure in these investment focus areas:

- Sidewalk and Other Pedestrian Enhancements, including Public Restrooms
- Streetscape
- Lighting
- Street Alignment

- Utilities
- Bicycle Improvements
- Public Transit
- Wayfinding
- Multi-modal surface and structured parking
- Work force training
- Professional service costs
- Housing and Economic Development Department administrative costs and staff salaries, and prorated salaries of the City Manager, Finance Director, Planning and Urban Development Director, and Planning staff.

The District projects at this time are highlighted in Table 1 below:

TABLE 1

NOTE 1: All Citations refer to Title 30-A, Chapter 206, Section 5225

NOTE 2: While this Amended Development Program lists particular projects, the Amended Development Program shall not serve as an appropriation of TIF Revenues for any of these specific purposes, nor shall it commit the City to completing any particular project. The projects will only be undertaken following proper appropriation through the annual budget process and any other applicable required approvals.

Project	Downtown Revitalization Plan Reference by page no.	Statutory Citation	Estimated Cost
In District: Capital Infrastructure Design and Investments, including Financing Costs, for example:			$150 Million over the life of the District for these Capital Infrastructure Items.
- Multi-modal surface and structured parking	19, 47	(1)(A)(1)(2)(3)(6)(7)	
- Sidewalk and Other Pedestrian Enhancements, including Public Restrooms	19, 20, 34,35, 48	(1)(A)(1)(2)(3)(4)(6)(7)	
- Roadway Realignments/Paving	19,20,34,35 19, 46	(1)(A)(1)(2)(3)(6)(7) (1)(A)(1)(a)(i)	
- Crosswalks	34, 46	(1)(A)(1)(2)(3)	
- Traffic Signals	19,20,34,35	(1)(A)(1)(2)(3)(6)(7)	
- Intersection Redesigns	19, 34,47	(1)(A)(1)(a)(i)	
- Bicycle lanes, racks, and stations Infrastructure	19, 33	(1)(A)(1)(2)(3)(6)(7)	
- Stormwater Management, including water and sewer upgrades	19, 36	(1)(A)(1)(2)(3)(7)	

- Telecommunications, lighting, and electrical distribution upgrades; Infrastructure improvements/enhancements - Wayfinding (signage) - Public plaza intersection improvements	19,23, 35,47 22, 46	(1)(A)(1) (1)(A)(1)(2)(3)(6)(7)	
In and out of District: New and Enhanced Transit Services, including operational costs, for example (see Exhibit K – Transit Map): - Creation of high frequency bus service on Congress Street at 15-minute intervals between the Portland Transportation Center (PTC) and Washington Avenue; - Enhancing Stevens Avenue-Allen Avenue- Congress Street bus service areas; - Corresponding costs for these enhancements, including transit operator salaries; transit vehicle fuel, and transit vehicle parts replacements. - Transit capital costs including transit vehicles and related equipment; bus shelters and other related structures; benches; signs, and other transit-related infrastructure. - Shuttle service to downtown businesses.	17, 20, 21, 20 20 17, 20	(1)(A) and (1)(C)(7) (1)(A)(1)(a) and (1)(C)(7) (1)(A)(1)(a) and (1)(C)(7) (1)(A)(1)(a) and (1)(C)(7) (1)(A)(1)(a) and (1)(C)(7)	$15 Million for Transit in this category.
In and out of District: City Marketing and Promotion through Creative Portland Corporation (CPC), for example (see Exhibit M Arts District Map within Downtown TOD TIF District):	20, 21,47	(1)(C)(1)(2)	$200K annually beginning FY2024; $5.2 Million over life of District

- In District: Center for the Arts, including rental residential space; - In District: capital, financing, real property assembly and professional service costs; - **In and out of District:** CPC staffing, administrative and marketing expenses; revolving loan or investment fund.	20, 21,47 20, 21, 47	(1)(C)(1)(2) (1)(C)(1)(2)	
In and out of District: - **Housing and** Economic Dev. Dept. administrative costs and staff salaries at 100%, and prorated salaries of City Manager, Finance Director, and Planning Urban Development Director, and Planning staff*; - Professional services costs; - Workforce training funds. Costs of services and equipment to provide skills development and training, including scholarships to in-state educational institutions or to online learning entities when in-state options are not available, for jobs created or retained.	21, Also TIF App. P. 3 See TIF App. P.3 See TIF App. P. 3	(1)(A)(5) and (1)(C)(1) (1)(A)(4);(1)(C)(1) (1)(C)(4)	$15 Million over life of the District.
In District: Small Public Capital Infrastructure and Equipment, for example (Downtown Plan pp. 6 and 7) - Parking meters - Vehicles for Public Works Dept., and Fire Dept., including ambulances	 19 21, 36 to 44	 (1)(A)(1)(a) (1)(A)(1)(a)	 $10 Million over life of the District
In District: Relocation of Displaced Persons (TIF Application, p. 6)	(see TIF application, p. 6)	1(A)(6)	Not budgeted/not anticipated at time of TIF application
In District: CEAs as Approved by City Council (TIF application p. 2) with a maximum average percentage	(see TIF application p. 2)	(1)(A)(1)(2)(3)(6)(7)	Unknown at time of TIF application

of 65% capture and up to a 20-year term, or the remaining term of this District, pursuant to City TIF Policy (Exhibit B hereto).			
Total Estimate of TIF Revenue Expenditure over 30 year term:			**$195,200,000**

*This item is not unique to this TIF District, it is also included in the Bayside TIF District and Waterfront TIF District.

C. Strategic Growth and Development

This Amended Development Program and the Downtown Plan meld various studies and plans for the District into one document, thereby promoting those studies and plans and making investments at the appropriate time. The studies and plans noted in the Downtown Plan represent a series of community initiatives, both completed and underway, or in planning process. The Amended Development Program and Project List (Table 1) noted hereinabove represents the best thinking of City staff about current opportunities for realizing the City's longstanding, evolving vision for its Downtown.

D. Improvements to the Public Infrastructure

As further set forth in Table 1 hereinabove, the City may use certain TIF Revenues for sidewalk and other pedestrian improvements including crosswalks, roadway realignments/paving, intersection redesigns, traffic signals, bicycle infrastructure, stormwater management improvements (including water and sewer maintenance), communications infrastructure improvements/enhancements, wayfinding, multi-modal surface and structured parking, and public plaza intersection improvements that are directly related and made necessary by development in the District.

E. Operational Components

1. **Public Facilities**

The City may use a portion of the TIF Revenues to fund certain projects approved within the District, outlined in Table 1 hereinabove.

2. **Commercial Improvements Financed through the Development Program**

At this time, no commercial improvements will be financed through the Development Program. The City may, in the future, reimburse a percentage of the TIF Revenues from any particular lot within the District to future developers through a credit enhancement agreement. Future credit enhancement agreements are authorized only if the City Council meets and holds a public hearing and votes to authorize, negotiate, and execute the credit enhancement agreement pursuant to City Council approved TIF Policy. Such credit enhancement agreements would be approved under the City's TIF Policy, as may be amended from time to time, but limited to the balance of the term of this District. Should the City enter into a credit

enhancement agreement, it will provide the Maine Department of Economic and Community Development a description of the terms and conditions of any agreements, contracts, or other obligations related to the development program (see Table 1 last item and Exhibit B).

3. **Relocation of Displaced Persons**

It is not anticipated that any persons will be relocated; however, the City has provided that if, in the future, relocation of persons is necessary to accommodate future redevelopment within the District, the one-time relocation costs of such displaced persons can be paid for with TIF Revenues, exclusive of rent.

4. **Transportation Improvements**

The City may fund road/transportation improvements made necessary by the increased traffic to the District. Please see Table 1 hereinabove for more details.

5. **Environmental Controls**

The improvements made under this Development Program will meet or exceed all federal, state, and local environmental laws, regulations, and ordinances and will comply with all applicable land use requirements for the City.

6. **Plan of Operation**

During the term of the District, the City Manager or his designee will be responsible for all administrative matters within the purview of the City concerning the implementation and operation of the District.

III. Amended Physical Description

Proposed Amendment #6 does not change the acreage numbers for the Downtown TOD TIF.

The 417.7882-acre District is bounded by Washington Avenue to the east, State Street to the west, following the edges of the adjacent Bayside and Waterfront Capital Improvement TIF Districts to the north and south. The District encompasses the central business district of Portland and the abutting east and west ends of the District. In creating the District, the outlying residential areas of the Eastern and Western Promenades have been purposely excluded. The District is shown on revised Exhibit C. The statutory threshold limits addressing the conditions for approval mandated by 30-A M.R.S.A. Section 5223(3) are set forth in revised Exhibit E.

IV. Financial Plan

A. Amended Financial Characteristics

Amendment #6 does not change the original assessed value. With Amendment #5, the collective original assessed value of the real property in the District remains at $965,007,320 as set forth in Exhibit F, Revised Assessor's Certificate. The backup for the Certificate includes revisions from Amendment #3 and #4. It is noted that Downtown TOD/TIF acreage and value calculations are exempt from State TIF law limits.

The City captured 12% in year 1 (City Fiscal Year 2015/2016), 22% in years 2 through 4, 25% in year 5, and 30% in year 6 of the increased assessed value of the real property located within the District. Amendment 2 provided for the City to capture up to 100% for the duration of the 30-year term of the District. Personal property tax value will not be captured within the District. The TIF Revenues so collected will fund and/or contribute to the funding of the approved projects, including each of the projects described on Table 1 hereinabove, including entering into Credit Enhancement Agreements (see Table 1 last item and Exhibit B), which collectively increase the City's ability to stand out in a competitive marketplace as a dynamic municipality in which to grow a business. All assessed real property value captured in the District will be added to the general tax rolls at the end of the District's term. Please note that at any time during the term of the District, the municipality can vote to reduce the captured value percentage and instead deposit the tax revenues into the General Fund so long as the municipality does not receive the tax shift benefit associated with the tax revenues so deposited.

Upon each payment of real property taxes for property located inside the District, the City will deposit into a development program fund (the "Development Program Fund") the entirety of the property tax payments constituting TIF Revenues. The percentage of increased assessed value of real property within the District that will be captured shall be determined annually during the municipal budget process; however, the City may capture up to 100% in Years 5 through 30 of the increased assessed value of real property as captured assessed value. The Development Program Fund is pledged to and charged with the payment of the project costs in the manner and in the order provided in 30-A M.R.S.A. Section 5227(3). The Development Program Fund will consist of a development sinking fund account (the "Sinking Fund Account") to the extent municipal bonded indebtedness is used to pay for projects costs, and a project cost account (the "Project Cost Account"). From the Development Program Fund, the City will deposit the TIF Revenues into the City's Sinking Fund Account and/or the Project Cost Account to be used to fund projects listed in Table 1 hereinabove. If future credit enhancement agreements are approved by the City Council, then a subaccount within the Project Cost Account shall be created for any payments required to be made by the City pursuant to such credit enhancement agreement, dedicated to each credit enhancement agreement.

Estimates of the increased assessed property values of the Amended District, the anticipated TIF Revenues generated by the District, and the estimated tax shifts are shown in Revised Exhibit D-1 and Revised Exhibit D-2.

B. Costs and Sources of Revenues

The current and future developers owning or leasing properties located within the Districted are intended to pay for and/or finance all private improvements located in the District through private sources. Table 1 hereinabove provides estimated costs of the municipal projects costs to be undertaken with TIF Revenues.

C. Indebtedness

The City reserves the option to fund the project costs through public indebtedness.

V. Statutory Requirements and Thresholds

The statutory requirements and thresholds for approval required by Section 5223(3) of the TIF Statute are set forth in revised Exhibit E.

VI. Municipal Approvals

A. Notice of Public Hearing

Attached as Exhibit G hereto is a copy of the Notice of Public Hearing regarding amending the Development Program for the District, published in the *Portland Press Herald*, a newspaper of general circulation in the City, on May 24, 2023, a date at least ten (10) days prior to the public hearing. The public hearing on the amended District was held on June 5, 2023, in accordance with the requirements of 30-A M.R.S.A. Section 5226(1).

B. Minutes of Public Hearing Held by City Council

Attached as Exhibit H hereto is a certified copy of the minutes of the public hearing held on June 5, 2023, at which time this amended District was discussed by the public.

C. Authorizing Votes

Attached as Exhibit I hereto is an attested copy of the City of Portland Order approving this amended District with the results of the vote noted on this Order duly called and held on June 5, 2023.

MEMORANDUM
City Council Agenda Item

FROM: Mary Davis, Division Director

DATE: March 16, 2023

SUBJECT: Order 238-22/23 Accepting the Cumberland County and City of Portland Analysis of Impediments to Fair Housing - Sponsored by Housing & Economic Development, Councilor Pious Ali, Chair

SPONSOR: The Housing and Economic Development Committee voted 4-0 to forward this to City Council for consideration and approval.

(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 6/5/2023**

Can action be taken at a later date: Yes A Notice of Public Hearing was posted in the Portland Press Herald

Does this item involve a new contract with the City: There is not a new contract associated with this item.

PRESENTATION: Mary Davis will provide a brief overview of the Analysis of Impediments to Fair Housing process and report.

I. SUMMARY

The Analysis of Impediments to Fair Housing addresses barriers to fair housing within the City of Portand and Cumberland County.

II. AGENDA DESCRIPTION

On April 25, 2023, the Housing & Economic Development Committee voted 4-0 to forward this item to the City Council for consideration.

In 2021, the City of Portland and Cumberland County jointly engaged Root Policy, a consulting firm out of Colorado, to undertake an assessment of fair housing process to inform the 2022-2026 Consolidated Plan. Frankie Lewington and Heidi Aggeler conducted analysis of local zoning and land uses, a survey, and several focus groups to identify greatest barriers within Cumberland County and Portland. Through this process, they have created the Portland and Cumberland County Analysis of Impediments to Fair Housing.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Title VIII of the Civil Rights Act of 1968, known as the Fair Housing Act, requires HUD and recipients of federal funds from HUD to affirmatively further the policies and purposes of the Fair Housing Act, also known as “affirmatively further fair housing” or “AFFH.” The obligation to affirmatively further fair housing requires recipients of HUD funds to take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics, which are: Race, Color, National origin, Religion, Sex (including gender identity and sexual orientation), Familial status, and Disability.

In order to identify barriers to fair housing, many communities engage in a planning process called "Analysis of Impediments to Fair Housing" (AI) or "Assessment of Fair Housing" (AFH). These plans evaluate various aspects of the public sector, such as zoning and land use, and the private sector, such as loan practices, as well as demographics of the community to identify areas of opportunity to increase fair housing.

In 2021, the City of Portland and Cumberland County jointly engaged Root Policy, a consulting firm out of Colorado, to undertake an assessment of fair housing process to inform the 2022-2026 Consolidated Plan. Frankie Lewington and Heidi Aggeler conducted analysis of local zoning and land uses, a survey, and several focus groups to identify greatest barriers within Cumberland County and Portland. Through this process, they have created the Portland and Cumberland County Analysis of Impediments to Fair Housing.

At the April 19, 2022 Housing and Economic Development Committee meeting, Root Policy provided an initial report regarding feedback received during focus groups, interviews and a county-wide community survey.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

This report addresses barriers to housing and actions that can be taken for more equitable housing opportunities in Portland and the region.

V. FINANCIAL IMPACT

There is no direct financial impact from this report. However, there may be costs associated with taking the recommended actions within the report. Additionally, because the City is required to certify that it is affirmatively furthering fair housing in order to receive federal funds, there may be implications for receiving federal funding sources.

VI. STAFF ANALYSIS AND BACKGROUND

This report was created through data analysis from various sources, including extensive outreach to municipal staff, Portland and Cumberland County residents with lived experience, and organizations representing underserved communities. The report identifies actions the City and region can take to alleviate barriers to fair housing, including increasing density, building knowledge of fair housing protections, and continuing the important work initiated by ReCode. Toward the end of the AI process, HUD released a new Affirmatively Fair Housing Rule for comment. Root Policy reviewed this rule and aligned our report with the proposed requirements. The report outlines the following action items, which are included in the Fair Housing Action Plan matrix attached to this memo.

Increase the Supply of Affordable Housing

<u>City of Portland Action Items</u>

- (1) Invest public funds in affordable housing through gap financing; (2) Require affordability contributions of market rate developers through inclusionary zoning; (3) Incentivize development of mixed-income housing through density bonuses and fee waivers.

<u>Cumberland County Action Items</u>

- (1) Share the results of this study with local jurisdiction leaders and planning commissions and GPCOG membership and facilitate a discussion of how to establish a regional commitment to housing production, building upon the new statewide housing production goals. Explore with GPCOG tying transportation funding to progress toward production goals. (2) Share the results of this study with industry representatives, including property managers and real estate agents, through presentations at conferences and annual meetings, to build commitment to collectively addressing issues.

- Provide guidance and technical assistance to Cumberland County communities on how to increase density for affordable housing developments. This should include developing best practices in dimensional standards that jurisdictions can enact or model to ensure that duplexes/triplexes/fourplexes (and similar types of low-density multi-unit housing) are feasible to develop
- Encourage local jurisdictions to remove bias against non-elderly affordable housing.

Address Gaps in Homeownership Attainment
City of Portland and Cumberland County Action Items

- Explore programs funded by foundations that offer greater downpayment assistance to residents who historically faced discrimination and restricted access to homeownership.
- Study the financial feasibility of creating ownership products to 120% AMI (and less), leveraging land use changes afforded by L.D. 2003. Share this information with participating jurisdictions to demonstrate how new affordable ownership products can be created.

Address Barriers to Equalizing Access to Opportunity
City of Portland and Cumberland County Action Items

- Advocate for improvements to the county's public transportation system to more effectively connect low income workers with jobs both within Portland and in the broader region. Focus on accommodating the needs of persons with disabilities and pairing transportation investments with housing affordability opportunities.
- Advocate for additional funding in schools that have disproportionate shares of economically disadvantaged students.
- Expand housing choice for families in rural and suburban communities.

VII. RECOMMENDATION

HCD Staff recommends approval of the Analysis of Impediments to Fair Housing.

VIII. LIST ATTACHMENTS

1. Accepting the Analysis of Impediments to Fair Housing Choice 6.5.2023
2. Portland CC AI Fair Housing Actions Matrix.xlsx - Google Sheets
3. City of Portland and Cumberland County_Analysis of Impediments to Fair Housing Choice_final
4. Public Comment Order 238

Prepared by:
Mary Davis, Division Director
Date: 03/16/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER ACCEPTING THE CUMBERLAND COUNTY AND CITY OF PORTLAND ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING

ORDERED, that the Cumberland County and City of Portland Analysis of Impediments to Fair Housing, in the form substantially the same as attached hereto, is hereby accepted.

ROW #	CITY OF PORTLAND ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	GOAL CATEGORY	PRIORITY	METRICS AND MILESTONES
	Increase the supply of affordable housing					
1	1) Invest public funds in affordable housing through gap financing. 2) Require affordability contributions of market rate developers through inclusionary zoning. 3) Incentivize development of mixed-income housing through density bonuses and fee waivers.	Limited housing, especially affordable housing production. Denial of rental housing to Housing Choice Voucher holders.	City of Portland	Inequitable access to affordable housing	High	

ROW #	CUMBERLAND COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	GOAL CATEGORY	PRIORITY	METRICS AND MILESTONES
	Increase the supply of affordable housing					
2	1) Share the results of this study with local jurisdiction leaders and planning commissions and GPCOG membership and facilitate a discussion of how to establish a regional commitment to housing production, building upon the new statewide housing production goals. Explore with GPCOG tying transportation funding to progress toward production goals. 2) Share the results of this study with industry representatives, including property managers and real estate agents, through presentations at conferences and annual meetings, to build commitment to collectively addressing issues.	Lack of a local commitment of many jurisdictions to address regional housing needs.	Cumberland County	Inequitable access to affordable housing	High	Hold at least XXX meeting/roundtable with local elected leaders, planning commissions, and GPCOG membership before spring 2024 to discuss strategies about addressing housing issues at a regional level. Present the findings of this report at least xxx annual meeting(s) or industry conference(s) by 2024.
3	Provide guidance and technical assistance to Cumberland County communities on how to increase density for affordable housing developments. This should include developing best practices in dimensional standards that jurisdictions can enact or model to ensure that duplexes/triplexes/fourplexes (and similar types of low density multi-unit housing) are feasible to develop	Concentrations of deeply subsidized rental housing in the City of Portland. Zoning ordinances and land use regulations that restrict the type of housing needed from being developed including affordable family housing and multifamily housing.	Cumberland County	Inequitable access to affordable housing	High	Develop model code language that ensures low density multi-unit development is feasible to develop and context-sensitive for rural communities by fall 2024.
4	Encourage local jurisdictions to remove bias against non-elderly affordable housing.	Land use policies in many small jurisdictions that favor affordable elderly housing over affordable family housing, restricting access to high quality educational environments. Many zoning ordinances exempt senior housing from growth ordinances but not affordable housing. Restricting exemptions to senior housing has an adverse and disparate impact on families.	Cumberland County	Inequitable access to affordable housing	High	

ROW #	CITY OF PORTLAND and COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	GOAL CATEGORY	PRIORITY	METRICS AND MILESTONES
	Address gaps in homeownership attainment					
5	Explore programs funded by foundations that offer greater downpayment assistance to residents who historically faced discrimination and restricted access to homeownership.	Low homeownership rates for households of color, particularly African American/Black households.	City of Portland and Cumberland County	Inequitable access to affordable housing and homeownership	High	
6	Study the financial feasibility of creating ownership products to 120% AMI (and less), leveraging land use changes afforded by L.D. 2003. Share this information with participating jurisdictions to demonstrate how new affordable ownership products can be created.	Low homeownership rates for households of color, particularly African American/Black households.	City of Portland and Cumberland County	Inequitable access to affordable housing and homeownership	Medium	

ROW #	CITY OF PORTLAND and COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	GOAL CATEGORY	PRIORITY	METRICS AND MILESTONES
	Address barriers to equalizing access to opportunity					
8	Advocate for improvements to the county's public transportation system to more effectively connect low income workers with jobs both within Portland and in the broader region. Focus on accommodating the needs of persons with disabilities and pairing transportation investments with housing affordability opportunities.	Difficulty accessing public transit or buses in suburban Portland jurisdictions and rural Cumberland County, pushing people into Portland where costs are higher and limiting where people with disabilities can live.	City of Portland and Cumberland County	Disparities in access to opportunity	High	
9	Advocate for additional funding in schools that have disproportionate shares of economically disadvantaged students.	Economically disadvantaged students are concentrated in a handful of school districts, which need more support to close learning gaps.	City of Portland and Cumberland County	Inequitable resources relative to need	High	
10	Expand housing choice for families in rural and suburban communities.	Low educational attainment exacerbates income inequality and limits wealth building through homeownership.	Cumberland County	Disparities in access to opportunity	High	

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City of Portland and Cumberland County

Analysis of Impediments to Fair Housing Choice

PREPARED FOR:

City of Portland,
Housing & Community Development
Cumberland County,
Community Development

CREATED

03/20/2023

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SECTION I.

EXECUTIVE SUMMARY

Executive Summary: Portland and Cumberland County Analysis of Impediments to Fair Housing Choice.

In fall 2021, the City of Portland and Cumberland County initiated a study of fair housing choice in the city and county called an Analysis of Impediments to Fair Housing Choice (AI). The fair housing study was completed to fulfill a requirement by the U.S. Department of Housing and Urban Development (HUD) to "affirmatively further fair housing" or AFFH.

The study was a collaborative effort between the City of Portland and Cumberland County and covered the 27 jurisdictions that represent the Consortia receiving federal HOME Partnership Investment Funds (HOME) from HUD. The HOME Consortia jurisdictions include: Baldwin, Bridgton, Brunswick, Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Gorham, Gray, Harpswell, Harrison, Long Island, Naples, New Gloucester, North Yarmouth, Portland, Pownal, Scarborough, Sebago, South Portland, Standish, Raymond, Westbrook, Windham, and Yarmouth, within Cumberland County.

This study was informed by local knowledge and data, and robust community engagement through a resident survey, focus groups, and interviews with local leaders and stakeholders who work in the housing and planning industries or provide services to low and moderate income residents—advocates, community groups, service providers, educators, housing providers, and developers. Engagement occurred throughout the development of the study.

Altogether, more than 750 residents and stakeholders in the county took part in the development of the AI. The residents who participated in the survey were 52% owners, 40% renters, and 8% precariously housed. They were part of families with children (28%), single parent households (24%), older adults (24%), persons with disabilities (30%). They included income-diverse households and represented the racial and ethnic distribution of the county.

This Executive Summary:

- Providers background on the study;
- Presents the primary findings from the research that supported the AI;
- Identifies fair housing issues in the City of Portland and Cumberland County and participating jurisdictions; and
- Concludes with an action plan to address the issues residents face in accessing housing and economic opportunity.

Data and Methodology

The primary data sources and local knowledge and information that were used to develop the AI include:

- The Census' American Community Survey (ACS) from 2010 and 2020 (5-year data);
- Local housing development and permitting data from the City of Portland Housing and Community Development Department;
- Affordable housing development data from the National Preservation Database;
- Characteristics of residents of publicly supported housing from HUD's AFFH data and mapping tool;
- Home Mortgage Disclosure Act data from mortgage transactions;
- A resident survey developed and fielded for this study; and
- Interviews and focus groups with stakeholders who work in the housing and planning industries or provider services to low and moderate income residents.

Background

The Federal Fair Housing Act of 1968 requires HUD to administer its programs and activities in a manner which "affirmatively furthers" the policies of the Federal Fair Housing Act (FHA)—also known as affirmatively furthering fair housing or AFFH. This obligation extends to all federal agencies that administer housing and urban development programs, as well as subrecipients of those funds—including cities, counties, and states. As such, the City of Portland and Cumberland County, as recipients of housing and community development block grant funds, must demonstrate their commitment to AFFH.

One of the ways that communities can AFFH is to conduct an analysis of issues negatively affecting fair housing choice, and develop an action plan to meaningfully address the effects of the legacy of public and private policies and practices that intentionally or unintentionally created inequities. That process is often referred to as an Assessment of Fair Housing, or Analysis of Impediments to Fair Housing Choice (AI), or, in a new rule to update AFFH, an Equity Plan.

This study accomplishes the identification of fair housing issues led by a robust community process, and development of a meaningful action plan—all core aspects of the Equity Plan.

History of Housing Discrimination in the Region

Cumberland County's settlement history is closely linked with its economy and geographic location. Fishing, and the other types of agriculture that dominated the economy as the region was formed, as well as the area's distance from the center of the country's slave trade, discouraged the use of slavery. Yet Maine still played a role in the slave trade as early

as the 17th and 18th centuries, where both slave labor and profits derived from enslaved people helped develop many Maine businesses and communities. The slave economy in Maine was built mainly through the trading of lumber, molasses, and rum by merchants and shipbuilders.

The population of Black Mainers has historically been small compared to the white population. From 1830 to 1950, the Black population increased from 1,000 to 2,000 and the white population soared from 398,000 to 910,000. During this time, the state had a strong Nativist movement and presence of the Ku Klux Klan that ensure Black Mainers did not feel welcome despite their multi-generational residency.[1] Although segregation was never formally codified into law, other forces led to segregation—namely, housing discrimination.[2] Discrimination was also routinely experienced by Native Americans, Irish Catholics, French Canadians, and Jews.

According to Eben Simmons-Miller, a scholar in the politics of fair housing in Maine, housing discrimination "was the most recognized form of oppression faced by Maine's African Americans" as late as the 1960s.[3] While some middle class African American households found housing options in the broader region, African American households in Portland "...remained in ethnically mixed neighborhoods on the Portland peninsula as they could not afford the expensive rents elsewhere due to limited employment options."[4] Homes were often in substandard condition in these areas, thus impacting the value of the home and the amount of economic resources the neighborhood could attract. Discrimination within the housing market severely limited choices for racial and ethnic minorities and thus resulted in segregation within the city.

Ethnic minorities were also confronted with prejudice. Early census records in the Northeast recorded Acadians (French descendants living in Nova Scotia who had been forcibly removed by the British during the 1754-1763 French and Indian War), Irish, Jewish, and French-Canadian populations separately from the white population—indicating a different classification of residency. Although the 1820 Maine Constitution allowed Black men and people with no property to vote, it disenfranchised paupers who resided in houses made for poor people and those who received public assistance. Census data from 1850 to 1904 shows this population was mostly immigrants and people of color.[5] In 1893,

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[1] Lumpkins, Charles L.. "Civil-Rights Activism in Maine, 1945-1971." Maine History 36, 3 (1996): 70-85. https://digitalcommons.library.umaine.edu/mainehistoryjournal/vol36/iss3/2

[2] Lumpkins, Charles L.. "Civil-Rights Activism in Maine, 1945-1971." Maine History 36, 3 (1996): 70-85. https://digitalcommons.library.umaine.edu/mainehistoryjournal/vol36/iss3/2

[3] Simmons-Miller, Eben. "Resistance In "Pioneer Territory": The Maine NAACP and the Pursuit of Fair Housing Legislation." Maine History 36, 3 (1996): 86-105. https://digitalcommons.library.umaine.edu/mainehistoryjournal/vol36/iss3/3

[4] Hillebrand, Justus. "Making it Work Before the Movement: African-American Community and Resistance in 1940s and 1950s Portland, Maine." Maine History 49, 1 (2015): 39-76. https://digitalcommons.library.umaine.edu/mainehistoryjournal/vol49/iss1/3

[5] Myall, James (2020). Race and Public Policy in Maine: Past, Present, and Future. Maine Policy Review, vol. 29, no. 2.

an amendment was added to the state constitution that required literacy tests to vote; this was a major barrier to poor white immigrants in the state. Mainers voted to enfranchise paupers in 1965 through a constitutional amendment and removed the literacy requirement in 1970 following an amendment to the Voting Rights Act.[6] The history of voter enfranchisement is important to recognize, as the laws that elected officials dictated often reflected the attitudes of the white, economically powerful actors within the housing market.

A map of Portland made in 1935 used by bankers and real estate agents to evaluate mortgage risks designates "foreign-born, negro, or lower grade populations" as "hazardous." It also labels where Irish, Italian, Jewish, and Polish neighborhoods were located.[7] The practice of rating neighborhoods based on perceived risk was largely based on prejudice and excluded people in "hazardous" neighborhoods from accessing homeownership and the generational financial benefits that come with it. According to David Freidenreich, Professor of Jewish Studies at Colby College, real estate agents also steered Jewish and immigrant families away from affluent areas of town, thus creating segregated neighborhoods and unequal housing opportunities.[8]

Today, historical segregation in Portland and Cumberland County is reinforced by:

- Limited housing production and slow growth regulations;
- Lack of affordable housing, particularly for families outside of Portland, South Portland, Scarborough, and Westbrook;
- Denial of rental housing, especially for Housing Choice Voucher holders;
- Limited opportunities to attain homeownership;
- Disparities in educational attainment, which have long term effects on economic equality; and
- Land use regulations in some jurisdictions that favor more expensive, ownership housing and limit multifamily housing for all but seniors.

Primary Findings

This section summarizes the salient findings from the AI research, which was used to determine the primary issues, or challenges, to fair housing choice.

[6] Ibid.

[7] Maine Historical Society. Redline map of Portland and South Portland, 1935. https://www.mainememory.net/artifact/105920

[8] Freidenreich, David. Redlining and Jewish Communities in Maine. https://www.mainememory.net/sitebuilder/site/3086/page/4887

Housing Choice

Housing production in Cumberland County lagged population growth between 2010 and 2020, leading to increases in prices and very low vacancies—conditions that negatively impact housing choice. Population in Cumberland County rose by 7.6% between 2010 and 2020, while occupied and vacant housing units rose by 6%, according to the ACS data. Local permit data shows that Portland (District 5) produced the most housing units of any singular jurisdiction in the county between 2010 and 2022, with nearly 5,000 units approved and over 2,000 certificates of occupancy issued over that time period.[9] A quarter of all units approved since 2010 are designated to be affordable. District 1 (made up of six jurisdictions) and District 2 (made up of eight jurisdictions) added an estimated 3,600 and 3,400 housing units between 2010 and 2020. The suburban communities of Scarborough and Westbrook each added a little more than 1,100 units over the same time period.

Mainers who are more likely to be disparately impacted by policies that limit development of housing, especially affordable housing, include:

- African American/Black households, Asian households, Hispanic households, Other Race household, and single parents (resident survey). These households report housing challenges—living in overcrowded conditions, living in housing in poor condition, being unable to maintain rent or utility payments—at higher rates than other resident groups.
- African/American/Black households also have the highest levels of segregation and experienced a large increase in segregation since 2010 (Figure IV-17).

Portland provides more housing to low income households than its proportionate share of county households overall. Specifically, the City of Portland houses 35% of households with incomes less than $25,000, compared to 25% of all households in the county. Westbrook also houses a higher share of households with incomes below $25,000 than households overall. In contrast, Falmouth, Gray, and Scarborough have the largest differences in the share of households with incomes of less than $25,000 and households overall (Figure IV-23 series).

This difference is partially, although not entirely, related to the provision of affordable housing. A comparison of rental units priced at less than $650/month (affordable to households with incomes of $25,000 and less) showed modest differences in the share of affordable rentals compared to all rentals, with Bridgton, Brunswick, Portland, and mostly Westbrook providing a slightly higher share of affordable rentals than rental units overall. A

[9] ACS data estimates for the city of Portland reported low unit growth between 2010-2020, which did not take into account recent permitting and approval activity.

similar analysis of owned homes found only modest variances in shares with only resort-oriented counties providing a lower share of affordable homes for purchase. In sum, the region is not significantly unbalanced, and differences are due both to where low wage jobs are located and where older residents living on fixed incomes are located, in addition to the location of affordable housing.

Deeply affordable housing—especially that accommodating families—is concentrated in Portland. The neighborhoods with the highest concentrations of affordable housing are also those with relatively high rates of poverty and schools with average educational proficiency. This is countered with strong access to employment. Outside of the Portland-South Portland area, most affordable units are targeted for elderly residents (Figure VI-46). **Policies that favor affordable elderly housing over affordable family housing work to limit access to quality education for low income families.**

In Greater Portland (Figure VI-26), Multiple Race and Other households face very high rates of burden while earning moderate incomes. This could suggest that discrimination in the housing market is limiting their housing choices, forcing them into disproportionately over-priced units.

Denial of rental housing is common, especially for voucher holders. Nearly 30% of respondents who looked for housing experienced denial of housing and **90% of voucher holders said finding a landlord that accepts vouchers is difficult to very difficult** (resident survey).

- Mainers most likely to be denied housing include: Other Race, Asian, Hispanic, and African American households, households making less than $25,000, single parents, and households with a member experiencing a disability.
- Landlord refusal to accept vouchers disparately impacts African American/Black households who are disproportionately represented among voucher holders (Figure VI-42).

Nearly 20% of survey respondents have been displaced from their home in the past five years, mostly because they could not keep up with rent (resident survey).

- Single parents, precariously housed respondents, Other Race and African American/Black respondents, households that make less than $50,000, and households with a member experiencing a disability reported the highest rates of displacement.

About 16% of survey respondents reported they have experienced discrimination in the past five years (resident survey).

- Hispanic, Other Race, and Asian respondents, as well as households making less than $25,000, precariously housed respondents, and Brunswick respondents reported the highest rates of discrimination.

Of respondents reporting a disability, **about 25% report that their current housing situation does not meet their accessibility needs** (resident survey).

Homeownership

Homeownership opportunities for younger Mainers are increasingly limited by rapidly increasing housing prices. In Portland, Cumberland County, and the State of Maine, 85-year-olds are more likely to be homeowners than those under 35 years old.

African American/Black households have extremely low homeownership rates—11% in Portland and 19% in Cumberland County, compared to 25% in Maine (Figure VI-34). To close other racial gaps in ownership, an estimated 164 Asian renters, 51 Native American renters, and 141 Hispanic renters would need to become owners. A much larger number—1,169 African American/Black renters—would need to become owners to close the White/Black homeownership gap (Figure VI-32s).

Home loan denial rates were lowest among African American/Black and White Cumberland County applicants, at 10% and 11% respectively (Figure VI-38a). For African Americans, barriers to ownership are likely driven by several factors other than mortgage loan denials. Portland, which has the largest concentration of Cumberland County's African American/Black population, has a younger population and lower overall income relative to the county. Another factor is that the majority of Portland's African American/Black population are foreign-born. The foreign-born population faces distinct challenges to homeownership, including unfamiliarity with the banking system, language barriers, and credit history length. Moreover, for Portland residents who practice Islam, Islamic law does not allow taking on interest-bearing loans, which makes buying a home with a traditional mortgage infeasible. White applicants appear less likely to be denied in many of the neighborhoods where applicants of color are focusing their homebuying efforts—mostly in suburban Portland.

Access to Opportunity

On average, residents are fairly satisfied with their transportation situation. Stakeholders raised more barriers, noting that the lack of an effective regional public transportation system limits where residents can access jobs and pushes people to stay in Portland where costs are higher. Residents who report that they can't get to public transit or buses easily live in Scarborough and Windham, are Hispanic and Other, and households that make less than $25,000 (resident survey).

Economically disadvantaged students make up more than half of school enrollment in the Westbrook School District, Harpswell Coastal Academy, RSU 17 (serving Harrison), and RSU 61 (serving Bridgton and Naples). These school districts also

experienced some of the lowest rates of student testing success among all county school districts (Figures V-15 and V-17)—suggesting that these districts need more support to address the needs of economically disadvantaged students.

Low educational attainment has long term effects on earnings and wealth building, and disparities in educational attainment can reinforce long term economic inequality. County residents with a bachelor's degree earn 56% more than those with a high school diploma, while Portland residents with a bachelor's degree earn 48% more than their counterparts with a high school diploma—higher than the state overall (Figure V-27). Educational attainment also affects the ability to attain homeownership: 52% of county residents with a high school diploma own their home, compared to 76% for those with a college degree (Figure V-29). **Compared to the state, it is more difficult for city and county households with lower levels of educational attainment to become homeowners.**

Zoning and Land Use

In recent years, common zoning ordinances and land use regulations are being reconsidered due to their historical effect of restricting housing production and choice. While laws in the State of Maine address many possible regulatory barriers to housing choice, local policies in some jurisdictions may impact housing choice and availability.[10] These include:

- Growth ordinances that exempt affordable senior but not affordable family housing;
- Limited land available for multifamily development and/or use regulations which restrict housing density and unit types;
- Residential growth caps and other dimensional standards, such as large lot sizes;
- Limited public infrastructure, particularly water and sewer systems, and/or capital funding to build the public infrastructure systems needed to support a wider variety of housing and a range of densities; and
- Very large and restrictive dimensional standards that discourage or disallow all but higher-cost single family homes.

[10] Refer to Section VIII of this report for more information and recommendations related to removing zoning and land use barriers to housing production.

Progress Addressing Fair Housing Issues Identified in Past AIs

The City of Portland last reviewed fair housing issues as part of the Greater Portland Council of Governments Sustainable Communities Initiative—*Sustain Southern Maine*—and in a 2013 AI. Both were adopted by the City Council.

The major housing issues in Portland that emerged from the 2013 AI included:

- Concentrations of poverty, African American/Black residents, foreign born residents, single parent households, and publicly assisted housing;
- Limits on the effectiveness of the Section 8 program due to lack of housing in the broader region;
- Housing choice issues for new immigrants cause by landlords' unfamiliarity of cultural customs and norms;
- Landlord skepticism around state funding of General Assistance and subsidy payments that are lower than market rents;
- Lack of awareness by landlords related to reasonable accommodations' laws and a belief that housing tenants with disabilities is costly;
- Bias against renting to single parent, female headed, households with children; and
- High and increasing rents.

Cumberland County conducted its AI in 2010. The issues identified in that study included:

- Fair housing violations occur in reasonable accommodations for persons with disabilities and discrimination based on familial status and sex;
- Refugee and immigrant housing needs are unaddressed;
- Discrimination based on source of income occurs; and
- There are limited options for affordable rental and ownership housing within entitlement and suburban communities. Zoning restrictions and limited water and sewer and utilities connections contribute to the lack of housing options.

The following fair housing issues were identified in the broader region in *Sustain Southern Maine*:

- Lack of knowledge about landlord/tenant and Fair Housing laws;
- Constraints on refugee choices of where to live;
- Shortage of barrier-free housing;
- Lack of awareness of reasonable accommodations;

- Setback requirements that prevent people with disabilities from getting ramps built;
- Need for homebuyer education and financial literacy for those under-represented in single family lending; and
- Vulnerability to lead hazards in housing for children.

To address these issues, the City of Portland:

- Actively pursued regional partnerships that work to widen the public transportation network and provide housing opportunities for a diversity of people throughout the region;
- Reformed land use regulations to increase allowable densities, reduce minimum lot sizes, incentivize affordable housing construction, and require affordable housing in certain contexts (more details on these efforts can be found in Section VIII);
- Works to encourage other communities in the region to develop affordable housing;
- Created a partnership with the Cumberland County Community Development Office and local landlord associations to provide landlord awareness workshops;
- Launched initial efforts to set up a housing liaison system to resolve landlord/tenant issues, resulting in the formation of the Rental Housing Advisory Committee; and
- Administers a Rent Control Board created by a citizen-approved initiative.

To address these issues, Cumberland County:

- Funded landlord education and training;
- Funded tenant education to increase awareness of fair housing laws and rights;
- Educated local policymakers and leaders on fair housing issues, including the Cumberland County Municipal Oversight Committee; and
- Worked with municipalities to encourage development of affordable housing in every community and ensure that local ordinances are consistent with state and federal law concerning group homes and special needs housing.

These efforts have been an important part of mitigating fair housing violations, raising awareness about affordable housing needs, and increasing fair housing knowledge and awareness.

As this AI update demonstrates, many of the county's and jurisdictions' housing challenges have increased since these studies were conducted, as a result of growing demand for housing, rising costs of housing, and intensifying economic inequality. These forces have made housing challenges worse due to a historical lack of investment in affordable housing to facilitate housing choice. In sum, **housing challenges have become more**

complex—requiring ambitious and collective efforts to expand housing choice.

Fair Housing Issues and Fair Housing Action Plan

This section outlines the fair housing issues identified in this AI with recommendations for how the participating jurisdictions should address the identified issues and further fair housing choice.

Primary Fair Housing Issues Negatively Affecting Housing Choice

Residents most affected by housing choice issues include African American/Black households, Asian households, Hispanic households, Other Race households, and single parents. Issues negatively affecting housing choice include:

- Limited housing, especially affordable housing production, contributing to rising rents and a loss of overall affordability;
- Lack of a local commitment of many jurisdictions to address regional housing needs;
- Concentrations of deeply subsidized rental housing in the city of Portland;
- Land use policies in many small jurisdictions that favor affordable elderly housing over affordable family housing, restricting access to high equality educational environments;
- Denial of rental housing to Housing Choice Voucher holders;
- Housing discrimination, especially for people of color, very low income households, and those who are precariously housed; and
- Zoning ordinances and land use regulations that restrict the type of housing needed, including affordable family housing and multifamily housing, from being developed.

Recommendations for addressing fair housing issues. To address production and affordability issues, Cumberland County should:

1. Activate the power of Maine's new legislation (L.D. 2003) to increase the supply of housing:
    a. Provide guidance and technical assistance to Cumberland County communities on how to rewrite land use codes to allow increased density for affordable housing developments. This should include developing model code language that jurisdictions can enact or model to ensure that duplexes/triplexes/ fourplexes (and similar types of low density, multi-unit housing) are feasible to develop. Stakeholders interviewed for this AI noted that some jurisdictions require unreasonably large lots for duplexes (e.g., four acres);

b. Explore the feasibility of a program that incentivizes increased density, including up to six-plexes, in growth areas along corridors and in and near commercial zones when the majority of units are affordable[11];

c. Explore a partnership with the City of Portland to develop pre-approved development prototypes for ADUs to lower pre-development costs of homeowners; and

d. Explore a partnership with the City of Portland to work with community development financial institutions and foundations to develop favorable financing for affordable housing including ADUs.

2. Share the results of this study with local jurisdiction leaders and planning commissions and GPCOG membership and facilitate a discussion of how to establish a regional commitment to housing production, building upon the new statewide housing production goals. Explore with GPCOG tying transportation funding to progress toward production goals.
3. Share the results of this study with industry representatives, including property managers and real estate agents, through presentations at conferences and annual meetings, to build commitment to collectively addressing issues.
4. Encourage local jurisdictions to use the data and findings from this study to inform housing and land use planning.
5. Encourage housing authorities to improve their websites and language access options in housing applications, as discussed in Section VI.
6. Encourage local jurisdictions to remove bias against non-elderly affordable housing. Many zoning ordinances exempt senior housing from growth ordinances but not affordable housing. Restricting exemptions to senior housing has an adverse and disparate impact on families.
7. Fund education and training and testing to build knowledge of fair housing protections, especially to clarify that the state requires vouchers to be accepted under the "public assistance" protected class. This should include testing with real estate agents about prequalification requirements for certain protected classes (disparities were found in the resident survey) and testing to uncover appraisal discrimination, as well as training for property owners to build commitment to providing comfortable and culturally sensitive housing environments for New Mainers.
8. Evaluate the success of the public housing authorities' "signing bonus," repair grant, security deposit assistance, and damage reimbursement programs and seek funding to support the programs that have been shown to be successful in

[11] Austin's Affordability Unlocked program would be a place to start.

increasing the number of landlords who offer units to Housing Choice Voucher holders.

To address production and affordability challenges: the City of Portland should:

1. Continue to invest in, require contributions of developers for, and incentivize development of affordable and mixed-income housing. Ensure that these efforts produce housing that is needed to address disproportionate housing needs by monitoring affordability, occupancy, and location of units developed.
2. Allow higher densities in multifamily development (six, eight- and greater) along corridors and priority growth areas, with proportionate dimensional (height, scale, etc.) bonuses for the inclusion of affordable units in new housing projects.[12]
3. Enact the recommendations to facilitate housing production of the Land Code Evaluation as part of Recode Portland Phase II. Make the recommended changes to the city's zoning code detailed in Section VIII, pages 18 through 19.
4. Fund education and training and testing to build knowledge of fair housing protections, especially to clarify that the state requires vouchers to be accepted under the "public assistance" protected class. Utilize the city's rental registration program to convey fair housing information.
5. Explore the use of City resources to assist low income tenants with deposit requirements for rental housing (first and last month's rent, security/damage deposits).
6. Explore the use of City resources to assist tenants with fair housing questions and requirements.
7. To support regional efforts of adding housing units at densities feasible in suburban and rural parts of Cumberland County, partner with Cumberland County to:
    a. Explore developing a regional program that offers pre-approved development prototypes for ADUs to lower pre-development costs of homeowners;
    b. Explore working with community development financial institutions and foundations to develop favorable financing for affordable housing including ADUs; and
    c. Consider allowing larger sized ADUs and waiving fees for ADUs that are accessible or have universal design.

[12] Austin's Affordability Unlocked program would be a place to start.

Issues Affecting Homeownership Attainment

Residents most affected by issues affecting their ability to attain homeownership include young adults, African American/Black households, and Hispanic households. Issues impacting their ability to attain homeownership include:

- Limited stock of starter homes for first time and lower income buyers;
- Lack of funds for a downpayment and difficulty qualifying for mortgage loans; and
- Zoning ordinances and land use regulations restrict supply of more affordable starter home products.

Recommendations for addressing issues affecting homeownership attainment. To address issues affecting homeownership attainment, Cumberland County and Portland should:

1. Explore programs funded by foundations that offer greater downpayment assistance to residents who historically faced discrimination and restricted access to homeownership.[13]
2. Study the financial feasibility of creating ownership products affordable to 120% AMI (and less), leveraging the land use changes afforded by L.D. 2003. Share this information with participating jurisdictions to demonstrate how new affordable ownership products can be created.
3. Complete the Action Plan items to address the fair housing issues detailed above.

Issues Affecting Access to High Opportunity Environments

Issues impacting access to high opportunity environments include:

- Difficulty accessing public transit or buses in suburban Portland jurisdictions and rural Cumberland County, pushing people into Portland where costs are higher and limiting where people with disabilities can live;
- Economically disadvantaged students are concentrated in a handful of school districts, which need more support to close learning gaps; and
- Low educational attainment exacerbates income inequality and limits wealth building through homeownership.

[13] https://www.cityofevanston.org/government/city-council/reparations and https://www.dearfieldfund.com/who-we-are/

Recommendations for addressing issues affecting homeownership attainment. To address issues affecting homeownership attainment, Cumberland County and Portland should:

1. Advocate for improvements to the county's public transportation system to more effectively connect low income workers with jobs both within Portland and in the broader region. Focus on accommodating the needs of persons with disabilities and pairing transportation investments with housing affordability opportunities.
2. Advocate for additional funding in schools that have disproportionate shares of economically disadvantaged students.
3. Accomplish the Action Items to expand housing choices for families in suburban and rural communities.

SECTION II.

COMMUNITY ENGAGEMENT—RESIDENT SURVEY ANALYSIS

SECTION II.
Community Engagement — Resident Survey Analysis

This section reports the findings from the resident survey conducted of Cumberland County residents, as well as stakeholder focus groups and interviews, to better understand residents' experiences with housing choice and access to opportunity throughout the county. The survey explores residents' housing, affordability, and neighborhood challenges including experiences with displacement and housing discrimination. It also asks about residents' access to economic opportunity, captured through reported challenges with transportation, employment, and K-12 education. The survey was offered in English, Arabic, French, Portuguese, Somali, and Spanish.

The resident survey was available online, in a format accessible to screen readers, and promoted through jurisdictional communications and social media and through partner networks. A total of 751 residents participated.

Explanation of terms. Throughout this section, several terms are used that require explanation.

- "Precariously housed" includes residents who are currently homeless or living in transitional or temporary/emergency housing, as well as residents who live with friends or family but are not themselves on the lease or property title. These residents may (or may not) make financial contributions to pay housing costs or contribute to the household in exchange for housing (e.g., childcare, healthcare services).
- "Disability" indicates that the respondent or a member of the respondent's household has a disability of some type—physical, mental, intellectual, developmental.
- "Single parent" are respondents living with their children only or with their children and other adults but not a spouse/partner.
- "Tenure" in the housing industry means rentership or ownership.
- "Large households" are considered those with five or more persons residing in a respective household.
- "Seriously Looked for Housing" includes touring or searching for homes or apartments, putting in applications, or pursuing mortgage financing.

Sampling note. The survey respondents do not represent a random sample of the county or jurisdictions' population. A true random sample is a sample in which each individual in the population has an equal chance of being selected for the survey. The self-selected nature of the survey prevents the collection of a true random sample. Important insights and themes can still be gained from the survey results, however, with an understanding of the differences among resident groups and between jurisdictions and the county overall. Overall, the data provide a rich source of information about the county's households and their experience with housing choice and access to opportunity in the communities where they live.

Jurisdiction-level data are reported for cities in Cumberland County with 25 responses or more. Response by jurisdiction and demographics are shown in the figures on the following page.

Compared to Cumberland County residents overall, the survey respondents are:

- Similar in racial and ethnic distribution. Eighty-six percent of residents in the county overall are non-Hispanic White compared to 90% of survey respondents.
- Less likely to be high income. Thirty-seven percent of Cumberland County households earn $100,000 and more compared to 28% of survey respondents.
- Less likely to be homeowners. Seventy percent of Cumberland County households are homeowners compared to 52% of survey respondents.
- More likely to have a disability. Eleven percent of Cumberland County residents have a disability compared to 30% of survey respondents.
- Similar in the presence of children under 18 in their household. Twenty six percent of Cumberland County households have children compared to 28% of survey respondents.
- More likely to be over the age of 65. Eighteen percent of the county overall are older than 65 compared to 24% of survey respondents.
- More likely to be single parent households. Five percent of Cumberland County households[1] are single parents compared to 24% of survey respondents.
- Slightly less likely to be living in a large household. Six percent of Cumberland County households live in a household with five or more people compared to 5% of survey respondents.

[1] This data is from 2019 5-year ACS estimates; 2020 ACS data for single parent households in Cumberland County was not available at the time of this report.

Figure II-1 Survey Respondents by Race/Ethnicity

Note:

n=620; 131 respondents did not indicate their race or ethnicity. Totals do not equal 100%; respondents were allowed to select all options that applied.

Source:

Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey

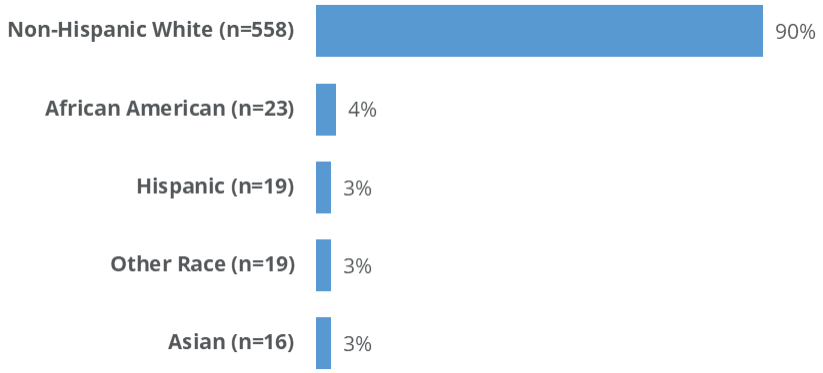


Figure II-2. Survey Respondents by Tenure

Note:

n=741.

Source:

Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey

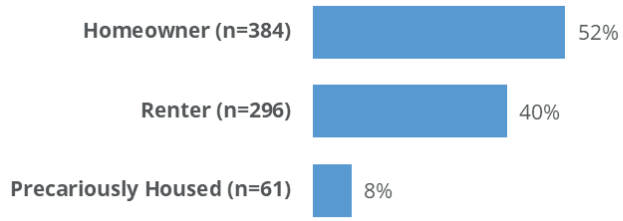


Figure II-3. Survey Respondents by Income

Note:

n=595.

Source:

Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey

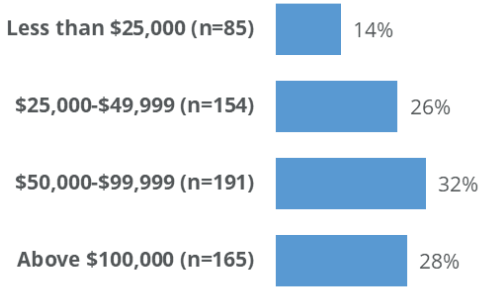
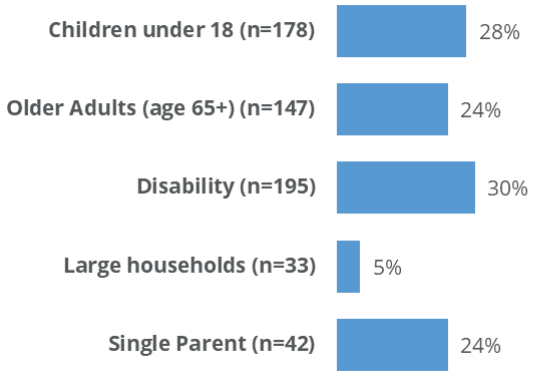


Figure II-4. Survey Respondents by Selected Household Characteristics



Note:

Denominator n ranges from 178 to 650.

Source:

Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey

Figure II-5.
Resident Survey Sample Sizes by Jurisdictions and Selected Characteristics

	County	Brunswick	Cape Elizabeth	Portland	Scarborough	South Portland	Westbrook	Windham
Total Responses	**751**	**31**	**48**	**318**	**26**	**90**	**48**	**57**
Race/Ethnicity								
African American	23	0	4	9	0	0	4	1
Hispanic	19	0	0	10	1	1	1	1
Asian	16	1	0	5	2	1	1	1
Other Race	19	1	0	4	0	3	2	4
Non-Hispanic White	558	25	35	261	20	70	36	36
Tenure								
Homeowner	384	12	36	145	15	42	12	40
Renter	296	15	6	155	7	37	33	11
Precariously Housed	61	4	5	15	4	9	2	5
Income								
Less than $25,000	85	7	1	33	5	9	11	5
$25,000-$49,999	154	7	5	65	2	22	16	11
$50,000-$99,999	191	10	17	86	6	22	11	10
Above $100,000	165	3	13	77	10	19	5	12
Household Characteristics								
Children under 18	178	8	15	70	9	19	8	16
Large households	33	1	1	11	2	3	3	6
Single Parent	42	2	4	15	2	5	2	6
Disability	195	7	10	79	8	30	14	14
Older Adults (age 65+)	147	3	19	44	6	19	14	12

Note: Numbers do not aggregate either due to multiple responses or that respondents chose not to provide a response to all demographic and socioeconomic questions.

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey.

Primary Findings

The survey data present a unique picture of the housing choices, challenges, needs, and access to economic opportunity of Cumberland County residents.

Top level findings from residents' perspectives and experiences include:

- The **limited supply of housing** that accommodates voucher holders presents several challenges. Specifically,
    - Ninety-percent of voucher holders represented by the survey find a landlord that accepts a housing voucher to be "difficult" or "very difficult."
    - According to the survey data, landlords that have policies of not renting to voucher holders is a top impediment for residents who want to move in Cumberland County, as well as for precariously housed respondents, renters, non-Hispanic White respondents, households making less than $50,000, single parents, households with a member experiencing a disability, households with children under 18, and several jurisdictions.
- **Low income is a barrier** to accessing housing. The impacts are highest for Asian households, precariously housed respondents, households making less than $25,000, single parents, and Westbrook respondents.
- **Nearly 30% of respondents who looked for housing experienced denial of housing.** Other Race, Asian, Hispanic, and African American respondents, as well as households making less than $25,000, single parents, and households with a member experiencing a disability reported the highest denial rates.
- **Nearly 20% of residents have been displaced** from their home in the past five years. One of the main reasons cited for displacement was *the rent increased more than I could pay*. Single parents, precariously housed respondents, renters, Other Race and African American respondents, households that make less than $50,000, and households with a member experiencing a disability reported the highest rates of displacement.
- **About 16% of residents reported they have experienced discrimination** in the past five years. Hispanic, Other Race, and Asian respondents, as well as households making less than $25,000, precariously housed respondents, and Brunswick respondents reported the highest rates of discrimination.
- **Residents lack awareness or knowledge about what to do if they have experienced discrimination.** The most common actions in response to discrimination cited by survey respondents were *Nothing/I wasn't sure what to do* and *Moved/found another place to live*.

- Of respondents reporting a disability, **about 25% report that their current housing situation does not meet their accessibility needs**. The three top greatest housing needs identified by respondents included services onsite to help with mental health and counseling, installation of grab bars in bathroom or bench in shower, and service or emotional support allowed in their home.

- On average, respondents are **fairly satisfied with their transportation situation**. Groups with the highest proportion of respondents somewhat or not at all satisfied with their transportation options included Brunswick, Hispanic, Other Race, Asian, and African American respondents, as well as precariously housed respondents, households making less than $25,000, large households, and households with a member experiencing a disability.

There are some housing, affordability, and neighborhood challenges unique to specific resident groups. These include:

- **My home/apartment is in bad condition**—Most likely to be a challenge for Brunswick respondents, as well as Other Race, Hispanic, precariously housed, households making less than $25,000, and single parents.

- **My house or apartment isn't big enough for my family**—Most likely to be a challenge for Brunswick and Windham respondents, as well as African American, Asian, Hispanic, renters, precariously housed, large and single parent household respondents.

- **I can't keep up with my utilities**— Most likely to be a challenge for Westbrook respondents, as well as Other Race and Asian respondents, single parents and households that make less than $25,000.

- **I can't keep up with my property taxes**— Most likely to be a challenge for Cape Elizabeth and South Portland respondents, as well as African American and Other Race respondents, large households and households that make less than $25,000.

- **My neighborhood does not have good sidewalks, walking areas, and/or lighting**— Most likely to be a challenge for Scarborough and Windham respondents, Other Race and Asian respondents, large households, and households with a member experiencing a disability.

- **I can't get to public transit/bus easily or safely**—Most likely to be a challenge for Scarborough and Windham respondents, Hispanic and Other Race respondents, and households that make less than $25,000.

Housing, Neighborhood and Affordability Challenges

Survey respondents were asked to select the housing challenges they currently experience from a list of 27 different housing, neighborhood, and affordability challenges. The figures on the following pages present the 10 housing challenges and top 5 affordability and neighborhood challenges experienced by jurisdiction, race/ethnicity, tenure, income, and selected household characteristics.

These responses allow for a way to compare the jurisdictions to the county for housing challenges for which other types of data do not exist. In this analysis, "above the county"—**shaded in light red or pink**—is defined as the proportion of responses that is 25% higher than the overall county proportion. "Below the county"—**shown in light blue**—occurs when the proportion of responses is 25% lower than the overall county proportion.

As shown in Figure II-6a, residents in Brunswick and South Portland experience several housing challenges at a higher rate than the county overall. Conversely, Cape Elizabeth, Scarborough, and Windham residents experience most housing challenges at a lower rate than the county.

Notable trends in housing, neighborhood, and affordability challenges by geographic area include:

- Residents in Brunswick and Portland report being more reticent to request a repair to their unit in fear that their landlord will raise their rent or evict them. These residents, along with South Portland residents, also report that their landlord refuses to make repairs despite their requests at a higher rate than the county.
- Brunswick and Windham residents report living in housing that is too small for their families.
- Brunswick and South Portland residents are more likely to report experiencing bed bugs/insects or rodent infestation in their home.
- Over 1 in 5 Brunswick survey respondents report that their home or apartment is in bad condition.
- South Portland residents are more likely to report living too close to environmental hazards, such as polluting factories or waste treatment facilities.
- Residents in Portland and South Portland are more likely to report that they don't feel safe in their neighborhood or building.
- South Portland and Westbrook respondents expressed the greatest need for assistance in taking care of themselves or their home.
- Scarborough and South Portland residents are more likely to report being bullied or harassed by their landlord or other tenants.

Figure II-6a.
Top 10 Housing Challenges Experienced by Jurisdiction

25% Above County average

25% Below County average

Housing or Neighborhood Condition	County	Brunswick	Cape Elizabeth	Portland	Scarborough	South Portland	Westbrook	Windham
Valid cases	735	30	46	311	26	90	47	56
My home/apartment is in bad condition	13%	23%	11%	15%	12%	13%	13%	4%
My house or apartment isn't big enough for my family members	12%	17%	7%	15%	12%	11%	6%	16%
I worry that if I request a repair it will result in a rent increase or eviction	12%	20%	9%	16%	0%	12%	11%	5%
My landlord refuses to make repairs despite my requests	7%	13%	4%	9%	0%	11%	6%	2%
I need help taking care of myself/my home and can't find or afford to hire someone	7%	7%	7%	6%	4%	9%	9%	2%
I live too far from family/friends/my community	5%	17%	4%	3%	4%	4%	4%	11%
I don't feel safe in my building/ neighborhood	4%	3%	2%	6%	0%	6%	2%	0%
I have bed bugs/insects or rodent infestation	4%	10%	2%	4%	0%	8%	4%	2%
I am too close to environmental hazards (polluting factories, waste treatment)	4%	3%	2%	3%	0%	14%	0%	0%
I/my family is bullied or harassed by my landlord or other tenants	3%	3%	2%	3%	4%	4%	2%	2%
None of the above	63%	47%	72%	59%	81%	58%	68%	73%

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey.

The following sections and figures show more in-depth responses for housing and neighborhood challenges by:

- Housing affordability challenges only; and
- Neighborhood challenges only.

Housing affordability challenges. As shown in Figure II-6b, respondents in South Portland, Westbrook, Brunswick, and Windham experience affordability challenges at a higher rate than the county overall. Conversely, Cape Elizabeth and Scarborough respondents experience affordability challenges at a lower rate than the county.

The most significant geographic variations occur in:

- South Portland and Westbrook respondents experience most affordability challenges at a greater rate than the county overall. Respondents in both jurisdictions are more likely than the average county respondent to have bad credit or a history of eviction/foreclosure impact their ability to find a place to rent. Accordingly, these respondents are almost twice as likely to be late on their rent payments.
- Cape Elizabeth respondents are more than twice as likely than the average county respondent to be late paying their property taxes. South Portland respondents also report being more likely to be late paying their property taxes.
- Westbrook respondents are almost twice as likely to be delinquent paying utility bills.
- Westbrook, South Portland, and Portland respondents are most likely to be late on their rent payments.
- In addition to South Portland and Westbrook, Brunswick respondents are more than twice as likely to have bad credit or history of eviction/foreclosure impacting their ability to rent. Windham respondents also report this challenge at a higher rate than the county.
- Windham and Brunswick respondents are more likely to be late on their mortgage payments.

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Figure II-6b.
Top 5 Affordability Challenges Experienced by Jurisdiction

25% Above County average

25% Below County average

Affordability Challenges	County	Brunswick	Cape Elizabeth	Portland	Scarborough	South Portland	Westbrook	Windham
Valid cases	725	31	47	306	25	87	47	55
I can't keep up with my utilities	12%	6%	6%	12%	0%	13%	21%	15%
I can't keep up with my property taxes	6%	6%	13%	6%	0%	8%	2%	2%
I'm often late on my rent payments	5%	3%	0%	7%	0%	8%	9%	5%
I have bad credit/history of evictions/foreclosure and cannot find a place to rent	4%	10%	0%	4%	4%	6%	6%	7%
I'm often late on my mortgage payments	2%	3%	0%	1%	0%	2%	2%	5%
None of the above	77%	74%	83%	77%	92%	77%	72%	75%

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey.

Neighborhood challenges. As shown in Figure II-6c, respondents in Windham experience neighborhood challenges at a higher rate than the county. Westbrook, Portland, and South Portland experience neighborhood challenges at a lower rate than the county.

Cape Elizabeth and Scarborough respondents report divergent experiences related to neighborhood challenges: Respondents identified more challenges around neighborhood infrastructure and access to transit but fewer challenges around school quality, access to healthy food and job opportunities.

There are a handful of jurisdictions who experience specific neighborhood challenges at a disproportionate rate compared to the county.

- For instance, Scarborough and Windham respondents experience neighborhood infrastructure issues (e.g., bad sidewalks, no lighting) more acutely than county residents overall.
- Scarborough respondents are more than twice as likely to report that they can't access public transit easily or safely compared to the average county resident. Windham, Cape Elizabeth, and Brunswick respondents are also more likely to report transit access challenges in their neighborhoods.
- Brunswick and Windham respondents were more likely to report that they lived too far from work and there are not enough job opportunities in their areas.

Figure II-6c.
Top 5 Neighborhood Challenges Experienced by Jurisdiction

25% Above County average

25% Below County average

Neighborhood Challenges	County	Brunswick	Cape Elizabeth	Portland	Scarborough	South Portland	Westbrook	Windham
Valid cases	713	31	46	299	24	85	47	55
My neighborhood does not have good sidewalks, walking areas, and/or lighting	27%	32%	24%	25%	38%	20%	23%	35%
I can't get to public transit/bus easily or safely	16%	23%	24%	9%	33%	15%	6%	25%
I live too far from work/there are not enough job opportunities in the area	8%	13%	2%	4%	4%	7%	4%	11%
There are no or few grocery stores/healthy food stores in the area	8%	3%	2%	10%	0%	7%	2%	5%
Schools in my neighborhood are poor quality	5%	0%	0%	5%	0%	2%	6%	5%
None of the above	58%	55%	63%	64%	38%	64%	66%	49%

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey.

Transportation access. Nearly 90% of respondents indicated the type of transportation used most often is driving a personal vehicle (89%). This share was relatively similar across the majority of jurisdictions and was the number one type of transportation used across all jurisdictions and demographic characteristics.

The groups with the lowest proportion of those who primarily drive included African American (40%), households making less than $25,000 (53%), single parents (57%), and precariously housed (57%) respondents.

As shown in Figure II-7, on average respondents are fairly satisfied with their transportation situation. Those groups with the highest proportion of respondents somewhat or not at all satisfied with their transportation options include Brunswick (52%), Hispanic (42%), Other Race (38%), Precariously housed (34%), Asian, households making less than $25,000, large households, and households with a member experiencing a disability (33%), and African American respondents (31%),

Figure II-7. Are you satisfied with your current transportation options?

Source:

Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey.

	Entirely satisfied	Mostly satisfied	Somewhat unsatisfied	Not at all satisfied	n
Jurisdiction					
County	34%	40%	19%	7%	633
Brunswick	22%	26%	41%	11%	27
Cape Elizabeth	36%	48%	17%	0%	42
Portland	31%	42%	19%	7%	277
Scarborough	38%	54%	0%	8%	24
South Portland	38%	37%	14%	11%	76
Westbrook	50%	33%	14%	2%	42
Windham	41%	39%	15%	5%	41
Race/Ethnicity					
African American	43%	26%	9%	22%	23
Asian	13%	53%	13%	20%	15
Hispanic	11%	47%	26%	16%	19
Other Race	31%	31%	19%	19%	16
Non-Hispanic White	35%	41%	19%	5%	555
Tenure					
Homeowner	38%	39%	19%	3%	318
Renter	30%	43%	19%	8%	261
Precariously Housed	28%	38%	17%	17%	47
Income					
Less than $25,000	26%	40%	18%	15%	84
$25,000-$49,999	32%	41%	20%	7%	153
$50,000-$99,999	31%	42%	20%	6%	191
Above $100,000	39%	40%	18%	3%	163
Household Characteristics					
Children under 18	38%	37%	16%	9%	177
Large Households	42%	24%	12%	21%	33
Single Parent	36%	36%	14%	14%	42
Disability	25%	42%	24%	9%	188
Older Adults (age 65+)	38%	41%	15%	5%	146

Differences in needs by race and ethnicity and housing tenure. As shown in Figure II-8a, and compared to the county overall:

- Respondents of color, as well as renters and those who are precariously housed experience several housing challenges at a higher rate than the county overall.
- Conversely, non-Hispanic White residents and homeowners are less likely to experience housing challenges.

Specifically,

- African American/Black residents are more than twice as likely to live in a house or apartment that isn't big enough for their family compared to county residents overall. Hispanic, Asian, and renter respondents are also more likely to experience this challenge.
- Asian, Hispanic, Other Race, Renter, and Precariously Housed households are more likely to report that their home or apartment is in bad condition.
- African American, Hispanic, and Other Race, respondents are more likely to report that their landlord refuses to make repairs despite their requests.
- Other Race respondents are almost three times more likely to need help taking care of themselves and their homes; Asian and African American respondents also experience this challenge at a higher rate than the county overall. The proportion of Other Race respondents older than 65 (38%) is higher than the county overall (24%). Additionally, Other Race, Asian, and African American respondents are more likely to experience a disability compared to the average county respondent.
- Hispanic respondents are more than four times as likely to live far away from their family and friends; African American and Other race respondents also disproportionately experience this challenge.
- African Americans are more three times as likely than the average county respondent to report that they don't feel safe in their building or neighborhood; Hispanic respondents are almost more than three times as likely to report this challenge. Both Renter and Precariously Housed respondents also experience this challenge.
- Other Race, African American, and Precariously Housed respondents experience bed bugs, insects, or rodent infestation at greater rates than the county overall. Asian and Renter households are also disproportionately impacted by this challenge.
- When compared to the county proportion overall, Hispanic (five times as likely), Asian and Other Race (more than four times as likely), and African American (three times as likely) respondents are more likely to report that they or their family were bullied or harassed by their landlord or other tenants.
- Other Race respondents are more likely to report living too close to environmental hazards, such as polluting factories or waste treatment facilities, than the average county respondent.

Figure II-8a.
Top 10 Housing Challenges Experienced by Race/Ethnicity and Tenure

25% Above County average

25% Below County average

Housing or Neighborhood Condition	County	African American	Asian	Hispanic	Other Race	Non-Hispanic White	Homeowner	Renter	Precariously Housed
Valid cases	735	23	16	19	16	544	373	293	59
My home/apartment is in bad condition	13%	13%	25%	26%	31%	12%	6%	19%	20%
My house or apartment isn't big enough for my family members	12%	30%	19%	26%	13%	10%	7%	17%	12%
I worry that if I request a repair it will result in a rent increase or eviction	12%	9%	6%	5%	13%	13%	0%	28%	5%
My landlord refuses to make repairs despite my requests	7%	13%	6%	16%	13%	7%	1%	15%	3%
I need help taking care of myself/my home and can't find or afford to hire someone	7%	9%	13%	5%	19%	7%	6%	6%	8%
I live too far from family/friends/my community	5%	13%	6%	21%	13%	5%	5%	6%	7%
I don't feel safe in my building/ neighborhood	4%	13%	0%	11%	0%	4%	1%	7%	7%
I have bed bugs/insects or rodent infestation	4%	9%	6%	5%	13%	3%	1%	6%	8%
I am too close to environmental hazards (polluting factories, waste treatment)	4%	0%	0%	5%	6%	4%	3%	4%	2%
I/my family is bullied or harassed by my landlord or other tenants	3%	9%	13%	16%	13%	3%	1%	5%	3%
None of the above	63%	52%	56%	42%	56%	64%	78%	46%	64%

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey.

The above trends are similar for the **most acute housing affordability challenges**. As shown in Figure II-8b, Other Race, African American and Asian households, as well as renters, experience affordability challenges at a higher rate than the county overall. Non-Hispanic White residents and homeowners experience these same challenges at a lower rate than the county.

- Other Race residents experience all five affordability challenges at a greater rate than the county overall.
- Other Race respondents are more than three times as likely than the average county respondent to be late paying their utility bills. Asian respondents are almost three times as likely to experience this challenge.
- African American, Other Race, and Asian Households are more than twice as likely than the average county respondent to be unable to pay their property taxes on time. Hispanic and homeowner respondents are also disproportionately impacted by this challenge.
- Other Race, African American, and Renter households are more likely to be late on their rent payments.
- Every category by race/ethnicity and tenure, with the exception of Hispanic and Homeowner respondents, reported bad credit or history of eviction/foreclosure impacting their ability to rent at a higher rate than the county overall. Precariously Housed respondents were more than five times as likely to experience this challenge, while Asian respondents were more than four times as likely.
- Other Race respondents are more than six times as likely to be late paying their mortgage compared with the average county respondent. Hispanic and Homeowner respondents are also disproportionately impacted by this challenge.

Figure II-8b.
Top 5 Affordability Challenges Experienced by Race/Ethnicity and Tenure

25% Above County average

25% Below County average

Affordability Challenges	County	African American	Asian	Hispanic	Other Race	Non-Hispanic White	Homeowner	Renter	Precariously Housed
Valid cases	725	23	16	18	16	547	373	285	59
I can't keep up with my utilities	12%	13%	31%	11%	38%	12%	8%	17%	17%
I can't keep up with my property taxes	6%	17%	13%	11%	13%	6%	10%	1%	5%
I'm often late on my rent payments	5%	13%	6%	0%	19%	4%	0%	11%	5%
I have bad credit/history of evictions/foreclosure and cannot find a place to rent	4%	9%	19%	0%	13%	5%	0%	6%	22%
I'm often late on my mortgage payments	2%	0%	0%	6%	13%	2%	3%	1%	0%
None of the above	77%	70%	56%	67%	44%	79%	84%	72%	61%

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey.

As shown in Figure II-8c, respondents of color, as well as Precariously Housed respondents, face neighborhood challenges at a higher rate than the county. All of the aforementioned respondents are more likely to live in neighborhoods with fewer job opportunities and poorer quality schools than the average county respondent. Except for African American and Precariously Housed respondents, all respondents experience transit access challenges in their neighborhood more acutely than county residents overall.

Hispanic residents are more than three times as likely to not have access to grocery stores or healthy food in their neighborhoods when compared to the average county respondent. African American and Other Race respondents are also disproportionately impacted by this challenge.

Additionally, Other Race and Asian respondents are more likely to live in neighborhoods with poor infrastructure (e.g., bad sidewalks, no lighting).

Figure II-8c.
Top 5 Neighborhood Challenges Experienced by Race/Ethnicity and Tenure

25% Above County average

25% Below County average

Neighborhood Challenges	County	African American	Asian	Hispanic	Other Race	Non-Hispanic White	Homeowner	Renter	Precariously Housed
Valid cases	713	21	15	18	15	543	370	281	54
My neighborhood does not have good sidewalks, walking areas, and/or lighting	27%	29%	40%	33%	47%	28%	31%	24%	22%
I can't get to public transit/bus easily or safely	16%	10%	27%	39%	33%	16%	18%	13%	17%
I live too far from work/there are not enough job opportunities in the area	8%	14%	20%	28%	13%	7%	6%	7%	20%
There are no or few grocery stores/healthy food stores in the area	8%	14%	7%	22%	13%	8%	6%	9%	6%
Schools in my neighborhood are poor quality	5%	14%	13%	22%	7%	4%	5%	3%	9%
None of the above	58%	57%	33%	28%	40%	58%	58%	61%	50%

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey.

Differences in needs by household status. As shown in Figure II-9a, single parents, households making less than $25,000, households with a member experiencing a disability, and large households are more likely to experience housing challenges. Conversely, households making more than $100,000 and respondents older than 65 experience nearly all specified housing challenges at a lower rate than the county.

Single parents, households with a member experiencing a disability, and households making less than $25,000 disproportionately experience nearly every housing challenge at a greater rate than the county overall.

These households are more likely to experience the following challenges:

- My house or apartment is in bad condition;
- My landlord refuses to make repairs despite my request;
- I need help taking care of myself/my home and can't find or afford to hire someone;
- I live too far from family/friends/my community; and
- I/my family is bullied or harassed by my landlord or other tenants.

Single parents, large households, households with children under 18, and households with a member experiencing a disability are most likely to report that their house or apartment is too small for their family members. Additionally, single parent respondents and households that make less than $25,000 are more likely to report having bed bugs, insects or rodent infestation.

Households with a member experiencing a disability are more than three times as likely to experience landlords refusing their requests to make repairs and twice as likely to live further away from family/friends/community and not be able to find or afford someone to help take care of themselves or their homes.

Figure II-9a.
Top 10 Housing Challenges Experienced by Income and Household Characteristics

25% Above County average

25% Below County average

Housing or Neighborhood Condition	County	Less than $25,000	$25,000-$49,999	$50,000-$99,999	Above $100,000	Children under 18	Large Households	Single Parent	Disability	Adults (age 65+)
Valid cases	735	85	151	183	162	173	33	41	193	142
My home/apartment is in bad condition	13%	21%	15%	15%	6%	14%	12%	24%	17%	8%
My house or apartment isn't big enough for my family members	12%	14%	13%	15%	7%	21%	30%	34%	17%	5%
I worry that if I request a repair it will result in a rent increase or eviction	12%	13%	19%	17%	4%	10%	6%	24%	16%	4%
My landlord refuses to make repairs despite my requests	7%	12%	9%	10%	2%	9%	9%	22%	10%	1%
I need help taking care of myself/my home and can't find or afford to hire someone	7%	19%	7%	6%	4%	7%	9%	12%	15%	8%
I live too far from family/friends/my community	5%	12%	3%	5%	3%	6%	12%	10%	8%	2%
I don't feel safe in my building/ neighborhood	4%	9%	5%	3%	1%	2%	3%	5%	6%	4%
I have bed bugs/insects or rodent infestation	4%	13%	3%	3%	0%	6%	9%	15%	5%	1%
I am too close to environmental hazards (polluting factories, waste treatment)	4%	4%	5%	5%	1%	2%	0%	5%	5%	4%
I/my family is bullied or harassed by my landlord or other tenants	3%	7%	6%	2%	1%	3%	0%	5%	6%	2%
None of the above	63%	44%	53%	58%	81%	61%	48%	39%	49%	73%

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey.

As shown in Figure II-9b, households making less than $50,000, as well as households with a member experiencing a disability and single parents, disproportionately experience affordability challenges at a higher rate than the county overall. Households making more than $100,000 and adults over the age of 65 are less likely to experience affordability challenges.

Of households experiencing major affordability issues, **single parent households are most acutely impacted.** These households are nearly three times as likely to be late paying their utility bills and more than twice as likely to be late on their mortgage payments and have bad credit or a history of eviction/foreclosure impacting their ability to rent. Single parent households are also twice as likely to have trouble paying their rent.

Overall, the greatest affordability challenge experienced by county residents was paying their utility bills on time. Households making less than $50,000, households with a member experiencing a disability, large households, and households with children under 18 report having the greatest difficulty keeping up with their utility bills.

Figure II-9b.
Top 5 Affordability Challenges Experienced by Income and Household Characteristics

25% Above County average

25% Below County average

Affordability Challenges	County	Less than $25,000	$25,000-$49,999	$50,000-$99,999	Above $100,000	Children under 18	Large Households	Single Parent	Disability	Adults (age 65+)
Valid cases	725	84	152	184	164	175	31	42	193	146
I can't keep up with my utilities	12%	30%	19%	11%	1%	17%	23%	33%	20%	5%
I can't keep up with my property taxes	6%	11%	5%	8%	4%	6%	13%	10%	7%	10%
I'm often late on my rent payments	5%	10%	9%	4%	0%	6%	10%	10%	7%	1%
I have bad credit/history of evictions/foreclosure and cannot find a place to rent	4%	18%	8%	2%	0%	3%	3%	10%	10%	1%
I'm often late on my mortgage payments	2%	2%	3%	2%	1%	2%	0%	5%	3%	2%
None of the above	77%	48%	68%	80%	95%	75%	65%	48%	65%	84%

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey.

As shown in Figure II-9c, large households and households making less than $25,000 are more likely to experience neighborhood challenges. These households, along with single parents, are most likely to report that they live too far from work and there are not enough job opportunities in their area.

Additionally, large households, households with children under 18, single parents, and households making less than $25,000 are more likely to live in neighborhoods with poorer quality schools. Large households and households with a member experiencing a disability are more likely to report issues with neighborhood infrastructure (e.g., bad sidewalks, poor lighting), and households making less than $25,000 are also more likely to live in neighborhoods with poor access to transit.

Figure II-9c.
Top 5 Neighborhood Challenges Experienced by Income and Household Characteristics

25% Above County average

25% Below County average

Neighborhood Challenges	County	Less than $25,000	$25,000-$49,999	$50,000-$99,999	Above $100,000	Children under 18	Large Households	Single Parent	Disability	Adults (age 65+)
Valid cases	713	82	148	182	164	173	32	39	188	143
My neighborhood does not have good sidewalks, walking areas, and/or lighting	27%	33%	22%	31%	30%	32%	47%	18%	37%	28%
I can't get to public transit/bus easily or safely	16%	21%	15%	16%	18%	18%	16%	10%	19%	19%
I live too far from work/there are not enough job opportunities in the area	8%	15%	10%	9%	4%	9%	13%	18%	5%	6%
There are no or few grocery stores/healthy food stores in the area	8%	10%	10%	7%	6%	8%	13%	0%	9%	6%
Schools in my neighborhood are poor quality	5%	7%	4%	5%	5%	10%	13%	8%	6%	3%
None of the above	58%	54%	60%	53%	58%	53%	44%	59%	52%	58%

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey.

Experience Finding Housing

This section explores residents' experience seeking a place to rent or buy in the county and the extent to which displacement—having to move when they do not want to move—is prevalent. For those respondents who seriously looked for housing in the past five years, this section also examines the extent to which respondents were denied housing to rent or buy and the reasons why they were denied.

Recent experience seeking housing to rent. Figure II-10 presents the proportion of respondents who seriously looked to rent housing for the county, jurisdictions, and selected respondent characteristics, as well as the reasons they were unable to find housing.

Two thirds of county respondents (67%) have seriously looked for housing in the past five years. The **most commonly reported impediments to housing choice** included:

- Landlord not returning the respondent's call (66%),
- Other (42%). Common responses included:
    - Increase in rental prices;
    - Administrative barriers to accessing housing (e.g. credit check, income requirements);
    - Landlords aren't renting to tenants with housing vouchers and waitlists for subsidized housing are long; and
    - Landlords don't allow pets or charge significant fees.
- Landlord told me the unit was available over the phone but when I showed up in person, it was no longer available (33%).

Jurisdictions with the highest percentage of respondents who seriously looked for housing include Westbrook (77%), Brunswick (74%), and Portland (72%). All three jurisdictions reported that *landlord not returning the respondent's call* was one of their main reasons for not being able to access housing. Nearly half (44%) of Portland respondents that seriously looked for housing also cited that *landlord told me the unit was available over the phone but when I showed up in person, it was no longer available.* Other common reasons for denial articulated by respondents included:

- Rental prices have increased, and available rental listings have decreased, incentivizing landlords to ask more of the potential tenants. One stakeholder noted that "too much money [is] demanded upfront…and the required credit check is biased against immigrants."
- Landlords are no longer accepting housing vouchers. One stakeholder said "I can't apply [to rental listings] because landlords do not accept GA [General Assistance] vouchers." *[Note: The State of Maine includes receipt of public assistance as a protected class from housing*

discrimination. This comment indicates that landlords are out of compliance or are unaware of fair housing laws and rules.]

- Landlords do not allow pets in their units. One stakeholder said that "many landlords will not rent to non-service animal pets, forcing me to choose places to live that are in poor condition or are unfairly priced."

Among respondents by race/ethnicity, Other Race, Hispanic, and Asian respondents reported the highest proportions of those who had seriously looked for housing in the past five years while the lowest percentage of respondents who reported seriously looking for housing were African American (61%) and non-Hispanic White (66%). The main impediment to housing experienced by Hispanic residents was the *landlord told me the unit was available over the phone but when I showed up in person, it was no longer available* (57%). For Asian respondents, the *landlord did not return calls and/or emails asking about a unit* was the main impediment to accessing housing (86%). Sixty percent of Other Race respondents reported both reasons for being denied housing.

Among respondents by tenure, renters (85%) and those precariously housed (81%) reported the highest rates of seriously looking for housing.

Among respondents by income, households making less than $25,000 (79%) had the highest rate. The main reason for denial reported by these households was *landlord did not return calls and/or emails asking about a unit* (64%). Other reasons articulated by this population include:

- *"Landlords refuse to accept Section 8 vouchers or want more than what the Section 8 program can pay landlords."*
- *"Difficulty finding apartments with specific accommodations."*
- *"Racial bias."*
- *"Could not pass stringent background checks."*

Single parents (86%) and households with a member experiencing a disability (71%) also reported the highest percentage of those who seriously looked for housing in the past five years among resident groups by selected household characteristics. Of households with a member experiencing a disability, 65% of those households reported that the main impediment to housing was *landlord did not return calls and/or emails asking about a unit.* Forty seven percent of single mothers chose "Other" as a main reason for not accessing housing. Of those "other" responses, the most common response was the landlord not accepting Section 8 vouchers.

Figure II-10. If you looked seriously for housing to rent in Cumberland County in the past five years, were you ever denied housing?

		Reason for Denial						
	Overall Percent Seriously Looked for Housing	Landlord did not return calls and/or emails asking about a unit	Landlord said unit was available over phone, but when I showed up in person, it was no longer available	Landlord told me it would cost me more for my service or emotional animal	Landlord told me they don't rent to families with children	Landlord told me they couldn't accommodate my disability needs	Other	n
Jurisdiction								
County	**67%**	66%	33%				42%	166
Brunswick	**74%**	70%					60%	10
Cape Elizabeth	**49%**	25%	25%			25%	75%	4
Portland	**71%**	73%	44%				37%	48
Scarborough	**52%**	50%	25%				75%	4
South Portland	**69%**	73%	32%	23%			23%	22
Westbrook	**77%**	67%					56%	9
Windham	**63%**	50%					50%	10
Race/Ethnicity								
African American	**61%**	43%	43%				43%	7
Asian	**81%**	86%	57%				43%	7
Hispanic	**84%**	43%	57%		29%		29%	7
Other Race	**88%**	60%	60%					5
Non-Hispanic White	**66%**	66%	31%				44%	128
Tenure								
Homeowner	**51%**	43%					57%	14
Renter	**85%**	70%	32%				41%	122
Precariously Housed	**81%**	58%	38%				46%	26
Income								
Less than $25,000	**79%**	64%	38%				49%	45
$25,000-$49,999	**66%**	62%	31%				44%	52
$50,000-$99,999	**73%**	74%	32%				32%	38
Above $100,000	**60%**	80%	50%				30%	10
Household Characteristics								
Children under 18	**67%**	42%	48%				48%	33
Large Households	**64%**	43%	43%				71%	7
Single Parent	**86%**	37%	42%				47%	19
Disability	**71%**	65%	38%				41%	66
Older Adults (age 65+)	**44%**	19%	19%				81%	16

Note: The "Percent Seriously Looked for Housing" column includes all respondents, not just those who indicated they rent. Blank fields indicate there were not enough responses to report data.

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey.

Recent experience seeking housing to buy. Figure II-11 presents the proportion of respondents who seriously looked to buy housing in the county, by jurisdiction, and selected respondent characteristics, as well as the reasons for denial. As noted above, 67% of county respondents have seriously looked for housing in the past five years.

The most common reasons for denial included:

- Other (44%). Common responses included:
    - **Low housing inventory that doesn't meet a diversity of household needs.** One stakeholder succinctly captured many responses, noting that "nothing is available." Another stakeholder shared "I could not find housing that was suitable for my accessibility needs."
    - **Real estate market is too expensive.** One stakeholder commented that "homes are so expensive…I can't afford to live within a three hour commute to work." Another stakeholder said "I could not afford a home in Cumberland County."
    - **Poor physical condition of existing housing stock.** One stakeholder said that "[we were shown] neglected and cheaply built dwellings that I had never experienced before."
- Real estate agent told me I would need to show I was prequalified with a bank (34%); and
- A bank would not give me a loan to buy a home (18%).

For the jurisdictions with the highest percentage of respondents who seriously looked for housing, the main reasons for denial articulated by Brunswick residents included *Bank or other lender would not give me a loan to buy a home*, *Bank or other lender charged me a high interest rate on my home loan*, and *Other*. For those that chose *Other,* they reported that there were no affordable homes for sale. For Portland respondents, the most common reasons for denial were *Other* (44%) and *Real estate agent told me I would need to show that I was prequalified with a bank* (40%). For both Portland and Westbrook residents that chose *Other*, the most common reasons for denial included no affordable homes for sale and not enough housing inventory. Westbrook respondents also pointed to prequalification as a main reason for denial.

For Other Race and Asian respondents, the main reason for denial was *Bank or other lender would not give me a loan to buy a home* (57% and 50%, respectively). Fifty percent of Hispanic respondents articulated that *Real estate agent told me I would need to show that I was prequalified with a bank* was the main reason for denial when looking to buy a home—significantly higher than other races/ethnicities.

Among respondents by income, the main reasons for denial for households making less than $25,000 were *Other* (53%) *and Bank or other lender would not give me a loan to buy a home* (35%). The most common *Other* responses include price of available inventory is too high and limited amount of homes for sale.

Single parents selected *Other* (50%) and *Bank or other lender would not give me a loan to buy a home* (33%) as their top two reasons for denial. Households with a member experiencing a disability reported *Other* (36%) and *Real estate agent told me I would need to show that I was prequalified with a bank* (34%).

Figure II-11. If you looked seriously for housing to buy in Cumberland County in the past five years, were you ever denied housing?

	Percent Seriously Looked for Housing	Reason for Denial						n
		The real estate agent told me I would need to show I was prequalified with a bank	A bank or other lender would not give me a loan to buy a home	The real estate agent would not make a disability accommodation when I asked	Only showed homes in neighborhoods where most people were same race/ethnicity	A bank or other lender charged me a high interest rate on my home loan	Other	
Jurisdiction								
County	**67%**	34%	18%				44%	131
Brunswick	**74%**		29%			29%	29%	7
Cape Elizabeth	**49%**		14%	14%	14%		57%	7
Portland	**71%**	40%	10%		10%		44%	48
Scarborough	**52%**		50%		50%		50%	2
South Portland	**69%**	40%	13%			13%	53%	15
Westbrook	**77%**	31%	15%		15%		62%	13
Windham	**63%**	30%	30%				40%	10
Race/Ethnicity								
African American	**61%**	20%	20%				60%	5
Asian	**81%**	25%	50%				25%	4
Hispanic	**84%**	50%	25%			25%	25%	4
Other Race	**88%**	29%	57%				43%	7
Non-Hispanic White	**66%**	32%	16%				46%	102
Tenure								
Homeowner	**51%**	34%					47%	68
Renter	**85%**	34%	19%				40%	47
Precariously Housed	**81%**	36%	29%				43%	14
Income								
Less than $25,000	**79%**	18%	35%				53%	17
$25,000-$49,999	**66%**	32%	23%				45%	22
$50,000-$99,999	**73%**	36%	18%			18%	39%	44
Above $100,000	**60%**	40%					47%	30
Household Characteristics								
Children under 18	**67%**	36%	24%				36%	33
Large Households	**64%**	33%	50%		17%		17%	6
Single Parent	**86%**	17%	33%				50%	12
Disability	**71%**	34%	23%				36%	47
Older Adults (age 65+)	**44%**	13%	13%				65%	23

Note: The "Percent Seriously Looked for Housing" column includes all respondents, not just those who indicated they buy. Blank fields indicate there were not enough responses to report data.

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey.

Denied housing to rent or buy. Figure II-12 presents the proportion of those who looked and were denied housing to rent or buy for the county, jurisdictions, and selected respondent characteristics, as well as reason for denial. As shown, nearly 30% of county respondents who looked for housing experienced denial of housing. Respondents of color, households with income below $25,000, single parents and households with a member experiencing a disability have denial rates of 43% or higher. Households making less than $25,000 (54%) and single parent (53%) respondents report the highest rates of denial.

Among the reasons for denial:

- ***Income too low* was a major reason for denial for all groups** except Brunswick and Cape Elizabeth.

- Another top denial reason among the majority of groups is *bad credit*. Groups with denial rates of 40% or higher for this specific issue include Brunswick and Westbrook respondents, precariously housed respondents, households making less than $25,000, large households, and households with a member experiencing a disability.

- *Other renter/applicant willing to pay more for rent* was also a common reason of denial for most groups. The impacts are higher for Asian respondents, households making more than $100,000, and Brunswick and Cape Elizabeth respondents.

- Several groups also indicated *Other* as a reason for being denied housing to rent or buy. The most common responses included being outbid when attempting to buy a home and having a pet that was not an emotional support animal. Another stakeholder noted that a landlord had offered them the home and to confirm the next morning. When they called, they were told that the landlord chose someone else. This respondent noted that they were LGBTQ and "…could have been denied due to that without being told so. There is no way to prove that."

Figure II-12. If you looked seriously for housing to rent or buy in Cumberland County in the past five years, were you ever denied housing?

	Percent Denied Housing	Total n	Reason for Denial													
			Bad Credit	Eviction history	Income too low	Too many people in my household	Other renter/ applicant willing to pay more for rent	I have Section 8/Housing Choice Voucher	Needed a disability accommodation	Landlord didn't accept the type of income I earn (social security or disability)	Lack of stable housing record	Real or perceived sexual orientation or gender identity	My race/ ethnicity	I have a service animal/ emotional support animal	Other	n
Jurisdiction																
County	**28%**	475	30%		41%		34%								26%	129
Brunswick	**27%**	22	50%				50%									6
Cape Elizabeth	**14%**	22					67%			67%						3
Portland	**28%**	214	31%		42%		41%									59
Scarborough	**15%**	13			50%				50%				50%		100%	2
South Portland	**32%**	57	33%		28%		28%								39%	18
Westbrook	**31%**	36	55%		73%		45%									11
Windham	**16%**	32			60%		40%								20%	5
Race/Ethnicity																
African American	**43%**	14			33%					33%	33%				33%	6
Asian	**46%**	13			67%		50%						33%		33%	6
Hispanic	**44%**	16			29%	29%				29%	29%	29%				7
Other Race	**50%**	14			29%		43%							29%		7
Non-Hispanic White	**26%**	371	33%		41%		34%									96
Tenure																
Homeowner	**13%**	186	25%		33%		21%								29%	24
Renter	**36%**	238	29%		41%		36%								26%	85
Precariously Housed	**34%**	44	47%		53%		40%									15
Income																
Less than $25,000	**54%**	67	47%		56%			31%								36
$25,000-$49,999	**29%**	102	27%		40%		27%									30
$50,000-$99,999	**27%**	139	24%		34%		47%								26%	38
Above $100,000	**11%**	99			20%		50%								50%	10
Household Characteristics																
Children under 18	**34%**	119	33%		40%		20%								20	40
Large Households	**38%**	21	50%		38%											8
Single Parent	**53%**	36	37%		47%			26%								19
Disability	**44%**	139	42%		38%		32%									60
Older Adults (age 65+)	**17%**	65	18%		18%		27%								36%	11

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey. Blank fields indicate there were not enough responses to report data.

Experience using housing vouchers. Survey respondents said it is "difficult" or "very difficult" for 90% of voucher holders to find a landlord that accepts a housing voucher.

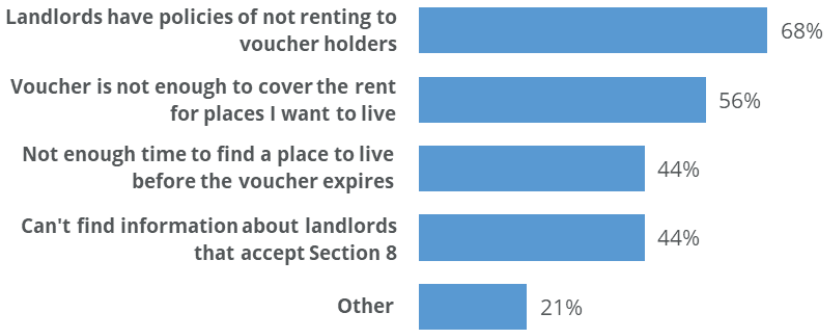
As shown in Figure II-13, this is related to the lack of supply (lack of landlords who are willing to rent to voucher holders) and the amount of the voucher and current rents. Over two thirds of voucher holders (68%) indicated that *landlords have policies of not renting to voucher holders* and over half of voucher holders (56%) who experienced difficulty indicated the *voucher is not enough to cover the rent for places I want to live.*

Almost half of voucher holders (44%) who experienced difficulty indicated there is *not enough time to find a place to live before the voucher expires* and *can't find information about landlords that accept Section 8.* Twenty one percent of voucher holders who experienced difficulty indicated *Other.* The most common responses reiterated some of the reasons already mentioned by respondents. For example, respondents noted the lack of affordable and adequate rentals available to voucher holders, as well as the voucher is not enough to cover rent, as well as other required costs. One stakeholder noted that "most landlords also want last month's rent and a security deposit."

Among respondents by race/ethnicity, Hispanic respondents had the greatest proportion of those with a housing choice voucher (32%). Of those respondents, 83% found it somewhat difficult to find a landlord that accepts a housing voucher. For Hispanic respondents who found it difficult to use the voucher, 60% attributed that difficulty to the *voucher is not enough to cover the rent for places I want to live.* Non-Hispanic White respondents had the lowest rate of voucher holders among groups by race/ethnicity (5%).

Other groups of respondents with higher proportions of voucher utilization include households making less than $25,000 (29%), single parent households (19%), and households with a member experiencing a disability (15%). For each of these groups, more than 85% of their respective respondents reported difficulty in utilizing the housing choice voucher. *Landlords have policies of not renting to voucher holders* was one of the main reasons cited for not using the voucher.

Figure II-13. Why is it difficult to use a housing voucher?



Note: n=34.

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey.

Figure II-14. How difficult is it to find a landlord that accepts a housing voucher?

	Percent with a Housing Voucher	Not difficult	Somewhat difficult	Very difficult	n	Voucher is not enough to cover the rent for places I want to live	Not enough time to find a place to live before the voucher expires	Landlords have policies of not renting to voucher holders	Can't find information about landlords that accept Section 8	Other	n
Jurisdiction											
County	**6%**	10%	32%	59%	41	56%	44%	68%	44%	21%	34
Brunswick	**3%**	0%	0%	100%	1	100%		100%		100%	1
Cape Elizabeth	**4%**	50%	0%	50%	2	100%	100%	100%			1
Portland	**6%**	0%	28%	72%	18	53%	47%	76%	59%	24%	17
Scarborough	**4%**	0%	100%	0%	1	100%	100%	100%	100%		1
South Portland	**5%**	0%	25%	75%	4	50%	25%	100%	25%		4
Westbrook	**13%**	50%	0%	50%	6	33%	33%	33%	33%	33%	3
Windham	**0%**										
Race/Ethnicity											
African American	**17%**	50%	25%	25%	4	50%	50%	50%	50%		2
Asian	**13%**	0%	100%	0%	2	100%	50%	50%			2
Hispanic	**32%**	17%	83%	0%	6	60%	40%	40%			5
Other Race	**13%**	0%	100%	0%	2		50%	50%			2
Non-Hispanic White	**5%**	7%	21%	71%	28	58%	46%	75%	54%	29%	24
Tenure											
Homeowner	**2%**	0%	50%	50%	6	60%	20%	20%			5
Renter	**9%**	11%	25%	64%	28	57%	52%	74%	48%	30%	23
Precariously Housed	**7%**	0%	25%	75%	4	50%	50%	100%	75%		4
Income											
Less than $25,000	**29%**	12%	24%	64%	25	67%	38%	71%	48%	29%	21
$25,000-$49,999	**5%**	13%	38%	50%	8	17%	67%	83%	33%	17%	6
$50,000-$99,999	**2%**	0%	100%	0%	4	75%	25%		25%		4
Above $100,000	**0%**										
Household Characteristics											
Children under 18	**8%**	13%	40%	47%	15	69%	46%	62%	31%	15%	13
Large Households	**9%**	33%	33%	33%	3		50%	50%			2
Single Parent	**19%**	13%	25%	63%	8	71%	29%	71%	29%	29%	7
Disability	**15%**	3%	32%	65%	31	57%	39%	68%	50%	25%	28
Older Adults (age 65+)	**4%**	29%	57%	14%	7	25%	50%	25%	25%		4

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey. Blank fields indicate there were not enough responses to report data.

Experience with Displacement

Figure II-15 presents the proportion of residents who experienced displacement in the past five years, as well as the reason for displacement.

- Overall, 19% of survey respondents experienced displacement in the past five years. Among all survey respondents, the **main reason for displacement was "rent increased more than I could pay"** (29%).
- **Single parents reported the highest rate of displacement among all groups** (41%). The primary reason reported by these respondents were *rent increased more than I could pay* (39%) and *personal/relationship reasons* (28%).
- Among respondents by race/ethnicity, **Other Race and African American respondents reported the highest rates of displacement** (31% and 26%, respectively). The primary reason reported by Other Race respondents for their displacement was *rent increased more than I could pay* (60%). African American respondents also reported that the *landlord was selling the home/apartment* and *poor condition of the property* as reasons for their displacement.
- Respondents who are precariously housed have higher rates of recent displacement than homeowners or renters; this suggests that when displaced from a unit these housing-insecure tenants are more likely to couch surf or experience homelessness for some period of time before securing a new place to live.
- Asian households, as well as homeowners, households that make less than $25,000, and Brunswick and Cape Elizabeth residents are also more likely than other respondents to have been displaced due to the poor condition of the property in which they were living.

For respondents that had experienced displacement, they were asked to identify which city they moved from and which city they moved to. **The most common moves to and from cities included**:

- Moved within Portland (26 respondents)
- Moved within South Portland (5 respondents)
- Moved from Portland to South Portland (4 respondents)
- Moved within Westbrook (4 respondents)

Figure II-15. Displacement Experience and Reasons for Displacement

			Reason for Displacement												
	Percent Displaced	Total n	Rent increased more than I could pay	Personal/ relationship reasons	Landlord was selling the home/ apartment	Landlord wanted to move back in/move in family	Landlord wanted to rent to someone else	Landlord refused to renew my lease	Evicted because I was behind on rent	Health/ medical reasons	Evicted because of apartment rules	Poor condition of property	Property taxes/ other costs of homeownership became unaffordable	Lost job/ hours reduced	n
Jurisdiction															
County	**19%**	699	33%	19%	28%										129
Brunswick	**21%**	29	67%		33%							33%		33%	6
Cape Elizabeth	**9%**	46	50%			25%				25%		25%		25%	4
Portland	**17%**	299	36%	20%	34%										50
Scarborough	**8%**	24	50%					50%							2
South Portland	**23%**	84	32%		26%										19
Westbrook	**23%**	47	27%	27%	27%		36%								11
Windham	**18%**	50	56%		44%										9
Race/Ethnicity															
African American	**26%**	23	40%		40%							40%			5
Asian	**6%**	16	100%	100%	100%							100%			1
Hispanic	**16%**	19				67%					67%				3
Other Race	**31%**	16	60%		40%										5
Non-Hispanic White	**18%**	557	34%	16%	24%										103
Tenure															
Homeowner	**5%**	360	32%									26%	32%		19
Renter	**31%**	278	30%	23%	26%										87
Precariously Housed	**39%**	54	50%		40%										20
Income															
Less than $25,000	**34%**	85	36%		39%							25%			28
$25,000-$49,999	**29%**	154	37%	19%	28%										43
$50,000-$99,999	**17%**	190	32%	21%	24%	21%									34
Above $100,000	**5%**	165	25%			25%	25%						25%		8
Household Characteristics															
Children under 18	**19%**	177	35%	21%	29%		21%								34
Large Households	**24%**	33	29%		43%		29%		29%						7
Single Parent	**41%**	41	39%	28%	22%										18
Disability	**28%**	195	40%	23%	28%										53
Older Adults (age 65+)	**6%**	147											38%		8

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey. Blank fields indicate there were not enough responses to report data.

Children changing schools after displacement. Overall, for households with children that were displaced in the past five years, **15% of children in those households have changed schools.** The most common outcomes reported among these respondents included *they are in a worse school* (35%) and *things are about the same* (35%) (Figure II-16).

Among respondents by race/ethnicity, Other Race respondents (40%) were the only group to report that being displaced resulted in their children being in better schools. Conversely, non-Hispanic White respondents (11%) were the only group to report that being displaced resulted in their children being in worse schools and that their children have fewer activities. African American and Hispanic respondents reported things are about the same for their children.

Among respondents by tenure, homeowner (37%) and precariously housed (14%) households had the highest proportion of children who changed schools. The most common outcome for both homeowners and precariously housed households was that their children were now in a worse school (43% and 67%, respectively). For homeowner households, 29% reported that their children feel less safe at school and have fewer activities.

Among respondents by selected household characteristics, large households (50%), households with children under 18 (40%), single parents (39%), and households making less than $25,000 (28%) reported the highest proportions of children who changed schools. For large households, 50% of these respondents reported that school is more challenging for their children. Fifty seven percent of single parents and 38% of households making less than $25,000 felt that their children were now in a worse school. Thirty eight percent of households with children under 18 reported that things were about the same for their children.

Figure II-16. Children Changing Schools and Outcomes, Displaced Households

	Percent of Children that Changed Schools	Total n	School change outcomes									
			School is less challenging/ they are bored	School is more challenging	They are in a better school	They are in a worse school	They feel less safe at the new school	They feel safer at the new school	They have fewer activities	Things are about the same	Other	n
Jurisdiction												
County	**15%**	131	18%	18%		35%				35%	18%	17
Brunswick	**17%**	6				100%						1
Cape Elizabeth	**n/a**	0										0
Portland	**13%**	52				33%				33%	33%	6
Scarborough	**n/a**	0										0
South Portland	**16%**	19			50%					100%		2
Westbrook	**9%**	11		100%						100%		1
Windham	**22%**	9	50%			100%	50%		50%			2
Race/Ethnicity												
African American	**33%**	6		100%						50%	50%	2
Asian	**n/a**	0										0
Hispanic	**100%**	3								67%		3
Other Race	**40%**	5			50%					100%		2
Non-Hispanic White	**11%**	104		33%		44%			22%	22%	22%	9
Tenure												
Homeowner	**37%**	19				43%	29%		29%			7
Renter	**8%**	88		20%		20%				60%	20%	5
Precariously Housed	**14%**	21	33%	33%		67%					33%	3
Income												
Less than $25,000	**28%**	29				38%						8
$25,000-$49,999	**9%**	44								67%		3
$50,000-$99,999	**12%**	34	33%	33%			33%	33%		33%	33%	3
Above $100,000	**13%**	8								100%		1
Household Characteristics												
Children under 18	**40%**	35				31%				38%		13
Large Households	**50%**	8		50%							50%	4
Single Parent	**39%**	18	29%			57%	29%			29%		7
Disability	**17%**	54								44%		9
Older Adults (age 65+)	**22%**	9		50%	50%					50%	50%	2

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey. Blank fields indicate there were not enough responses to report data.

Experience with Housing Discrimination

Overall, **16% of survey respondents felt they were discriminated against when they looked for housing**.[2] As shown in Figure II-17, Hispanic (42%), Other Race (38%), households making less than $25,000 (35%), precariously housed (34%), Asian (31%), and Brunswick respondents (30%) are most likely to say they experienced housing discrimination. Respondents from Windham and older adults are least likely (5%).

Respondents who believed they experienced discrimination when looking for housing in the county reported when the discrimination occurred. Thirty nine percent of respondents reported that the discrimination they experienced occurred in the past year. Another 39% reported it occurred between 2 and 5 years ago.[3] These responses are evidence that housing discrimination continues to be a fair housing issue in the county, and that most potential violations go unreported.

How discrimination was addressed. Respondents who believed they experienced discrimination when looking for housing in the county were asked to describe the actions they took in response to the discrimination. Overall, the most common responses to discrimination experienced by survey respondents were *Nothing/I wasn't sure what to do* (51%), *Moved/found another place to live* (25%), and *Nothing/I was afraid of being evicted or harassed* (22%).

Among top responses for actions taken in response to experienced discrimination, every group reported *Nothing/I wasn't sure what to do* with the exception of large households. Only a handful of groups, including households of color, older adults, single parents, and households making between $50,000-$99,999, were more likely to contact either a housing authority, local fair housing organization, or the Maine Human Rights Commission to report their discrimination incident.

Respondents were also given the opportunity to select *Other* and provide more information about how their experience with discrimination was addressed. For those who selected *Other,* several respondents noted that they **did not have the bandwidth, energy or resources to take action against the discrimination they faced**. One respondent wrote that they were "too tired to fight it." Another respondent said that "many women experiencing homelessness [do] not have the time or resources to purse action." After pursuing a remedy, one respondent said they were "evicted anyway."

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[2] Note that this question applies to all respondents, not just those who seriously looked for housing in the past five years.

3 Eleven percent of respondents reported that the discrimination they experienced happened more than five years ago while 10% of respondents did not remember when it occurred.

Another stakeholder described that they didn't file a complaint because they couldn't prove that discrimination occurred.

Figure II-17. Percent of respondents who felt they were discriminated against and how it was addressed

	Percent who felt they were discriminated against	In the past year	2 to 5 years ago	More than 5 years ago	Don't remember	n	Nothing/ I wasn't sure what to do	Moved/ found another place to live	Nothing/ I was afraid of being evicted/ harassed	Called/ emailed housing authority	Called/ emailed local fair housing organization	Called/ emailed a lawyer/ Legal Aid/ ACLU	Called/ emailed Maine Human Rights Commission	Called/ emailed City office, County office, or human rights department/ agency	Filed a complaint	Other	n
Jurisdiction																	
County	**16%**	39%	39%	11%	10%	99	51%	25%	22%								96
Brunswick	**30%**	50%	25%	0%	25%	8	88%	25%								25%	8
Cape Elizabeth	**7%**	0%	67%	33%	0%	3	67%										3
Portland	**19%**	41%	33%	12%	14%	51	38%	30%	26%								50
Scarborough	**13%**	100%	0%	0%	0%	3	100%										2
South Portland	**14%**	20%	60%	20%	0%	10	50%	20%	40%								10
Westbrook	**25%**	45%	45%	0%	9%	11	55%	36%	18%								11
Windham	**5%**	0%	100%	0%	0%	1	100%										1
Race/Ethnicity																	
African American	**26%**	50%	17%	17%	17%	6	67%	17%	17%			17%			17%		6
Asian	**31%**	60%	40%	0%	0%	5	100%	20%									5
Hispanic	**42%**	25%	50%	13%	13%	8	38%	38%			25%			25%			8
Other Race	**38%**	33%	33%	17%	17%	6	50%		33%		33%						6
Non-Hispanic White	**13%**	36%	41%	12%	11%	75	49%	31%	24%								72
Tenure																	
Homeowner	**8%**	27%	50%	19%	4%	26	48%	24%								20%	25
Renter	**21%**	43%	38%	6%	13%	53	52%	27%	25%								52
Precariously Housed	**34%**	50%	25%	19%	6%	16	60%	27%	20%								15
Income																	
Less than $25,000	**35%**	42%	35%	6%	16%	31	53%	17%	33%								30
$25,000-$49,999	**16%**	38%	42%	21%	0%	24	50%	29%	17%							17%	24
$50,000-$99,999	**15%**	32%	50%	4%	14%	28	58%	35%		19%	19%						26
Above $100,000	**7%**	33%	33%	25%	8%	12	42%	25%								42%	12
Household Characteristics																	
Children under 18	**17%**	39%	32%	19%	10%	31	50%	23%	20%								30
Large Households	**12%**	50%	25%	25%	0%	4		50%									4
Single Parent	**29%**	33%	33%	17%	17%	12	58%		33%				17%				12
Disability	**28%**	42%	38%	10%	10%	52	48%		32%								50
Older Adults (age 65+)	**5%**	38%	38%	25%	0%	8	57%				29%	29%		29%			7

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey. Blank fields indicate there were not enough responses to report data.

Experience of Persons with Disabilities

Overall, 30% of respondents' households include a member experiencing a disability. Of these households, 25% said their housing does not meet their accessibility needs; 75% report that their current housing situation meets their needs.

The three top greatest housing needs expressed by respondents included services onsite to help with mental health/counseling (29%), grab bars in bathroom or bench in shower (26%), and service or emotional support animal allowed (19%). Forty five percent of respondents also selected Other. The most common responses included:

- More accessible housing developments, no stair entrances;
- Better transportation options (and access) for people experiencing disabilities; and
- Better access to behavioral health care and in-home assistance.

Of respondents by jurisdiction, Brunswick (29%) has the lowest proportion of respondents with disabilities whose current housing situation meets their needs. Of these respondents, 40% indicated they would like a reserved accessible parking spot by the entrance of their home. Respondents who selected Other added they would like:

- Allowance of family or chosen caretaker to get paid to care for you;
- More development of small, one-level apartments with accessible amenities (e.g. dishwater); and
- Address tenants who bully or harass other tenants.

The highest proportion of respondents by group reporting that they or a member of their household experiences a disability were households making less than $25,000 (66%), Other Race (56%), Asian (50%), African American (43%), precariously housed respondents (42%) and single parents (40%).

Figure II-18. Respondents experiencing a disability and their top three greatest housing needs

	Percent of respondents with a disability	Current housing situation meeting needs	Total n	Grab bars in bathroom or bench in shower	Services onsite to help with mental health/ counseling	Ramps	Wider doorways	Reserved accessible parking spot by entrance	Service or emotional support animal allowed	Alarm to notify if a non-verbal child leaves the home	Fire alarm/doorbell made accessible for person with hearing disability/deaf	Other	n
Jurisdiction													
County	**30%**	75%	196	26%	29%				19%			45%	42
Brunswick	**26%**	29%	7	20%	20%	20%		40%	20%			60%	5
Cape Elizabeth	**23%**	70%	10	33%		33%		33%			33%	100%	3
Portland	**28%**	78%	79	15%	46%				23%			46%	13
Scarborough	**33%**	75%	8						100%				1
South Portland	**38%**	80%	30	80%		60%	40%	40%	40%				5
Westbrook	**32%**	80%	15	33%	33%				33%			33%	3
Windham	**32%**	64%	14		25%						25%	75%	4
Race/Ethnicity													
African American	**43%**	80%	10	50%								50%	2
Asian	**50%**	75%	8						50%	50%			2
Hispanic	**32%**	100%	6										0
Other Race	**56%**	56%	9		50%				50%			50%	4
Non-Hispanic White	**29%**	76%	161	30%	27%							48%	33
Tenure													
Homeowner	**22%**	83%	72	18%	27%							45%	11
Renter	**37%**	72%	99	26%	26%							48%	23
Precariously Housed	**42%**	62%	21	43%		29%						43%	7
Income													
Less than $25,000	**66%**	63%	56	35%	30%							50%	20
$25,000-$49,999	**33%**	73%	52	25%				25%				50%	12
$50,000-$99,999	**23%**	84%	44	33%					33%			33%	6
Above $100,000	**19%**	88%	32		67%							33%	3
Household Characteristics													
Children under 18	**28%**	80%	50		22%				22%			67%	9
Large Households	**39%**	69%	13	33%								67%	3
Single Parent	**40%**	82%	17			33%		33%	33%			67%	3
Older Adults (age 65+)	**28%**	83%	41	57%								29%	7

Source: Root Policy Research from the 2022 Portland/Cumberland County Analysis of Impediments to Fair Housing Resident Survey. Blank fields indicate there were not enough responses to report data.

Solutions offered by Residents

Respondents were asked a series of questions about how to improve their situations related to housing, employment, health, education and neighborhood.

Improve housing security. When asked what could improve a respondent's housing security, the top answers among respondents by jurisdiction, race/ethnicity, tenure, income, and other selected housing characteristics were *N/A; I am satisfied with my housing situation* and *help me with a downpayment.*

Respondents most likely to be satisfied with their housing situation:

- Households making more than $100,000, 56%
- Homeowners, 51%
- Residents of Scarborough, 50%
- Residents of Cape Elizabeth, 47%
- Households with children under 18, 41%

Respondents least likely to be satisfied with their housing situation:

- Single parents, 10%
- Precariously housed, 12%
- Renters, 15%
- Households making less than $50,000, 18%
- Other Race, 19%

Respondents most likely to need help with a downpayment:

- Renters, 37%
- Single parents, 36%
- Residents of Portland, 25%
- Households making less than $100,000, 25%
- Residents of Westbrook, 24%
- Large households, 22%

Other solutions to improve housing security identified by several different groups included *Help me with the housing search, help me get a loan to buy a house,* and *help me pay rent each month.*

Respondents most likely to say they need help with their housing search:

- Precariously housed, 35%
- Households making less than $25,000, 26%
- Hispanic, 26%

Respondents most likely to say they need help getting a loan to buy a home:

- Single parents, 45%
- African American, 39%
- Precariously housed, 31%
- Renters, 31%
- Large households, 28%
- Households making between $25,000-$49,999, 25%

Respondents mostly likely to need help paying rent each month:

- Precariously housed, 31%
- Households making less than $25,000, 29%
- Brunswick, 27%
- Households making between $25,000-$49,999, 26%
- Other Race, 25%
- Renters, 24%
- South Portland, 21%

Improve neighborhood situation. When asked what could improve a respondent's neighborhood situation, nearly every respondent group by jurisdiction, race/ethnicity, tenure, income, and other selected housing characteristics identified *Build more sidewalks or improve current sidewalks*. Other solutions flagged by multiple respondent groups to improve their neighborhood situations includes *Better street lighting* and *none of the above.*

Respondents most likely to say their neighborhood needs more sidewalks or needs to improve current sidewalks:

- Scarborough, 50%
- Households with a member experiencing a disability, 50%
- Asian, 47%
- Households making between $50,000-$99,999, 46%

Respondents most likely to say their neighborhood needs better street lighting: Households with a member experiencing a disability, 39%

- Windham, 34%
- South Portland, 32%

Respondents most likely to not have any suggestions for neighborhood improvements:

- Windham, 44%
- Other Race, 43%
- Cape Elizabeth, 43%
- Precariously housed, 42%
- Single parents, 41%

Additionally, 29% of African American respondents identified wanting more stores to meet their needs (grocery, pharmacy, etc.).

Improve health situation. When asked what could improve a respondent's health situation, the majority of respondent groups by jurisdiction, race/ethnicity, tenure, income, and other selected housing characteristics selected *Make it easier to exercise* and *None of the above.*

Respondents most likely to say they want easier ways to exercise:

- Hispanic, 53%
- African American, 45%
- Scarborough, 43%
- Households with a member experiencing a disability, 37%
- Single parents, 37%

Respondents most likely to not have any suggestions to improve their health situation:

- Older adults, 60%

- Cape Elizabeth, 56%
- Homeowners, 50%
- Westbrook, 50%
- South Portland, 49%

Additionally, 33% of large households identified *more playgrounds for children,* 29% of Asian respondents identified *make it easier to get health clinics,* and 29% of precariously housed respondents identified *access to healthier foods* as solutions to help improve their health situations.

Improve job situation. When asked what could improve a respondent's employment situation, the majority of respondent groups by jurisdiction, race/ethnicity, tenure, income, and other selected housing characteristics selected *Increase wages* and *None of the above.*

Respondents most likely to say they need a wage increase:

- Single parents, 60%
- Asian, 56%
- Brunswick, 56%
- Renters, 54%
- Households making between $25,000-$49,999, 51%
- Households making between $50,000-$99,999, 47%
- Hispanic, 47%

Respondents most likely to not have any suggestions to improve their job situation:

- Older adults, 70%
- Cape Elizabeth, 67%
- Homeowners, 57%
- Households making more than $100,000, 53%
- Windham, 52%

Additionally, Asian (50%) and Hispanic (37%) identified *improve public transportation* and 29% of single parents identified *help paying for job training or college* as solutions to help improve their job situations.

Improve education situation. When asked what could improve a respondent's education situation for their children, the majority of respondent groups by jurisdiction, race/ethnicity,

tenure, income, and other selected housing characteristics selected *Stop bullying/crime/drug use at school, Have more activities after school, Better school facilities* and *None of the above.*

Respondents most likely to say stop bullying/crime/drug use at school:

- African American, 32%
- Single parents, 31%
- Windham, 24%
- Households with children under 18, 19%

Respondents most likely to say have more activities after school:

- Households with children under 18, 30%
- Large households, 27%
- Households making more than $100,000, 18%
- Homeowners, 14%

Respondents most likely to want better school facilities:

- Single parents, 29%
- Households with children under 18, 26%
- Large households, 20%
- Households making more than $100,000, 18%
- Westbrook, 17%

Additionally, single parents (26%) and households with children under 18 (21%) identified *Make it easier to choose a different school* as a solution to improve their children's education.

SECTION III.

COMMUNITY ENGAGEMENT—STAKEHOLDER CONSULTATION

SECTION III.
Community Engagement — Stakeholder Consultation

This section reports the results of focus groups and interviews with stakeholders working in the housing, planning, civil rights, and supportive services industries.

Primary Findings

Overall, stakeholders described the housing market in the City of Portland and Cumberland County as limited, expensive, lacking supply, and unaffordable. Stakeholders attributed these issues to several factors, including pressures of the market, the COVID-19 pandemic, and the influx of people moving into the county from other parts of the country. One stakeholder felt that the *"housing market is out of equilibrium in economic terms…supply is not keeping up with demand and even though there is a lot of effort being put into the creation of housing, it's still not keeping up with demand."*

Below are the major themes that were elevated by stakeholders when discussing the current challenges of the housing market.

- *"It's impossible now to look for homes. There is a lot of interest and [people on] waitlists."*
- *"Demand just far outweighs what we have available."*
- *"Priced out. Portland is one of the 10 cities in the country that will have price growth higher than national average in the next year."*
- *"Prices went up 20% last year."*
- *"Unsustainable" and "Insane"*
- *"If you're person trying to find affordable housing, it's really difficult to find."*
- *"The housing market has skyrocketed like the rest of the country. Two years ago, you could get a property for $200,000… now, it's a minimum of $300,000-$400,000. It's even further off the scale for waterfront properties."*

Housing Supply

Stakeholders ascribed the lack of supply to several different factors. One stakeholder felt that the "missing middle"—meaning middle-income households—were being left behind. Stakeholders pointed out that only low to moderate households are eligible for subsidies while market rate housing is too expensive.

One reason for the lack of supply cited was the "long-time trend of urbanization in Maine." This stakeholder attributed the "slow and steady migration" of people to the greater Portland area as those who grew up here, moved away, and are now coming back, as well as a "significant influx of empty nesters or those in pre-retirement moving back to Maine." Another stakeholder noted that the population has remained relatively constant in the greater Portland area since the late 19th century, adding that "this is a small area and we don't have the capacity or the housing stock to take in that number of people."

Stakeholders described that shifts in demographics are leading to a mismatch between available inventory and the housing needs of different household configurations. One stakeholder noted that the county will get significantly older in the coming decades, adding that "younger people are moving in [to Cumberland County] but this is not keeping pace with the aging of existing residents…there are few housing types on the market to meet the diversity of needs." This stakeholder felt that the chronic underproduction of diversified housing is affecting households and forcing them to make "significant concessions" about what they actually need. For example, the demand for single floor units is increasing for both older adults and those experiencing physical disabilities.

Another issue identified impacting housing supply was the uptick of people from out of state purchasing second homes. One stakeholder noted this was occurring frequently in more rural areas and that these buyers are "replacing traditional homeowners who live in the community year-round." Describing the prevalence of out-of-state home purchases, one stakeholder described the housing market as a "system that is biased towards the people who have the means."

Stakeholders also attributed the tight housing market to the impacts from the COVID-19 pandemic. Not only did this impact the employment prospects of many residents but it also resulted in people moving into Maine, particularly more rural areas, because of the flexibility allowed for working remotely. Stakeholders felt this put extra pressure on the housing market and sped up increasing housing prices.

Another stakeholder attributed the lack of supply in the Portland metropolitan area to corporate interests buying up housing stock, mainly to use as short-term rentals. Several stakeholders described this "unregulated industry" as a major impediment to low supply that is taking a significant number of units off the market. However, one stakeholder felt that the number of short-term rentals in Portland was relatively small and the city does a good of tracking and regulating them. Another stakeholder felt there was solid community

interest to add additional taxes for out-of-state purchasers who aren't putting rental housing on the market.

Regulatory Barriers

Stakeholders identified several regulatory barriers inhibiting housing production in Cumberland County.

Zoning and land use. Several stakeholders articulated that current land use and zoning barriers are inhibiting housing development. In general, many stakeholders articulated that their current city or town zoning ordinances are impediments to getting affordable housing built in their communities. One stakeholder felt that "our ordinances have layers and layers of restrictions that turn developers off." They added that the developer they are currently working with is having so much trouble trying to get their development through that they most likely won't come back and work with the community.

Another stakeholder felt that their town's zoning ordinance and performance standards are impediments to new development. They felt that even though the comprehensive plan articulates the need for affordable housing, the zoning ordinance is being used to deny affordable housing developments. They added that "if you have super onerous regulations but have a new comprehensive plan that the community agreed on, we should follow the comprehensive plan." Other stakeholders described their zoning ordinances as antiquated, with one stakeholder stating that "our zoning ordinance has been written around 20th century ideas of what our community should be."

Minimum lot size was identified by several stakeholders as a barrier to building more housing. One stakeholder felt that their minimum lot size requirements were limiting their ability to develop multiunit housing. Another stakeholder articulated that if their community's minimum lot size was reduced, they could improve affordability outcomes. Currently, "to have a duplex, you would need a four-acre lot, for a quadplex, you would need an eight-acre lot…." This stakeholder articulated minimum lot size as a barrier, but said it is "likely to remain in place since the council is not interested in reducing it." Height restrictions were also mentioned by several stakeholders as limiting the types of housing that could be built in their communities.

Many stakeholders described that there are limited areas in their cities/towns that allow multifamily housing by right — the majority of land is zoned for single family homes and commercial uses. "It's difficult to find land to build these types of developments." One stakeholder noted that LD 2003, if passed, would allow structures with up to four dwelling units in any zone where housing is permitted *[Note: LD 2003 was passed by the Maine Legislature on April 27, 2022]*. Another stakeholder explained the difficulty trying to get multifamily housing built when not allowed by right, saying "contract zoning has not proven very useful and re-zones are difficult to obtain and take a long time."

One stakeholder advocated for limiting development in greenfields to concentrate development in existing built-up areas, adding we "need to build up instead of out and across." They acknowledged that this would be a major shift in current land use policy. Another stakeholder noted that in Westbrook, more housing is being built downtown but what's being promoted is first floor retail with housing units above. They argued that because developers don't want to trigger the elevator requirement, they are limiting the size of the developments. The stakeholder felt that "this was sending the wrong signal to developers."

Resident opposition. One of the major factors underscored by stakeholders when discussing barriers to increase the housing supply was opposition by existing residents, also known as NIMBYism (not in my backyard). Stakeholders described a lot of community resistance to new developments throughout the region. Reasons provided for the resistance included "placing a high value in preserving the historic and rural character of their communities" and "feeling among the community that they're growing too fast." One stakeholder noted that new infill development projects in their community have been rejected based on a concern about "style and culture."

As described above, even though a city or town's comprehensive plan might support infill development or affordable housing, stakeholders said community sentiment can overrule these developments. Several representatives of smaller towns noted that there are making genuine efforts to diversify housing types in their communities but that there is "increasing polarization around new development." A couple stakeholders attributed the pushback to some communities feeling resentful about other people getting things not available to themselves, as well as a general fear of adding "product" to the community.

One stakeholder noted that their town is attracting new economically and culturally diverse population and they are working to send more welcoming and inclusive messaging as a way to increase access to local government. They felt that this approach could help stymie some of the pushback on affordable housing projects. They added that "affordable housing is crucial to the town's future by helping to spread out the tax base, as well as attracting new businesses." They felt like embracing this approach and pushing to have this conversation could better communicate the benefits of affordable housing, like that density helps with pool of jobs and adding density doesn't mean that neighborhoods or subdivisions will be destroyed.

Housing types. Several stakeholders described a current lack of diverse housing types available throughout Cumberland County. Several stakeholders noted that the development of smaller units has been a trend for several years, with one stakeholder noting that "units are as small as possible so they can have more of them." One stakeholder described a new condominium project in Portland that is made up of all small, one-bedroom units. They added "how does that work for anyone with a kid? [Those units are] not an option for families." The stakeholder added that smaller units are not helpful

and more developments with 3-4 bedrooms are needed. "There are a lot of multigenerational families."

One stakeholder felt that some developers do a good job of providing accessible units. However, several stakeholders noted that multi-story condominiums don't have to comply with ADA requirements, with one stakeholder saying these developments "do the disability community no good." One stakeholder recalled spending a couple of years touring affordable housing developments and said they had "all bathtubs in senior housing…no accessible showers." They added that the law does always fit with what people need and there was no requirement forcing them to provide roll-in showers. A couple stakeholders advocated for more resources to help older adults or those with disabilities modify their homes so they could remain in them.

One stakeholder felt that most of the housing coming online is for seniors and not enough housing is being built for families and people under 55. *[Note: The current 2021-22 QAP for LIHTC projects awards more points for housing targeted at both families and older adults].* Several stakeholders shared that developers are primarily building senior housing because they can get more density. These stakeholders felt there needed to be a more concerted effort to encourage/incentivize the development of family-sized housing, as well as the provision of workforce housing. One stakeholder felt that policies need to be set that do not exclude people. "There needs to be more advocacy or more incentives for builders to bring a diversity of units online."

High housing development costs. One stakeholder noted that there is a lot of demand from people who want to live in the City of Portland; however, the cost of development continually increases due to commodity pricing and regulations. They offered the examples of new regulations (e.g., rent control and green building standards) and more taxes as hindrances to getting housing built. This stakeholder noted "we can change a few of the NIMBYs and zoning but as long you don't reduce taxes, it will not solve the problem."

Stakeholders also pointed out that part of the reason housing costs are so high is because of construction costs. One stakeholder noted that "there was a period of time when not a lot of construction was happening, especially in rural areas." Now, high construction costs and housing costs are impacting localities statewide.

Resource Constraints

Lack of regional coordination to address housing needs. Stakeholders from smaller towns throughout Cumberland County described their current housing stock as limited, expensive, and unsustainable. Stakeholders said that some of the rural communities believe housing issues should be dealt with by the bigger cities. Others noted that some communities will intentionally impede the development of more housing, such as buying land to slow down development. It was noted that the justification of these actions is to protect the "historic and small-town character" of rural areas.

Several stakeholders emphasized that local control is an impediment to getting more affordable housing built. One stakeholder recalled a situation where a developer proposed building a 300-unit housing development that would make most of the units affordable, including 30 units for families. There was pushback from the community on the development and it ended up turning into 60 single family homes.

Policy and program challenges. Several stakeholders described that current prices for rental housing are out of reach for many households, even for those who utilize housing vouchers. A significant number of stakeholders attributed this to stagnant wages. Another reason cited by stakeholders was the increased prevalence of landlords selling their buildings. A service provider noted that historically, their organizations have had good relationships with landlords who help place their clients into units. However, an increasing number of landlords have sold their buildings, particularly to out-of-state investors, and the new owners routinely institute higher price points.

Housing choice vouchers. Stakeholders described both the general assistance voucher program and the Section 8 housing choice voucher program as integral to finding rental housing for lower income families and residents. One stakeholder noted that if an individual does not have a subsidy or housing choice voucher, "cost of rents are just so outrageous." However, in an increasing amount of instances, stakeholders said households with vouchers still can't use them because rents exceed what the voucher will cover.

Many stakeholders said that landlords are now less likely to rent to voucher holders because they can command a higher market rent than the voucher will cover. One stakeholder described this situation as "…a way of profiteering and marginalizing low income people from access [to housing]." They added that this has been happening consistently for years but has been intensified due to the pandemic with people losing their jobs and an increasing number of people moving into the county. One stakeholder noted that current fair market rents, as determined by HUD, are out of whack with the reality of the housing market and make it very challenging for voucher holders to find housing.

Stakeholders also noted that the lack of supply impacts households with vouchers because of the time constraints forced on households to find housing. They noted that in this current rental housing environment, "120 days [to find a place to live] is not long enough…it is really hard to find a home and when they lose their voucher, they rejoin the waitlist." Other stakeholders noted that there is a lot of people "couch surfing or doubling up", which puts their relatives or friends who have a voucher at risk of losing their voucher.

Supportive services. Stakeholders also spoke to the need for more supportive services for households living in transitional or permanent supportive housing settings. Stakeholders described that the current level of services available is not enough to meet demand. One stakeholder noted that "whereas before [the housing crisis] the emphasis on

service providers was on avoiding duplication, now we are trying to act as a network to try and meet the increasing demand."

Another stakeholder noted that the availability of long-term supportive services is greatly lacking. Most of the funds available for supportive services are short-term in nature, with one stakeholder articulating that "service providers are really only doing a warm handoff, really only staying with people for six months — that's too short. We are lacking a longer time support system and intervention." One stakeholder felt that to really ensure people are stable in their housing situations, "you need someone to step across the threshold to see the condition of the unit." Stakeholders felt that while more resources are helpful, what's really needed is more case manager positions to help with continuity of care for residents utilizing support services. One stakeholder felt that having more case manager positions would provide residents who need intensive services more attention and specialized care.

Stakeholders were asked if the need for supportive housing has grown. One stakeholder responded, "I think it has grown, especially during COVID. A lot of people relapsed, and a previous administration dismantled the state's supportive services infrastructure when a wave of opioids hit at the same time." This stakeholder also felt that more people are experiencing homelessness on any given day.

Stakeholders described that with the changing of gubernatorial administrations, there's been more support and focus on treatment and recovery (a greater support structure in greater Portland compared to the county). One stakeholder noted there's been an increase in recovery residences (e.g., sober houses), where in some instances, they are paired with supportive housing services. This stakeholder noted "some of this work is happening but there's still not enough. Sometimes we can only get one or the other." Others added that there are still people who are actively using and have nowhere to go. A major challenge is that recovery or treatment options are not available to them or they don't want to utilize them.

One stakeholder noted that their organization use to acquire small multifamily buildings with state and federal resources and rehabilitate them into supportive housing. They noted that this option is "…disappearing for us because it is so cost prohibitive." They added that huge cash-only purchases go through just hours after the listing goes up. The stakeholder said that it takes six months on their end to get everything lined up to purchase a building, adding they're at a "competitive disadvantage."

One stakeholder estimated that the region needs to build about 1,000 new affordable housing units annually, as well as least 100 permanent supportive housing units per year. Currently, only twenty units are currently being built annually. This stakeholder noted that the biggest issue for building permanent supportive housing is siting it.

Several stakeholders also mentioned "service center" polarization, where Portland "bears most of the burden" by offering the majority of supportive services available throughout the region.

Consequences of limited supply. Several stakeholders a variety of consequences stemming from the lack of housing development throughout the county. Stakeholders described long waitlists for Section 8 housing, LIHTC developments, and public housing as a consequence of the lack of supply. Speaking about the demand for senior housing, one stakeholder described some waitlists as long as six months to two years and that it's common to get around 50 applications for one unit.

Another consequence of the lack of supply in greater Portland is that more people are forced to live in precarious situations. One stakeholder said, "We are seeing more seniors and children living in motels and living in their cars." Others noted people, particularly low income families and new Mainers, are forced into living in unsafe situations, such as units that have mold or those that are infested with pests, rodents, or bed bugs. Stakeholders noted tradeoffs families are forced to make, usually prioritizing the need for housing at the expense of other basic needs (e.g., food, healthcare).

One South Portland stakeholder noted a market analysis completed by the City that forecasted what the housing market will look like in 2030. The results found that households making less than 60% of area median income will struggle the most trying to find both rental units and homes for sale. The forecast projected cost stress on lower income families to continue to increase into 2030. They noted that anyone looking to transition from renting to ownership can't do it, adding "anyone looking to move to a new market for jobs, transitioning from rural to more urban setting, or looking to upsize or downsize can't find housing."

Another stakeholder felt that homeownership is "so out of reach" for lower income families that resources should be focused on ensuring access to affordable rental housing. They added that for someone making minimum wage, there are too many barriers to overcome to purchase a home in the current housing market.

Several stakeholders noted that increasing home prices are now ubiquitous around the county — no longer just impacting the urban areas of the county. One stakeholder noted that the poverty rate is dropping around the county, but they attributed this to low income families being pushed out due to the lack of rental and sales housing inventory *[Note: The current poverty rates for individuals (8%) and families (4%) have each decreased three percentage points since 2012].* Another stakeholder echoed this sentiment, noting that the poverty rate looks better but less people are being housed and there are less resources to help these households. Speaking about single mothers, a service provider noted that "they cannot find rental housing and end up spending $200/night in a hotel. Some families just end up leaving Maine.

A few stakeholders noted that because of the tight rental market, scamming prospective renters has become more prevalent. This has made them more timid and less likely to use common websites to search for housing (Zillow, Craigslist, Facebook, and Apartments.com). One stakeholder described that a common situation is where an ad requires the prospective tenant to send a non-refundable deposit before letting them submit an application. They noted that because the housing market is so tight, people are more likely to take these chances and end up losing their money.

Disproportionate Housing Needs

Immigrants and asylum seekers. Stakeholders described immigrants and asylum speakers, or new Mainers, as more likely to face barriers or challenges to accessing housing. One major logistical challenge facing asylum seekers is not having permanent status (e.g. social security number), rendering them ineligible for the Section 8 program. However, asylum seekers are eligible for general assistance vouchers. Stakeholders also spoke about other barriers, such as not having the traditional prerequisites (e.g. rental history or landlord references) or financial resources to rent a home in the United States. Additionally, one stakeholder emphasized that these families deal with a lot of stress having to juggle figuring out where they're going to live and also sorting out their immigration status.

Another stakeholder felt language was another barrier for new Mainers trying to access housing, particularly trying to communicate what type of housing best fit their needs. The stakeholder felt that because of language barriers, new Mainers rely both on "formal and informal pathways" to help find housing, adding that "I bet a lot [of finding housing for these families] is happening organically. This stakeholder wanted to know what gaps existed in helping these families find housing and whether policies need to change or more resources needed to be focused on assisting new Mainers.

It was noted that because immigrants want to live in urban places, they usually must settle for housing that is in substandard condition. One stakeholder described that Portland has a large undocumented workforce, is a resettlement location, and tier one city for asylum seekers, magnifying the lack of housing supply that is available and affordable. Another stakeholder expressed there is a perception among some immigrant groups that others receive more support than they do, adding that "this issue could be a challenge in the future."

Persons with disabilities. Another stakeholder noted accompanying the demand for more diverse housing types will be a demand for more services. They noted that over 30% of people in Maine experience a disability, adding that "when you consider 1 in 3 is disabled, as well as account for the urban/rural aspect, you have to consider that Cumberland County will have a greater demand for services (e.g., access to hospitals) compared to other rural areas."

Pertaining to people with disabilities, stakeholders spoke mainly about discrimination related to assistance animals, including buildings with no pet policies. Stakeholders identified that the main barrier is typically the property management/landlord not understanding their obligation under the Fair Housing Act. Stakeholders mentioned that when people with disabilities are looking to make reasonable accommodations to their unit, they are usually looking for resources. One stakeholder recalled encountering resistance from landlords and condominium associations when trying to install ramps. However, when residents tell them it's the law to provide reasonable accommodations, "it usually goes through."

One stakeholder recounted that a person with a disability was denied the opportunity to look at an apartment on the first floor due to "maintenance issues". Both the stakeholder and prospective tenant felt that this was an excuse for the landlord not to show the apartment. Another stakeholder mentioned that Disability Right Maine serves a lot of people with disabilities, particularly those with mental health challenges and intellectual and developmental disabilities. This stakeholder spoke to numerous barriers that these individuals face trying to find and stay in housing. They added that they've "definitely seen cases where people are sent to the emergency room because they don't want to be dealt with by providers at their care facility or group home."

Reasonable accommodations and accessible housing. One stakeholder felt that in terms of public or subsidized housing, they've observed good success in providing reasonable accommodations. However, several stakeholders shared that "our housing stock is the oldest in the country" and is difficult to modify. One stakeholder said that "going forward with new projects, we need to incorporate visitability and universal design into our housing developments." They attributed the lack of accessibility features in housing developments to current building codes, adding "building code could have a greater mandate and provide a variety of accessibility features."

One public housing authority representative described that when building out their units, they will add ADA-convertible units to their development on top of the required percentage of units that must be accessible. They noted that when someone who needs an accessible unit isn't currently living in one but needs an accommodation, they can more easily respond to that need at less cost.

One stakeholder noted that most people who need reasonable accommodations don't have money to make it happen. This stakeholder asked "where does the money come from to make modifications. If a homeowner has a huge mortgage, many don't want to take a secondary loan to make modifications they need." Another stakeholder suggested low-interest loan programs as a strategy to support modifications for lower income homeowners. Another stakeholder noted how much more expensive it is to make modifications to a unit once it's built.

Several stakeholders spoke to resources and programs available to help pay for home modifications, including ramps (City of Portland) and general home modifications via tax incentives (State of Maine). However, a few stakeholders spoke about the income qualifications for these programs and described "a gap of households who make too much money but can't afford the modification on their own." One stakeholder described the Comfortably Home Program through Maine Housing, where their facilities department adds accessibility features to the person's home so they can live in their home longer. Stakeholders felt like this was a successful model that should be replicated while also simultaneously taking pressure off public housing waitlists.

Stakeholders shared that while visitability construction practices are slowly becoming more prevalent in the greater Portland region, there's still a long way to go. While Avesta and Community Housing of Maine use visitability practices in their construction processes as well as most of the public housing authorities and a few private developers working on cooperative developments, stakeholders articulated that no jurisdiction in Cumberland County currently has an adopted visitability policy.

One stakeholder voiced that there is actually a considerable amount of accessible housing stock but people who don't have disabilities are placed in them. They felt that if accessible units were prioritized for the people who need them, there wouldn't be as much demand.

Unhoused populations. Stakeholders described several challenges facing unhoused populations, particularly impacting people experiencing mental illness and single parents. One stakeholder articulated that there has been a large influx of people seeking shelters, mainly driven by the COVID-19 pandemic and asylum seekers. This stakeholder noted that to meet the demand for shelter space, shelter providers had to look outside the city of Portland to adjacent municipalities. They added that two 24/7 shelters have been operating since the beginning of the pandemic, as well as overflow space (contract through Maine Housing using FEMA funds with a hotel). They noted that neighbor complaints about the overflow space of the hotel became prevalent and the owner will now only let people stay through May 2022.

Stakeholders spoke about the challenges faced by people experiencing mental health challenges trying to find housing, as well as programs and services in place to assist them. One stakeholder described it as a cyclical issue, saying "the lack of housing worsens mental health, which in turn decreases the chances of finding housing."

One stakeholder noted the housing retention program at the City of Portland has been relatively effective. For those who stay in the shelters for over 180 days, program staff support their transition out of the shelter and continuously follow-up with them. This stakeholder noted that "support doesn't always work but we have had this program for a number of years now and have pretty low turnover rate." It was noted that a factor in the success of the program is having willing landlords work with them. However, more

recently, a number of landlords they've worked with have sold their buildings. A couple of stakeholders attributed this trend to raising property taxes.

One stakeholder spoke about the shift of social services moving away from downtown Portland and the potential challenges that might create in the future, mainly access for those who currently live in downtown. They also attributed the shift of social services moving out of downtown to increasing rent prices and gentrification. This stakeholder described the shelter's growing lack of capacity and described it as a "reconfigured three-story building and garage not intended to serve people." They said there was a lot of community pushback about the location of the new shelter (located in Riverton), adding "any time you move a large number of folks to a new space, you're going to face resistance."

When asked about disparities among unhoused individuals, one stakeholder did not feel like any group experienced more difficulty than another. They noted that "with COVID, it's been especially difficult for those who need supportive services…service reductions are really impacting them and it's difficult for them not having those same spaces to go to for help."

Administrative barriers to finding housing. Stakeholders described several administrative barriers disproportionately impacting residents, particularly low income families and New Mainers, in finding housing. One of the major barriers for immigrants, refugees, and asylum seekers is not having the traditional "prerequisites" available to them that landlords traditionally require. As one stakeholder described, "all of the requirements to get into a rental home pose barriers for the people we assist. Income requirements, criminal background checks, credit history, and rental history and past eviction records."

Because rental references and work history are required criteria to rent, asylum seekers are automatically excluded from applying for the unit. Additionally, because asylum seekers don't meet the income requirements, they are also forced to find someone with an income high enough to co-sign. One stakeholder noted that criteria and treatment for how asylum seekers can qualify for housing varies by type of asylum case.

Stakeholders also spoke to the financial barriers faced by these populations when applying to rent. One noted that it's a common practice in Maine where landlords require $25-50 per application fee, justifying the fee to administer a background check. However, there is no regulatory oversight of this practice. For example, you can collect fees on 100 applications but selectively pick the application fee you want to process. This is a major impediment for low income families trying to find housing. The stakeholder noted "if [a landlord] owns 10 properties and requires an application fee for each property, that limits the options of low income families."

One public housing authority stakeholder noted that historical impediments for accepting a potential tenant included bad landlord history, bad credit history, and criminal history.

However, they noted that they have refined their approach when considering criminal history and assess each applicant on a case-by-case basis.

Another barrier identified is landlords who require a deposit for first and last month's rent, "which is too much cash up front for many tenants." Additionally, stakeholders described those deposits are asked for even before tenants are approved for units. One stakeholder noted that "tenants have to wait between 2-4 weeks to get their deposits back, which makes it difficult to continue their [housing] search while they wait for their money back."

Other barriers identified by stakeholders included only having rental applications available online, which makes it difficult for seniors who often are not computer literate and/or do not have internet access. Language accessibility and the complexity of the application process were other issues identified by stakeholders.

Several stakeholders also reported that some landlords do not want to work with organizations that provide housing subsidies because of the stigma of renting to particular populations, as well as the "extra work to get a unit approved and perceived administrative burden of the programs."

One stakeholder mentioned Project Home, which supports tenants find housing who might otherwise be screened out of the tenant application process due to application fees, credit scores, tenant histories, or move-in costs. They felt this model should be replicated or scaled up to increase access to housing for new Mainers. Other stakeholders felt that local governments should create policies to allow more flexibility for new Mainers trying to find housing.

Housing Discrimination

Overall, stakeholders described that housing discrimination occurs, particularly for New Mainers, people with disabilities, and families with children, but it is hard to prove and difficult to document. Because of the difficult in collecting data on discrimination, stakeholders felt it obscured the true impact of how discrimination affects homeownership and renters. While not a protected class under the Fair Housing Act, several stakeholders felt that economic discrimination was also at play.

National origin. Stakeholders also noted that landlords routinely ignore maintenance and repair requests from immigrants. Stakeholders felt there is "a lot of discrimination [that occurs] …some landlords just do not want to rent to new Mainers."

Source of income. While not protected under the federal Fair Housing Act, receipt of public assistance is protected under the Maine Human Rights Act. Stakeholders felt that less and less landlords are willing to accept vouchers. One stakeholder noted that in 2016, "things were awful. Unhoused people, particularly minorities, got rejected all the time." Another stakeholder noted that people with general assistance were asked to provide security deposits by some landlords, which is not allowed. Stakeholders reiterated that

more and more landlords are selling buildings, and renters end up getting evicted. One stakeholder felt landlords are hesitant to accept emergency rental assistance and housing choice vouchers because the "payments take a bit to process."

Other forms of discrimination. One stakeholder noted that they are not aware of any discrimination happening explicitly, "short of what is happening historically." This stakeholder felt that the most significant discrimination happening is economic, articulating that people who the market discriminates against (e.g., those with low incomes, criminal history) are the ones who have struggled economically and are viewed as high risk. This stakeholder noted that "these are the people who are being shut out [from the housing market]." Requests for first and last month's rent, as well as security deposits, are huge impediments for lower income families, particularly large families and new Mainers. They noted that landlords perceive larger families as riskier due to "increased chance of damaging the unit."

One stakeholder noted that the most prevalent discrimination they are aware of is policy discrimination. They pointed to issues with criminal history being part of a rental application, noting that people of color are disproportionately impacted by the criminal justice system. They added that having this as a requirement for a rental unit is "de facto racism and discrimination."

Access to Opportunity

Transportation challenges. Stakeholders were asked to share their perspectives on the transportation system in Cumberland County. Overall, stakeholders articulated the need for a more reliable, accessible, and efficient transportation system, both in Portland and throughout the county. Below is a sampling of comments from stakeholders on their experience with the transportation system:

- *"Transportation is a challenge; you can only go where the Metro goes and busses are not reliable. This restricts the market where people can search for housing and pushes people to stay in the metro area where costs are higher."*
- *"Transportation outside the metro area is basically lacking."*
- *"Opportunity to walk to store may not be there for everyone."*
- *"The further you get from urban areas, the less services are available. It's very hard to find transportation and childcare."*
- *"There is no public transit really. It is so minimal and antiquated. It's easy for policy makers to consider what we have quasi feasible to get to work, but it is impossible for someone to get to point a from b in a timely manner. [It feels like] transit is not designed to serve people."*

- *"The immigrant population comes from places with more reliable public transit…the public transit system here leaves them more isolated."*

- *"We need more bus shelters. The climate in Maine makes them necessary. Our transportation system is fractured, and the bus systems do not collaborate with each other. We need a Cumberland County Transit System. Maybe we could have less routes but make them for consistent and often."*

- *"Places like Windham, there is land to build housing but no public transportation to get there. Lots of people building housing for seniors, it's easier to get permits, but they're totally missing the boat on housing for low-income families."*

- *"We need working class housing with transportation. More people would move out further if they could get around in a better public transportation."*

Several stakeholders spoke to the limits on the transportation system, particularly accessibility. One stakeholder noted for people experiencing disabilities, "it is difficult to find a place to move that is within the range of paratransit." Because the paratransit system only serves households within three quarters of a mile of the system, it limits housing options for those who rely on paratransit services. Additionally, one stakeholder felt that the access to paratransit throughout Portland is fair, but "the service is still limited." They added that needing to schedule in advance is another barrier to utilizing it, noting that "accessing community on demand is difficult."

Additionally, several stakeholders spoke to the challenges for people experiencing disabilities when it came to using transportation during the winter season. The lack of snow removal on sidewalks is a major barrier for people experiencing disabilities to access transportation. As one stakeholder described, "…just because you have a bus that comes by your house does not mean you can get to it." Another stakeholder recalled seeing people walk in traffic on a bridge because the "street plow comes and covers the sidewalk with slush." Another stakeholder added that "in winter, it's extremely difficult as a wheelchair user to depend on the clearing of sidewalks. This puts a greater demand on paratransit if sidewalks are not shoveled on fixed routes." One stakeholder noted that Greater Portland Metro has an "Adopt-a-Stop" program for bus stops because GP Metro does not shovel bus stops. This stakeholder added that "now there are bus shelters, which are mostly shoveled, but this is not the case everywhere." Another stakeholder noted that it's extremely difficult for people with disabilities to move their car during a snowstorm and are at higher risk of getting it towed. They suggested having a location for people with disabilities to keep their car for an extended period of time without the threat of having it towed.

Some stakeholders noted the diversity of efforts communities are taking to address their transportations issues. One stakeholder noted that Freeport hosted a Design Week, where conversations were had about enhancing connections in neighborhoods that don't have

sidewalks. A few stakeholders were complimentary about the efforts taken by GP Metro to enhance the system, with one stakeholder saying, "they've done a good job expanding routes for transit before COVID, hopefully it will come back strong."

Another stakeholder mentioned a pilot program in South Portland that has a network of drivers who volunteer to take seniors to their appointments and on errands. However, they noted that accessibility of vehicles is a hindrance to more people utilizing the programs. They added that if the cars were made accessible (e.g., ramp into the van for a wheelchair), the program would be much easier to participate in.

One stakeholder had a broader comment about the frustration experienced by people with disabilities in trying to use the transportation system in greater Portland. They noted that "any friction people experience [using the system] will result in frustration and the result will be that they're less likely to utilize [the system]." Another stakeholder advocated for adding visual and audible technology on buses to make them more accessible.

Another issue stakeholders flagged with the greater transportation system was the proximity to services and location of housing. One stakeholder added that "even if you can find housing, it may not be close to services or transportation." Another stakeholder added that if housing and transportation is not "co-mingled", it's difficult to access services, such as childcare or job training. One stakeholder noted that in South Portland, most, if not all, services are located in the eastern portion of the city. They felt that "pretty direct policy statements about established neighborhoods" have had an outsized influence on development patterns in the city, which has made it more difficult to co-locate housing and services.

Another stakeholder speaking about the bus system in South Portland articulated that "we don't have the resources to make the bus system work for all." This stakeholder added they do have high frequency bus service but it's not located in great proximity to employment, adding that the "[the system] is so dispersed that people spend too much time on buses to get to jobs. It gets really complicated [for people taking the bus] with two or more jobs."

One stakeholder who lives outside of the Portland area estimated that "99% of [their] community has cars." They noted that even the local food pantry and community center is not on the public transportation line, adding we "haven't developed walkable communities."

One stakeholder who lives in Yarmouth noted that the busses usually run on one-hour intervals. Participants agree that decreasing the interval time to half an hour would allow more residents to take advantage of the routes. The town is also currently working on increasing biking and pedestrian connectivity within the town and across the region. Another stakeholder noted that the largest employer in their town is located off the highway and therefore most workers drive to it. Demand for the bus route was deemed

too low and the bus service was cancelled. The town is currently exploring other public transit options, including an on-demand system.

Another stakeholder described that for people with disabilities, the lack of transportation outside of Portland is an impediment to their ability to move around the county. This stakeholder added that if you "…go out 10 miles, away from Portland, there are no sidewalks, no transportation lines, and nothing is accessible to get to. It's extremely difficult for people with disabilities to get around and access to ancillary places is limited." One stakeholder said that more recently, because of the limited nature of the transportation system, the "cost of gas to search for home in more affordable areas [has become] an issue."

One stakeholder spoke to the inherent tension between where people want to live, where it's convenient, and where it's a "disadvantage" to live. This stakeholder noted that AFFH requirements aim to deconcentrate poverty but for a lot of households, these areas are their communities and where services are located. Another stakeholder felt that moving services out of downtown was a veiled way to "push poor people out." They added that "we have to fight it. It's where transit is. They want to put people out in Riverton, but it's more isolated and takes 45-60 minutes to get downtown. Apparently from analyzing census tracts, it looks like a better place to live."

Employment and childcare challenges. Several stakeholders spoke to the link between the lack of affordable housing and the impact on employment and access to childcare. One stakeholder commented that it was unfortunate that public, private, and nonprofit sectors haven't come together to address housing issues in the state because it's also impacting the workforce. This stakeholder emphasized that the "State [of Maine] needs workforce."

One stakeholder felt that because of the lack of services available in more rural areas of the county, there are few, if any, affordable childcare options. Another stakeholder said there were plenty of employment opportunities available in the greater Portland region but that "you need childcare in place to take advantage of them." Another stakeholder added that families, particularly single mothers, with children who have medical conditions that don't allow them to be in daycare cannot join the labor force.

One stakeholder noted that there is currently demand from businesses looking for workers to fill positions, particularly small businesses. They emphasized that "we do not have a challenge with unemployment, we have a shortage of labor." One stakeholder noted that the State is aiming to add 75,000 workers over the next 10 years and that without immigration, the State would not be growing. However, they noted that there is a skills mismatch between the asylum-seeking population and employment opportunities, adding that many of these people have many more skills (e.g., doctor, nurse) than the jobs that are available to them (e.g., lower-wage tourism jobs). Even though they have credentials in their native country, they're not able to practice their profession in the U.S.

With the increase in foreign in-migration, stakeholders spoke about how this has impacted the limited rental housing stock where most new Mainers want to live. One stakeholder said that "much of the rental stock in these communities is composed of smaller attached homes that are currently taken up by higher income renters waiting to buy larger single-family homes."

Several stakeholders noted that employment patterns have changed significantly over the past two years. They've also seen an increased demand for workforce housing. In addition, expanded access to internet and the availability to work remotely has made some of the more rural areas in Cumberland County more appealing to out-of-state workers, which has led to an increase in domestic in-migration. Participants noted the expansion of the Roux Institute in Portland will further increase demand for housing in the area.

One stakeholder felt that while there are employment opportunities available, people are having trouble finding quality jobs. A lot of immigrant workers have skills suitable for better jobs but there are many barriers in utilizing those skills. This stakeholder also spoke to the poor conditions faced by undocumented workers. They noted that not only have they been working in Maine for a long time under bad conditions, but during COVID, were primarily in jobs (e.g., seafood processing) where they had to keep showing up in person.

One stakeholder articulated that 40% of school-aged Hispanic children were chronically absent from school due to worker shortages they were filling. They added that immigrant populations are trying to remain stable and cannot plan for careers. However, with the labor shortage, businesses are now starting to look at immigrants to fill higher-skilled positions. Participants noted increased technical assistance and career training would be beneficial for new Mainers to take advantage of the labor market. One stakeholder articulated that people experiencing disabilities are often working lower paying jobs and are on the lower end of the socioeconomic scale.

Solutions offered by Stakeholders

Stakeholders shared numerous suggestions about how to address the housing challenges in Cumberland County. One overarching theme expressed by a significant number of stakeholders was more regional cooperation and collaboration among public, private, and non-profit organizations, as well as urban and rural areas.

Build more housing near transportation and services

- One stakeholder felt that the City of Portland should focus housing development on commercial corridors to allow for more households to live in proximity to services and to increase transit use. They added that a lot more funding would be needed to build at a large scale.

- One stakeholder suggested linking the state point system for highway funding to local projects for housing development along those corridors. They added that to make it effective, "for federal pass-through funding, we'll give you extra points for the roads that have affordable housing along its frontage." They also noted that Maine Housing Authority currently directs affordable housing into urban centers, however, "if the point system for transportation and housing is linked holistically, a lot more communities would be seeking out housing projects."

Build more accessible housing

- One stakeholder felt incentives would be more a more effective approach to get housing built as opposed to mandates. They pointed to the State of Vermont's accessibility requirements — which exceed federal law — as a model to replicate. The stakeholder added that "[building accessible housing] does not have to cost more…we just have to change our mindset and know that when we design to the bare minimum, we are missing a huge opportunity.

- Stakeholders spoke about the lack of education and knowledge about the benefits of accessible housing and wanting there to be a more intentional push about spreading awareness. One stakeholder added that if more people thought about accessibility, not just in housing but in everyday life, it would make the lives of people experiencing disabilities much less challenging. Another stakeholder added that "we just need to [build accessible housing] so people can see it's not what they think it is and it benefits all of us. We are all temporarily able bodied."

- One stakeholder noted that Maine has a long history of getting bonds passed. They suggested creating a bond to incentivize developers to help fund more universal design units.

- Another stakeholder advocated for more funding for an adaptive equipment loan program, which can be used to purchase equipment or technology that improves independence, safety and quality of life for a person experiencing a disability.

Land use and zoning reforms

- Several stakeholders advocated for reducing minimum lot sizes, revising height restrictions, allowing multifamily housing by right, and adopting inclusionary zoning ordinances.

- One stakeholder noted that a lot of the county's housing issues are associated with "chronic underproduction." They noted that it's worth analyzing whether there are artificial limits on housing opportunity because of growth controls and land use. They suggested taking legislative action to ensure flexibility is preserved.

- Several stakeholders pointed to the State of Maine's Commission to Increase Housing Opportunities by Studying Zoning and Land Use Restrictions and advocated for the state to adopt those recommendations.

- Zoning that allows for infill and more density on transportation byways, allowing for "housing hubs" to identified on key transportation routes.

Innovative solutions to build housing

- One stakeholder suggested using tax increment financing (TIF) to help finance affordable housing development. They added that a lot of TIFs are about to expire or have expired, and towns should "re-up" them with additional restrictions for the money to go towards affordable housing.

- Several stakeholders wanted to see more energy and funding put towards the development of more co-operatives and land trusts. They felt this would be an alternative solution for low income families and people who work minimum wage jobs who cannot afford to buy a home under the current system.

- One stakeholder advocated for affirmatively inclusive policies in the QAP for LIHTC projects, wanting to see a set aside between 5-10% of units for supportive housing.

- One stakeholder advocated for closer coordination between local governments and public housing authorities. They stressed the need to carefully consider the appropriate balance of regulation and incentives to "create the right environment for developing housing that is needed." Because public housing authorities can create housing, they felt that working in tandem would be effective in getting housing built. They added that resources are limited and cannot meet all needs.

Landlord trainings

- Several stakeholders advocated for more education and training for landlords on housing choice voucher programs. They felt that this would reduce the stigma around renting to voucher holders and would help clear up misconceptions about the programs.

- One stakeholder advocated for more incentive programs for landlords to encourage them to rent to people with housing vouchers. Another stakeholder mentioned MaineHousing's efforts to encourage landlords to participate in their program by offering $750 for each new voucher, as well as deposit assistance and insurance against damages. There's an available source of money for damages, as well. They said that the program "was having a positive effect."

Other solutions

- Several stakeholders wanted to see more funding from the State of Maine to address the affordable housing shortage. One stakeholder did note that Maine Housing is tasked with administering and allocating $80 million of credits to affordable rental housing developers between 2021 and 2028. One stakeholder noted that "we have received no help [from the State] with the asylum seekers and just closed two hotels." Another stakeholder felt that there is an inequitable distribution of resources at the state level, noting that "towns that compose 75% of GDP get the least resources while more resources go to more rural places."

- One stakeholder felt there needed to be more fair housing education for community planners at the local level. They expressed that it was important that fair housing policy be widely understood so unconscious bias doesn't impact local policy and lead to unintended outcomes.

- One stakeholder also felt that real estate agents need more education and training on fair housing issues to increase their awareness about how to avoid violating the FHA in their practices. They suggested approaching the Maine Real Estate & Development Association (MEREDA) to see if they would provide programming on fair housing policy/issues at their annual conference.

- Another stakeholder advocated for implicit bias training for elected officials to bring more awareness about how it affects policymaking. They felt that these trainings would help increase awareness of why affordable housing is economically beneficial for their communities. This stakeholder added that "if they understood why diversity, equity, and inclusion works and affordable housing's connection to growing the economy and broadening the tax base, we'd be in a much better position."

SECTION IV.

DEMOGRAPHIC PATTERNS

SECTION IV.
Demographic Patterns

This section examines demographic patterns that are associated with residential settlement, housing availability and affordability, and access to opportunity in the city of Portland and Cumberland County. It also provides context for the analyses in Sections V (Access to Opportunity) and VI (Disproportionate Housing).

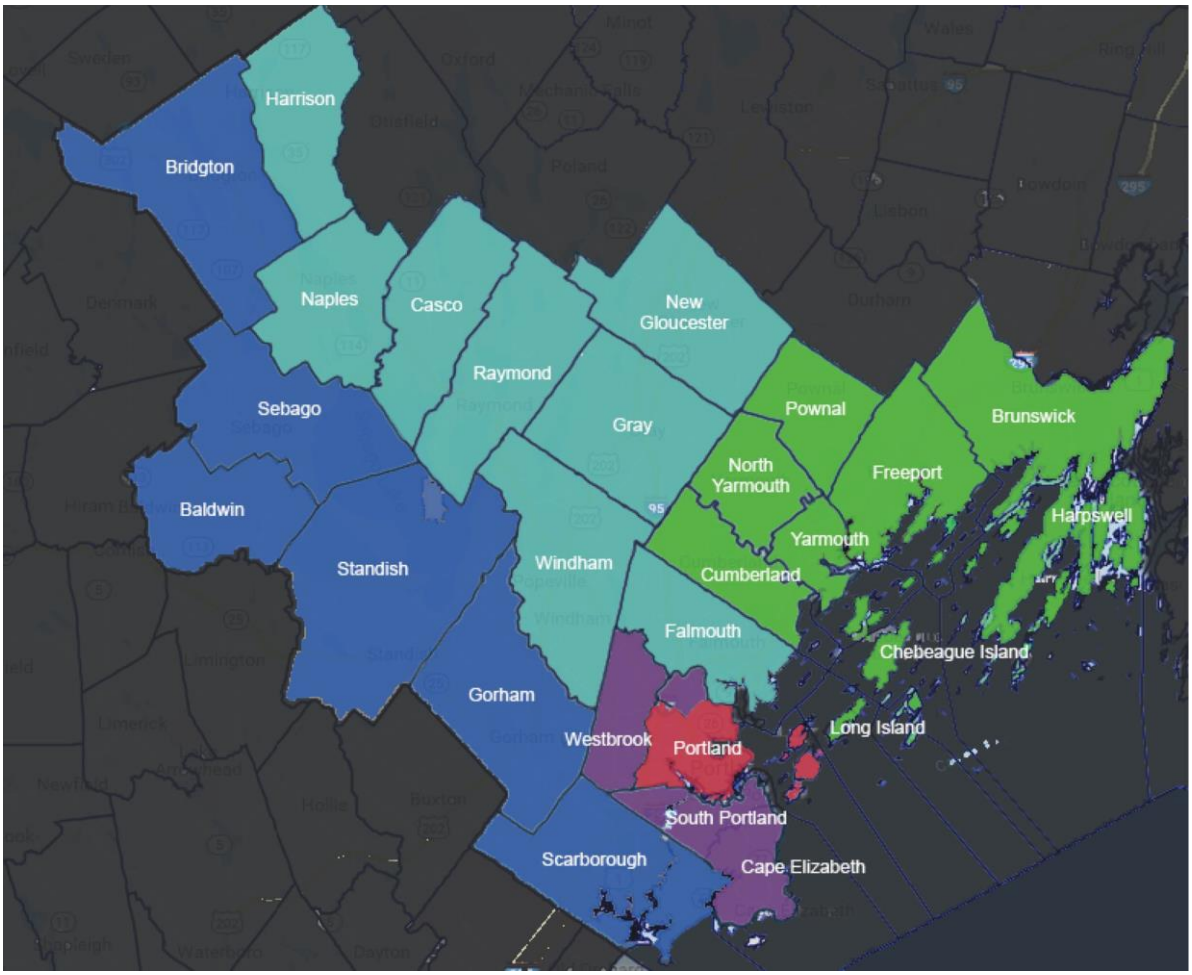
Consistent with recommended approaches in HUD fair housing guidance, this section:

- Describes demographic patterns in the county over time;
- Examines historical segregation and identifies the racial and ethnic groups that currently experience the highest levels of segregation; and
- Discusses exposure to concentrated poverty and identifies the characteristics of households living in high poverty areas.

Geographic area of analysis. This section includes data from Cumberland County HOME Consortium that are eligible to receive housing and community development funds from the U.S. Department of Housing and Urban Development.

To allow for a robust yet succinct analysis, each jurisdiction is included in their respective apportionment district as determined by the County. For the purposes of this analysis, District 4 includes Cape Elizabeth, South Portland, and Westbrook while District 5 includes the city of Portland in its entirety.

Cumberland County Apportionment Districts



Source: Cumberland County, Maine website.

- District 1 includes Baldwin, Bridgton, Gorham, Scarborough, Sebago, and Standish, located in the western and southern portions of the county. The largest jurisdiction, Scarborough, has a population of 22,135.
- District 2 includes Casco, Falmouth, Gray, Harrison, Naples, New Gloucester, Raymond, and Windham, located in the northern and central portions of the county. The largest jurisdiction, Windham, has a population of 18,434.
- District 3 includes Brunswick, Chebeague Island, Cumberland, Freeport, Harpswell, Long Island, North Yarmouth, Pownal, and Yarmouth, located in the eastern portion of the county. The largest jurisdiction, Brunswick, has a population of 21,756.
- District 4 includes Cape Elizabeth, South Portland, and Westbrook, located in the southern portion of the county. The largest jurisdiction, South Portland, has a population of 26,498.

- District 5 encompasses the city of Portland, which is located in the southern portion of the county. The city has a population of 68,408.

Primary Findings

- **Cumberland County has added close to 38,000 residents since 2000, representing an increase in population of 14%.** The fastest growing districts of in the county are District 1 (24%) and District 2 (18%). The slowest growing districts are Portland (6%) and District 3 (8%). The fastest growing jurisdictions were Sebago (33%), Gorham (30%) and Scarborough (30%). Harpswell is the only jurisdiction in the county that lost population over the same time period. (Figures IV-2 series).

- **The county is becoming more racially and ethnically diverse.** Increased racial and ethnic diversity in the county is driven by growth of Other Race, Latino/Hispanic, and African American/Black residents, primarily in Portland and District 4 jurisdictions. (Figure IV-3). Racial and ethnic segregation, as measured by a common measure called the Dissimilarity Index (DI), has increased since 2010, although it remains low except for **African American/Black residents who are living in more segregated conditions in 2020 compared to 2010**. (Figure IV-17).

- Overall, there are around 33,000 residents with a disability in the county. The share of the population with a disability decreased by one percentage point between 2012 and 2020. Districts with the highest rate of disability are Portland and District 1 (13% each, respectively) while District 2 has the lowest rate (9%). Among jurisdictions, Bridgton has the highest rate of disability (20%) while Falmouth, Raymond, Pownal, and Cape Elizabeth have the lowest share of the population with a disability (6% each respectively). (Figures IV-6 series).

- Currently, there are approximately 23,750 individuals and 3,200 families experiencing poverty in Cumberland County. However, **the county has seen a decrease in individual and family poverty since 2012.** Portland and District 4 have the highest individual and family poverty rates in the county, while District 1 has the lowest individual and family poverty rates. Yarmouth experienced the greatest increase in poverty—a 7 percentage point increase for both the town's family and individual poverty rates. Long Island and Harpswell experienced the greatest decreases for both rates. (Figures IV-18 series).

- In Cumberland County, **single mothers are five times as likely to live in poverty as the average family household.** Portland (25%), along with Districts 3 and 4 (24% each, respectively), have the greatest proportion of single mothers experiencing poverty in the county. District 2 has the lowest share (13%). Compared to 2012, there are now six times as many single mother households experiencing poverty in Standish, as well as nearly four times as many in Yarmouth, more than twice as many in Cape Elizabeth and more than 1.5 times in Harrison and Falmouth in 2020.

- **The poverty rate for African American/Black families is almost 12 times that of non-Hispanic White families** in Cumberland County. Asian families are four times as likely to experience poverty as non-Hispanic White families, while Hispanic families are twice as likely.

- By age, county residents between the ages of 18-34 experience the highest rate of poverty (11%), followed by residents under 18 (9%). Residents under the age of 18 experience the highest rates of poverty in Westbrook (28%), Portland (16%), and Yarmouth (16%).

- **Among districts, Portland is the only one with an over-representation of low income households compared to its share of households countywide**. District 4 has a proportional share of low income households compared to its share of total households, while Districts 1 through 3 have an under-representation. (Figure IV-23 series).

- Concentrations of poverty within the county are found in Portland, Westbrook, Brunswick, Yarmouth, Casco, Naples, and Standish.

- There were **five census tracts with individual poverty rates at least three times that of the county rate.** Overall, these census tracts are comprised of residents who are younger, more racially and ethnically diverse, and more likely to be unemployed than the county overall. All of the five census tracts have a higher proportion of African American/Black residents compared to the county. (Figure IV-28).

- There were **seven census tracts with family poverty rates at least three times that of the county rate**. Collectively, these census tracts are more diverse and younger than the county overall. A majority of the census tracts have a greater proportion of single mother households. (Figure IV-29).

History of Residential Settlement and Segregation

The history of residential settlement in Cumberland County—and intentional efforts to segregate residents by race, ethnicity, national origin, and class—has continued to impact the present-day housing outcomes for households of color. This introductory section provides a brief synopsis of the county's history to provide context for current demographic and housing conditions.

Cumberland County's settlement history is closely linked with its economy and geographic location. The first permanent European settlement in the present-day county was a fishing and trading village established on the peninsula in 1630. Eventually, the area developed into a commercial port and shipping center, with the waterfront in Portland becoming "…the primary engine of [the city's] growth and economy for three centuries afterword."[1] Shipbuilding and fishing emerged as the dominant economies for the county in the nineteenth century. Portland also emerged as a major seaport and rail hub in the area during the mid-19th and early 20th century. However, after the deterioration of its port facilities and the implementation of new Canadian tariffs, Canada diverted its exports from Portland to its Maritime provinces. While the marine industry, particularly fishing and commercial shipping, still play a major role in the economy, tourism and the service sector have emerged as major economic drivers.

The economy in Maine also has a direct link to the county's demographic makeup. The location in the northeastern part of the United States—far from the center of the country's slave trade—and the types of agriculture and businesses that were cultivated in Maine discouraged the use of slavery. The state's "…economy wasn't built on plantation farming. Maine relied instead on forestry, shipbuilding and textile and mill industries fueled by waterpower."[2] These industries, however, were collectively fueled by the work of enslaved people.

Maine played a role in the slave trade as early as the 17th and 18th centuries, where both slave labor and profits derived from enslaved people helped develop many Maine businesses and communities. The slave economy in Maine was built mainly through the trading of lumber, molasses, and rum by merchants and shipbuilders.[3] Before its admittance to the union as part of the Missouri Compromise, Maine was a part of Massachusetts. In the late eighteenth century, Massachusetts declared slavery illegal; however, this did not result in freedom for many that were enslaved. Although no enslaved people in Massachusetts were officially listed in the 1790 federal census, "other records

[1] https://www.portlandmaine.gov/1611/Portland-Waterfront-Old-Port-Historic-Di

[2] https://www.mainepublic.org/maine/2019-02-19/why-is-maine-so-white-and-what-it-means-to-ask-the-question

[3] https://www.mainememory.net/lessons/resource/a1b0c3g3/Black_History_and_the_History_of_Slavery_in_Maine_lesson_plan.pdf

such as wills and probate inventories…show that a small number of individuals continued to essentially be held in slavery in the late 18th and early 19th centuries."[4]

The population of Black Mainers has historically been much smaller compared to the white population. From 1830 to 1950, the Black population increased from 1,000 to 2,000 and the white population soared from 398,000 to 910,000. During this time, the state experienced a strong Nativist movement and the presence of the Ku Klux Klan that ensured Black Mainers did not feel welcome despite their multi-generational residency.[5] Although segregation was never formally codified into law, other forces led to segregation—namely, housing discrimination.[6] Discrimination was also routinely experienced by Native Americans, Irish Catholics, French Canadians, and Jews.

According to Eben Simmons-Miller, a scholar in the politics of fair housing in Maine, housing discrimination "was the most recognized form of oppression faced by Maine's African Americans" as late as the 1960s.[7] While some middle class African American households found housing options in the broader region, African American households in Portland "…remained in ethnically mixed neighborhoods on the Portland peninsula as they could not afford the expensive rents elsewhere due to limited employment options."[8] Homes were often in substandard condition in these areas, thus impacting the value of the home and the amount of economic resources the neighborhood could attract. Discrimination within the housing market severely limited choices for racial and ethnic minorities and thus resulted in segregation within the city.

Ethnic minorities were also confronted with prejudice. Early census records in the Northeast recorded Acadians (French descendants living in Nova Scotia who had been forcibly removed by the British during the 1754-1763 French and Indian War), Irish, Jewish and French-Canadian separately from the white population—indicating a different classification of residency. Although the 1820 Maine Constitution allowed Black men and people with no property to vote, it disenfranchised paupers who resided in houses made for poor people and those who received public assistance. Census data from 1850 to 1904 shows this population was mostly immigrants and people of color.[9] In 1893, an amendment was added to the state constitution that required literacy tests to vote; this was a major barrier to poor white immigrants in the state. Mainers voted to enfranchise paupers in 1965 through a constitutional amendment and removed the literacy

[4] Lumpkins, Charles L.. "Civil-Rights Activism in Maine, 1945-1971." Maine History 36, 3 (1996): 70-85. https://digitalcommons.library.umaine.edu/mainehistoryjournal/vol36/iss3/2

[5] Ibid

[6] Ibid

[7] Simmons-Miller, Eben. "Resistance In "Pioneer Territory": The Maine NAACP and the Pursuit of Fair Housing Legislation." Maine History 36, 3 (1996): 86-105. https://digitalcommons.library.umaine.edu/mainehistoryjournal/vol36/iss3/3

[8] Hillebrand, Justus. "Making it Work Before the Movement: African-American Community and Resistance in 1940s and 1950s Portland, Maine." Maine History 49, 1 (2015): 39-76. https://digitalcommons.library.umaine.edu/mainehistoryjournal/vol49/iss1/3

[9] Myall, James (2020). Race and Public Policy in Maine: Past, Present, and Future. Maine Policy Review, vol. 29, no. 2.

requirement in 1970 following an amendment to the Voting Rights Act.[10] The history of voter enfranchisement is important to recognize, as the laws that elected officials dictated often reflected the attitudes of the white, economically powerful actors within the housing market.

Describing the segregatory patterns in Portland in the 1930s and 1940s, one resident articulated:

"The street I lived on [Lafayette Street on Munjoy Hill], there [were] probably eight or ten black families…and there [were] maybe a few on Merrill Street, which is the next one over…[W]e used to say that most of the blacks were either at the East end, which was Munjoy Hill, or the West End down by the railroad station or Union Station. Very few in between. Then on the outskirts and the suburbs — forget about it. None at all."[11]

A Black activist recalled in the 1950s and 1960s, there was "a definite geography to where blacks lived in Portland" and that they "could find housing only in neighborhoods specified by a tradition of segregation."[12] Black Mainers were routinely denied housing on the spot because of racial discrimination. This discrimination was perpetuated by real estate agents, who routinely complied with an unwritten code of "…prohibiting the selling of homes in suburban or affluent areas to blacks."[13] These actions continue to have lasting impacts as the legacy of where Black families could reside in Portland in the 20th century and before has remained and shaped the living patterns of present-day communities.

Redlining. Today, exclusion of people based on their race or ethnicity is broadly referred to as "redlining." The term refers to a practice of the Federal Home Owner's Loan Corporation (HOLC) established in 1933 to stabilize the housing market. Prior to the HOLC, homeownership was unusual for all but the very wealthy, as lenders required very large down payments (e.g., 50% of home value), interest only payments with a "balloon" payment at the end of the loan term (which required new financing), and very short loan terms (5-7 years). The HOLC offered more reasonable lending terms in an effort to expand homeownership.

To evaluate loan risk, the HOLC hired local real estate agents to develop maps depicting neighborhood quality, which were largely based on racial and ethnic prejudice. Predominantly White neighborhoods were assigned a low-risk rating and correspondingly low interest rate loans. High risk neighborhoods, largely non-White, carried high-interest loans or no lending at all.

[10] Ibid

[11] Hillebrand, Justus. "Making it Work Before the Movement: African-American Community and Resistance in 1940s and 1950s Portland, Maine." Maine History 49, 1 (2015): 39-76.

[12] Ibid

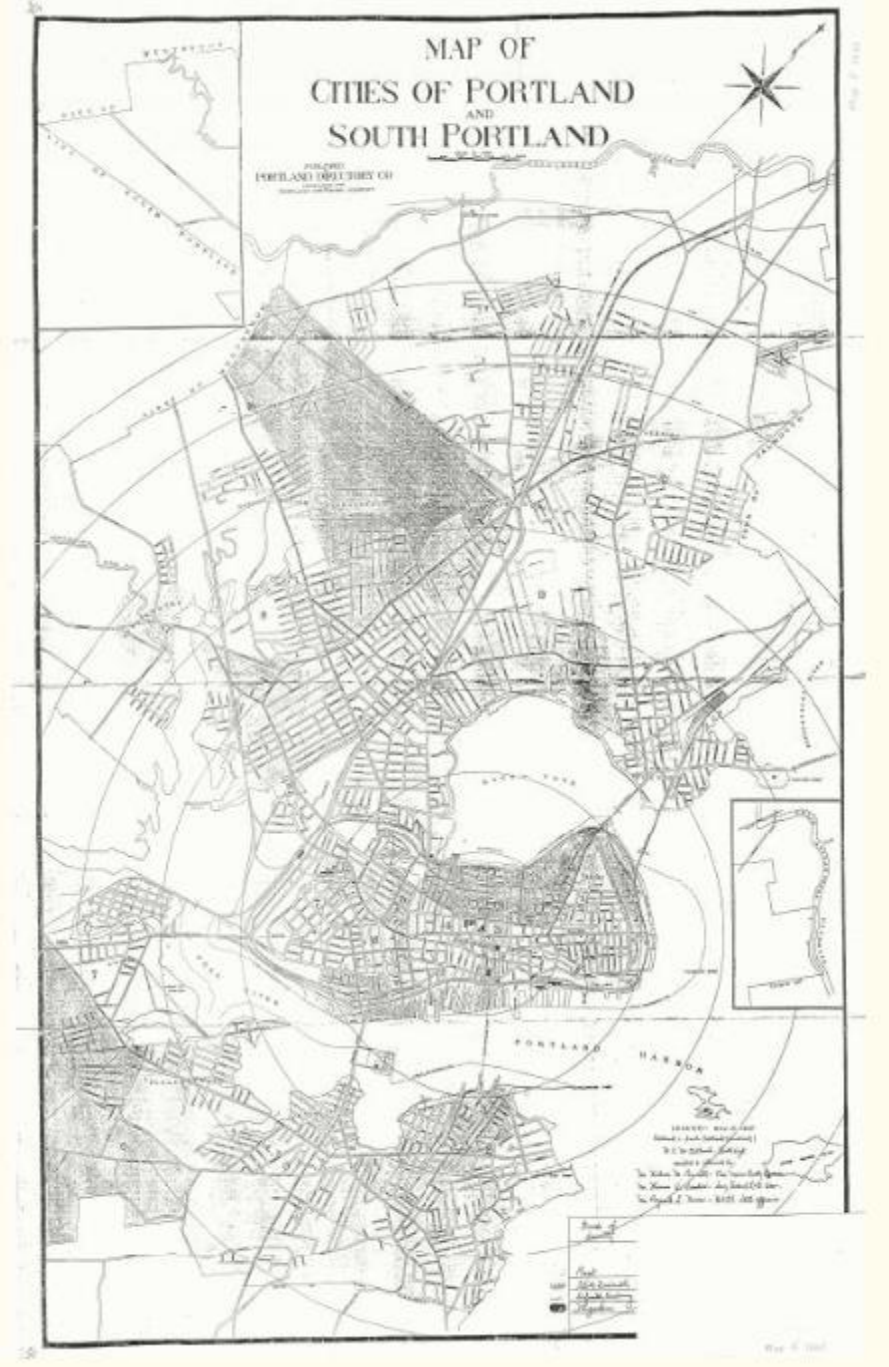
[13] Ibid

A map of Portland made in 1935 used by bankers and real estate agents to evaluate mortgage risks designates "foreign-born, negro, or lower grade populations" as "hazardous." It also labels where Irish, Italian, Jewish, and Polish neighborhoods were located.[14] The practice of rating neighborhoods based on perceived risk was largely based on prejudice and excluded people in "hazardous" neighborhoods from accessing homeownership and the generational financial benefits that come with it. According to David Freidenreich, Professor of Jewish Studies at Colby College, real estate agents also steered Jewish and immigrant families away from affluent areas of town, thus creating segregated neighborhoods and unequal housing opportunities.[15] As discussed later in this section, most of the racial, ethnic, and poverty concentrations still follow many of the lines drawn by the HOLC maps.

[14] Maine Historical Society. Redline map of Portland and South Portland, 1935. https://www.mainememory.net/artifact/105920

[15] Freidenreich, David. Redlining and Jewish Communities in Maine. https://www.mainememory.net/sitebuilder/site/3086/page/4887

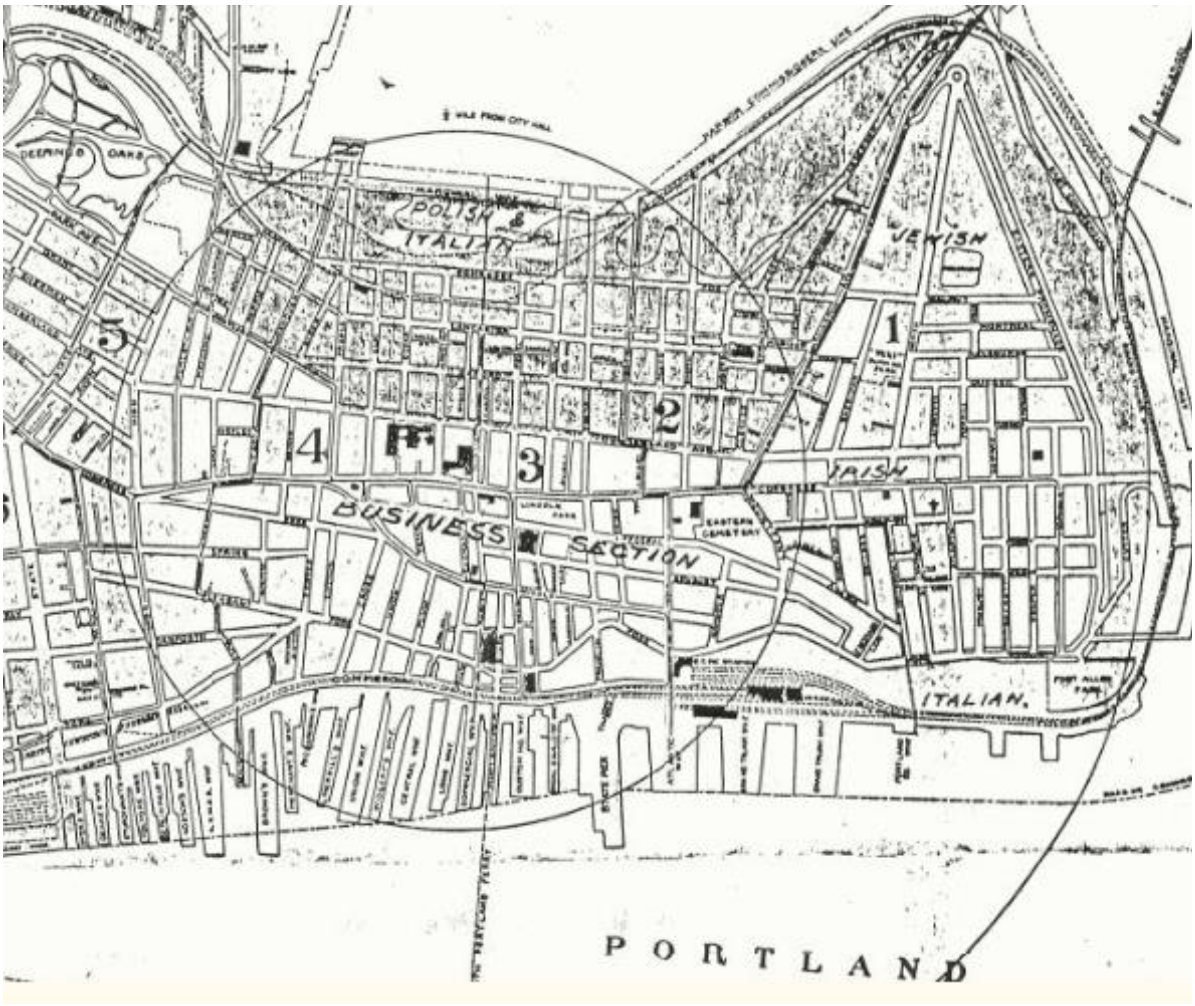
Figure IV-1a.
Portland and South Portland Redlining Map, 1935



Note: According to the Maine Memory Society, this photocopy is the only known surviving copy of this map. The lower right corner was obscured during the copying process in 1935.

Source: https://www.mainememory.net/artifact/105920

Figure IV-1b.
Portland and South Portland Redlining Map,



Source: https://www.mainememory.net/artifact/105920

After the HOLC was formed, the Federal Housing Administration (FHA) was created to insure residential mortgages. Insurance was effectively only available to White households, as the FHA underwriting manual instructed against insuring properties in "higher risk" neighborhoods. The FHA also favored "lower risk" lending in the expanding suburbs.

These federal policies were exacerbated by private actors—notably "blockbusting." Real estate companies convinced White owners to sell at below market prices based on threats that non-White buyers were moving into the neighborhood. They then offered buyers of color, who had very few options for buying a home, inflated prices with unfavorable lending terms.

Decades later, these practices became illegal. The Federal Fair Housing Act of 1968 addressed some aspects of discrimination in lending by prohibiting banks from denying or basing the terms of mortgage loans based on protected class. The Equal Credit

Opportunity Act strengthened these provisions in 1974 by prohibiting discrimination in consumer and commercial credit. The Home Mortgage Disclosure Act (HMDA) of 1975 required financial institutions to provide financial data on mortgage lending, which federal regulators use today to detect violations of fairness in lending.

Urban Renewal. The Slum Clearance and Redevelopment Authority was established in Portland in 1951. The goal of the Authority was to make way for "a better more spacious way of living."[16] The actions taken to redevelop have shaped what Portland looks like today, both in terms of demographics and aesthetics. One project demolished the central and historic Union Station (built in 1888), which was replaced by a shopping center in 1961. Black, Italian, Jewish, and Polish neighborhoods were uprooted to make parking lots, parks, and "modern" buildings. Previously, these neighborhoods allowed racial and ethnic minorities an affordable haven, where landlords did not have restrictions against large families and where people within their community could gather safely. Once displaced, housing options were limited further and communities became disjointed.[17] In 1958, for example, the Slum Clearance and Redevelopment Authority cleared the area of the Franklin Street corridor. Despite efforts of historic preservation groups, between 1961 and 1972, about 2,800 units were demolished and replaced by 525 units—not nearly enough to compensate the racial and ethnic minority families who were displaced in the process. The impact can be seen today, where Portland and the surrounding area remains a white-majority city with pockets of segregation that either survived the renewal process or were pushed to their present location.

Cumulative impact. In sum, for more than 100 years, the housing choices of non-White households in the county have been disrupted through forced segregation; restrictions on migration into higher opportunity areas; denial of homeownership; demolition of local businesses and homes; and barriers for wealth-building.

These practices that denied housing choice for many protected classes—and especially racial and ethnic minorities—were persistently and stubbornly applied for decades. People who identify as lesbian, gay, bisexual, transgender, and gender fluid (LGBTQ+) have also experienced discrimination and been denied access to housing choice, although that discrimination has not been widely documented because LGBTQ+ Fair Housing Act protections are recent, clarified through legal decisions, Executive Orders, and HUD guidance.

The cumulative impact of these actions, as discussed in the remainder of this report, have led to considerable differences in housing choice and access to economic opportunity.

[16] Larry, Julie. Greater Portland Landmarks' Urban Renewal Roots. https://www.portlandlandmarks.org/blog/2020/4/28/historic-preservation-in-the-urban-renewal-era

[17] Ibid

Demographic Context

As shown in Figures IV-2a through IV-2e, Cumberland County has added close to 38,000 residents since 2000, representing an increase in population of 14%.

The fastest growing districts in the county are District 1 (24%) and District 2 (18%).

- In District 1, Sebago, Scarborough, and Gorham all experienced an increase in population over 30%, respectively.
- In District 2, Windham, Falmouth, Gray, and Naples all saw their populations increase by at least 20% over the last twenty years.
- In District 3, North Yarmouth (27%) and Cumberland (18%) experienced the greatest increases in population.
- In District 4, Westbrook (26%) saw a considerable increase in population, followed by South Portland (14%)

Portland experienced a modest increase in population, growing by 6% in the last twenty years. The city's overall share of the county's population decreased by one percentage point (24% in 2000, 23% in 2020).

The only jurisdiction to lose population over the last twenty years was Harpswell, which experienced a four percentage point decrease in its population between 2000 and 2010. As shown in the far right columns in the tables, these 20 year growth patterns shifted individual districts' share of the county's population only modestly.

Figure IV-2a.
Share of Population and Population Change by Jurisdiction, District 1 and County, 2000-2020

				Change		Share of County	
	2000	2010	2020	Number	Percent	2000	2020
District 1	48,002	53,628	59,564	11,562	24%	18%	20%
Baldwin	1,290	1,525	1,520	230	18%	0%	1%
Bridgton	4,883	5,210	5,418	535	11%	2%	2%
Gorham	14,141	16,381	18,336	4,195	30%	5%	6%
Scarborough	16,970	18,919	22,135	5,165	30%	6%	7%
Sebago	1,433	1,719	1,911	478	33%	1%	1%
Standish	9,285	9,874	10,244	959	10%	3%	3%
Cumberland County	265,612	281,674	303,069	37,457	14%	100%	100%

Source: U.S. Census Bureau 2000, 2010, and 2020 Decennial Census.

Figure IV-2b.
Share of Population and Population Change by Jurisdiction, District 2 and County, 2000-2020

				Change		Share of County	
	2000	2010	2020	Number	Percent	2000	2020
District 2	50,194	56,269	59,377	9,183	18%	19%	20%
Casco	3,469	3,742	3,646	177	5%	1%	1%
Falmouth	10,310	11,185	12,444	2,134	21%	4%	4%
Gray	6,820	7,761	8,269	1,449	21%	3%	3%
Harrison	2,315	2,730	2,447	132	6%	1%	1%
Naples	3,274	3,872	3,925	651	20%	1%	1%
New Gloucester	4,803	5,542	5,676	873	18%	2%	2%
Raymond	4,299	4,436	4,536	237	6%	2%	1%
Windham	14,904	17,001	18,434	3,530	24%	6%	6%
Cumberland County	265,612	281,674	303,069	37,457	14%	100%	100%

Source: U.S. Census Bureau 2000, 2010, and 2020 Decennial Census.

Figure IV-2c.
Share of Population and Population Change by Jurisdiction, District 3 and County, 2000-2020

				Change		Share of County	
	2000	2010	2020	Number	Percent	2000	2020
District 3	54,633	54,067	59,255	4,622	8%	21%	20%
Brunswick	21,172	20,278	21,756	584	3%	8%	7%
Chebeague Island	N/A	341	396	N/A	N/A	0%	0%
Cumberland	7,159	7,211	8,473	1,314	18%	3%	3%
Freeport	7,800	7,879	8,737	937	12%	3%	3%
Harpswell	5,239	4,740	5,031	-208	-4%	2%	2%
Long Island	202	230	234	32	16%	0%	0%
North Yarmouth	3,210	3,565	4,072	862	27%	1%	1%
Pownal	1,491	1,474	1,566	75	5%	1%	1%
Yarmouth	8,360	8,349	8,990	630	8%	3%	3%
Cumberland County	265,612	281,674	303,069	37,457	14%	100%	100%

Note: Chebeague Island was incorporated in 2007.

Source: U.S. Census Bureau 2000, 2010, and 2020 Decennial Census.

Figure IV-2d.
Share of Population and Population Change by Jurisdiction, District 4 and County, 2000-2020

				Change		Share of County	
	2000	2010	2020	Number	Percent	2000	2020
District 4	48,534	51,511	56,433	7,899	16%	18%	19%
Cape Elizabeth	9,068	9,015	9,535	467	5%	3%	3%
South Portland	23,324	25,002	26,498	3,174	14%	9%	9%
Westbrook	16,142	17,494	20,400	4,258	26%	6%	7%
Cumberland County	265,612	281,674	303,069	37,457	14%	100%	100%

Source: U.S. Census Bureau 2000, 2010, and 2020 Decennial Census.

Figure IV-2e.
Share of Population and Population Change by Jurisdiction, District 5 and County, 2000-2020

	2000	2010	2020	Change		Share of County	
				Number	Percent	2000	2020
District 5 - Portland	64,249	66,194	68,408	4,159	6%	24%	23%
Cumberland County	265,612	281,674	303,069	37,457	14%	100%	100%

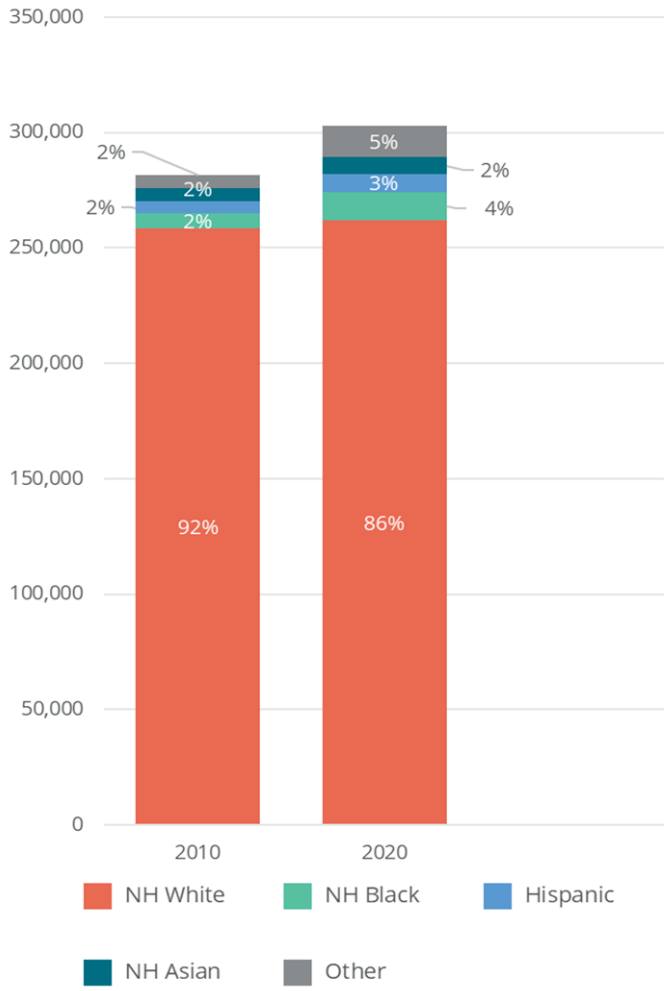
Source: U.S. Census Bureau 2000, 2010, and 2020 Decennial Census.

Figure IV-3 shows the race and ethnicity of residents in the county. As the county has grown, it has increased its racial and ethnic diversity, primarily through the growth of Other Race, African American/Black, and Hispanic residents.

- The county as a whole is 86% non-Hispanic White. The second largest racial group is residents who identify as Other Race, comprising 5% of the county's population.
- In 2010, the county was 92% non-Hispanic White, with African American/Black, Hispanic, Asian and Other Race residents each comprising 2% of the county's population.
- In Portland, 78% of residents are non-Hispanic White. African American/Black residents make up 10% of the city's population, followed by Hispanic (4%) and Asian (3%) residents. Residents who identify as American Indian and Alaska Native, Native Hawaiian and Other Pacific Islander, and Other Race each comprise less than 1% of the city's population, respectively.
- Portland was less racially and ethnically diverse in 2010, with 84% of its residents identifying as non-Hispanic White. African American/Black residents comprised 7% of the city's residents, followed by Hispanic and Asian residents (3% each, respectively). Residents identifying as American Indian and Alaska Native, Native Hawaiian and Other Pacific Islander, or Other Race each comprised less than 1% of the city's population, respectively.

Figure IV-3.
Cumberland County Population by Race and Ethnicity, 2010 and 2020

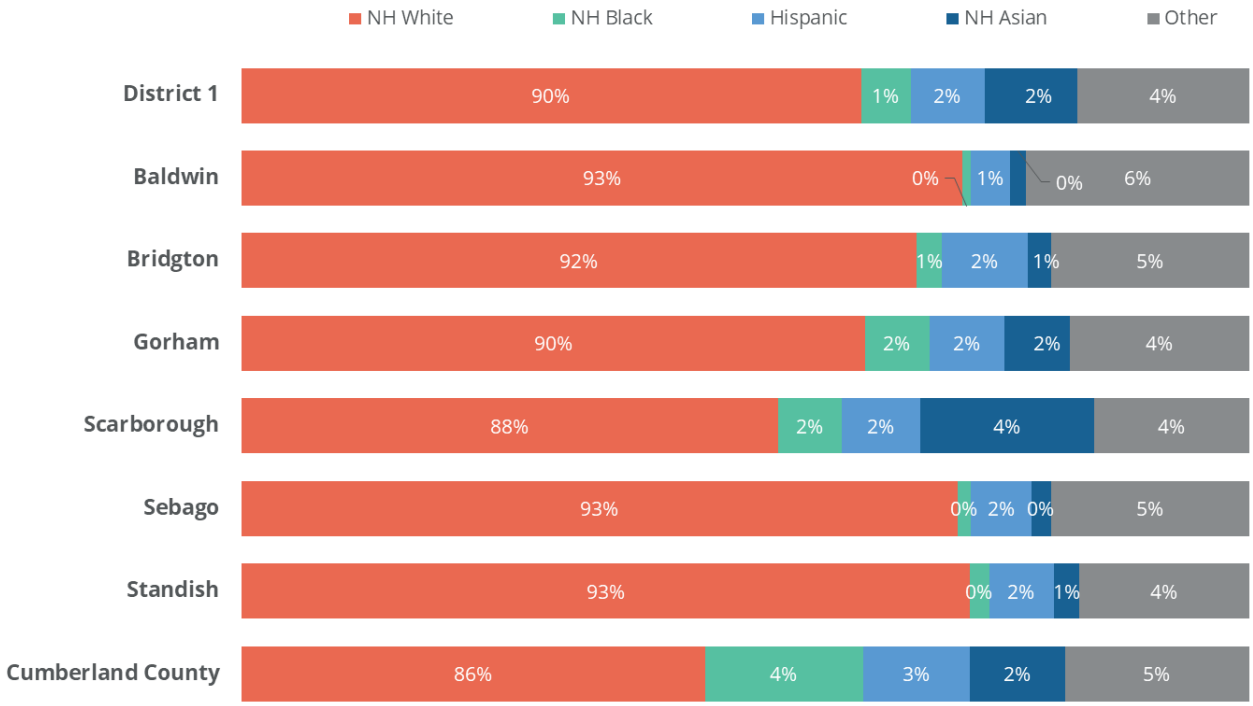
Source:
U.S. Census Bureau 2010 and 2020 Decennial Census.



Racial/ethnic distribution differs marginally by district, as shown in Figures IV-4a through IV-4e. Portland and District 4 have the smallest non-White populations, with 78% and 84% of their residents identifying as non-Hispanic White. Non-Hispanic White populations make up at least 90% of the population in Districts 1 through 3. These districts also have the smallest proportions of African American/Black residents, with no jurisdiction having more than 2% of African American/Black residents living in their town/city. By comparison, Portland, Westbrook, and South Portland's African American/Black population is 10%, 8%, and 6%, respectively.

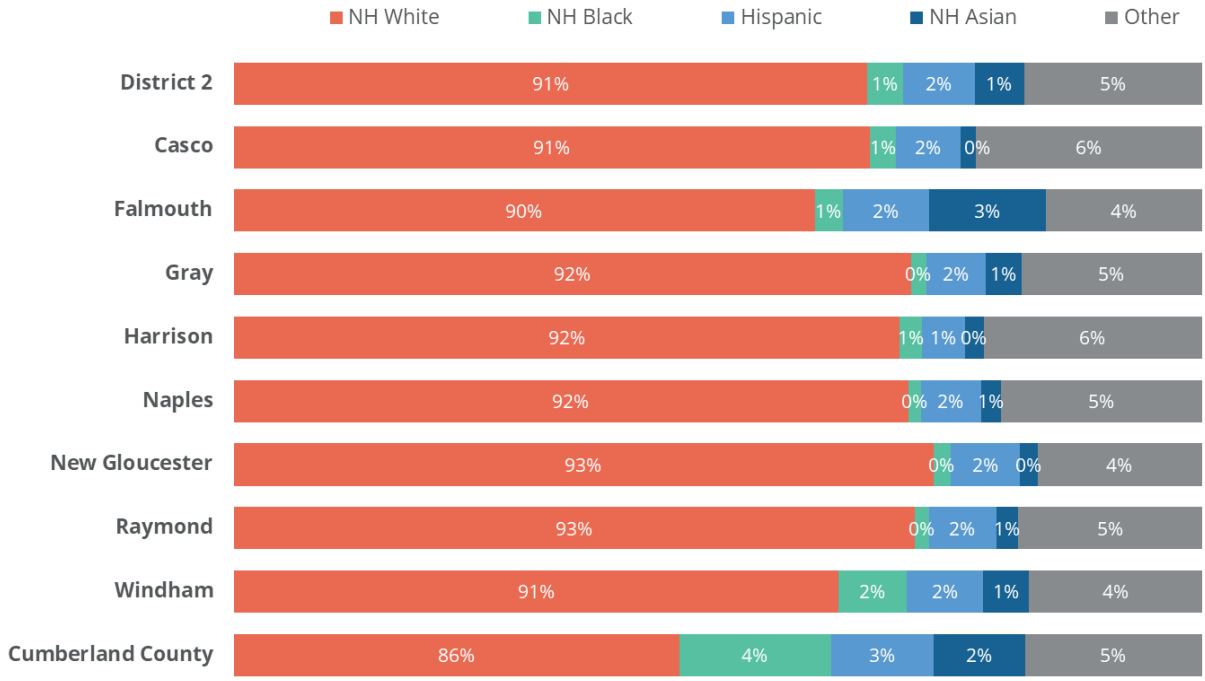
The largest proportion of Latino/Hispanic households live in Brunswick and Portland (4% each respectively), while the Asian population is largest in Scarborough and Westbrook (4% each respectively). The largest proportion of residents who identify as Other Race live in Baldwin, Casco, Harrison, and Brunswick at 6%.

Figure IV-4a.
Race and Ethnicity Distribution by Jurisdiction, District 1 and County, 2020



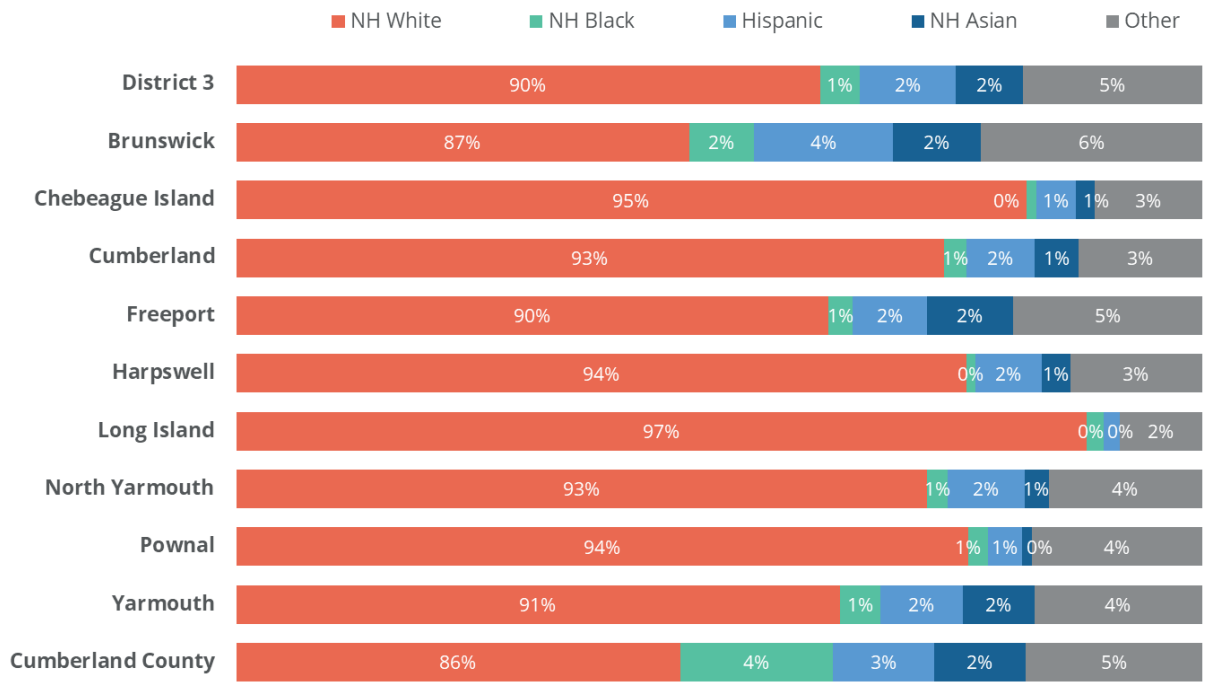
Source: U.S. Census Bureau 2020 Decennial Census.

Figure IV-4b.
Race and Ethnicity Distribution by Jurisdiction, District 2 and County, 2020



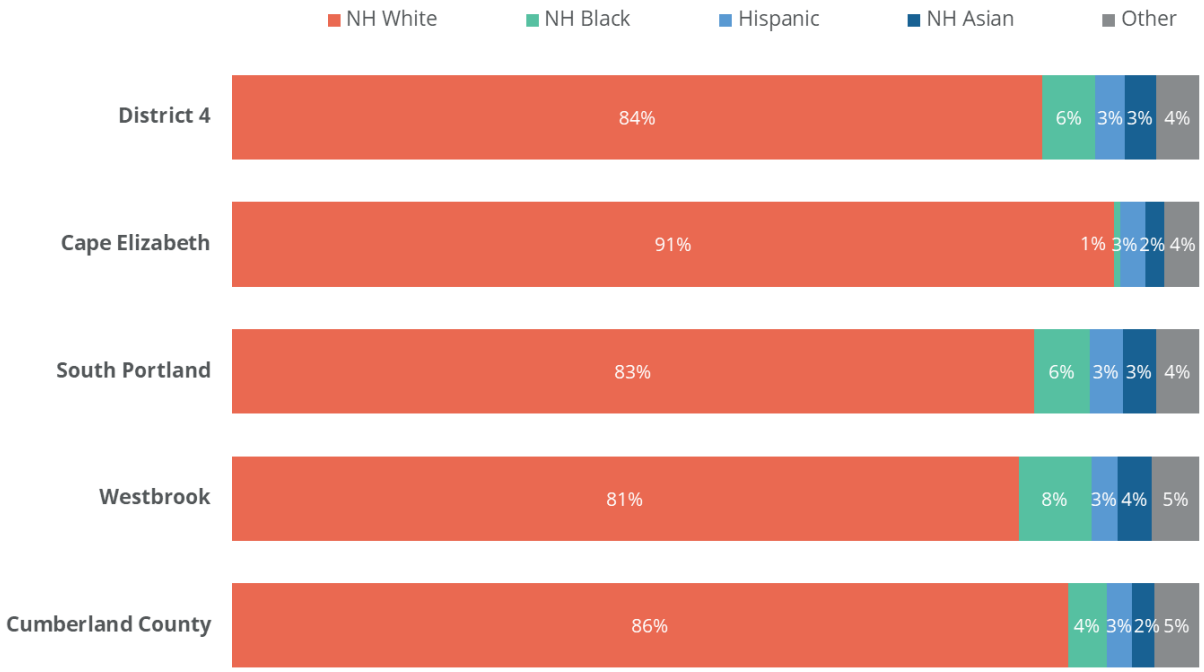
Source: U.S. Census Bureau 2020 Decennial Census.

Figure IV-4c.
Race and Ethnicity Distribution by Jurisdiction, District 3 and County, 2020



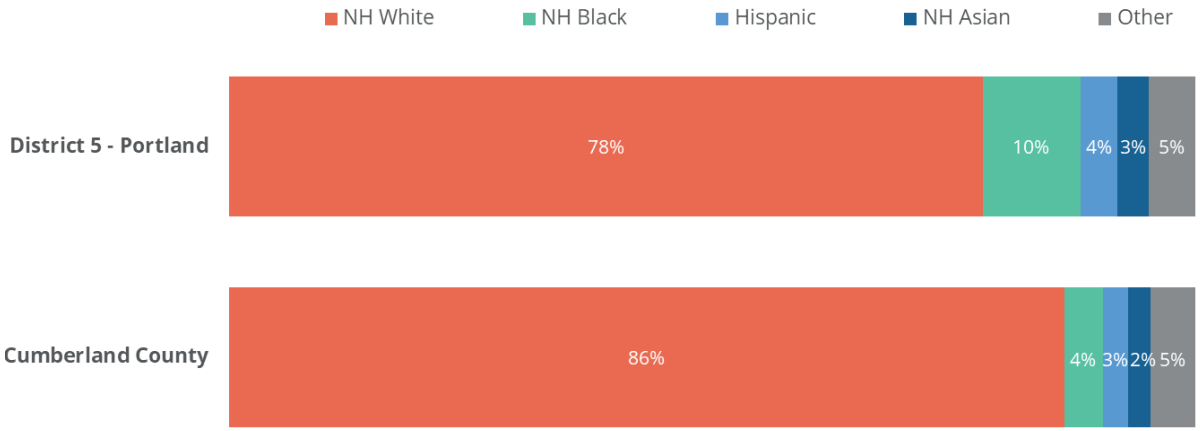
Source: U.S. Census Bureau 2020 Decennial Census.

Figure IV-4d.
Race and Ethnicity Distribution by Jurisdiction, District 4 and County, 2020



Source: U.S. Census Bureau 2020 Decennial Census.

Figure IV-4e.
Race and Ethnicity Distribution by Jurisdiction, District 5 and County, 2020



Source: U.S. Census Bureau 2020 Decennial Census.

Familial status. The proportion of family households in Cumberland County decreased slightly between 2010 and 2020 (62% in 2010, 60% in 2020). Over half of family[18] households in Cumberland County are married couples with no children, followed by married couples with children (17%), other families[19] (8%), and single parents (4%). These data include same-sex married couples.[20] Non-family households, which can be comprised of roommates, unrelated people living together, or single people living alone, account for 40% of all county households.

Portland experienced a similar decrease in family households over the same time period (45% in 2010, 43% in 2020). The majority of family households in Portland are married couples with no children (20%), followed by married couples with children (12%), other families (6%), and single parents (5%). Nearly six in ten households in Portland are non-family households. Portland's non-family households are predominantly people living alone (68%). Nearly a quarter of these households are seniors.

Household type varies significantly between jurisdictions. As shown in Figures IV-5a through IV-5e, District 1 has the highest share of family households (70%) among districts in Cumberland County. Standish, Gorham, and Scarborough have the highest proportions of family households in the district. Bridgton and Sebago have the lowest proportions of family households in District 1 (61% each, respectively). Bridgton also has the greatest share of single parent households (7%).

Family households make up nearly two thirds of all households in District 2. Family households account for three out of four households in both New Gloucester and Raymond. Casco and Harrison have the lowest share of family households (48% and 51%, respectively) in the district. Naples has the highest proportion of single parent households (6%).

Similar to District 2, family households make up two thirds of all households in District 3. Pownal, Freeport, and Cumberland have the greatest shares of family households (79%, 78%, and 77%, respectively) while Chebeague Island and Brunswick have the lowest shares (51% and 57%, respectively). Yarmouth has the greatest proportion of single parent households in the district (6%).

The proportion of family households in District 4 (58%) is lower than the county overall. However, family households make up seven out of every ten households in Cape Elizabeth. South Portland and Westbrook both have smaller proportions (55% each, respectively). South Portland has the greatest share of single parent households in the district (6%).

[18] A family is a group of two people or more (one of whom is the householder) related by birth, marriage, or adoption and residing together.

[19] Other families could include households who live their parents or other relatives.

20 Same-sex marriage was legalized by Maine voters in 2012.

Figure IV-5a.
Household Type by Jurisdiction, District 1 and County, 2020

Jurisdiction	Family Households					Non-family households
	All family households	Married with children	Married, no children	Single parent	Other family households	
District 1	70%	20%	38%	5%	7%	30%
Baldwin	68%	11%	48%	1%	8%	32%
Bridgton	61%	6%	36%	7%	11%	39%
Gorham	71%	28%	33%	5%	5%	29%
Scarborough	71%	20%	41%	5%	5%	29%
Sebago	61%	18%	32%	1%	10%	39%
Standish	73%	20%	39%	3%	12%	27%
Cumberland County	60%	17%	31%	4%	8%	40%

Source: 2016-2020 American Community Survey 5-year estimates and Root Policy Research.

Figure IV-5b.
Household Type by Jurisdiction, District 2 and County, 2020

Jurisdiction	Family Households					Non-family households
	All family households	Married with children	Married, no children	Single parent	Other family households	
District 2	66%	19%	35%	3%	9%	34%
Casco	48%	10%	27%	1%	9%	52%
Gray	67%	16%	40%	4%	7%	33%
Harrison	51%	7%	36%	3%	5%	49%
Naples	54%	8%	29%	6%	12%	46%
New Gloucester	76%	35%	35%	2%	4%	24%
Raymond	75%	17%	52%	3%	4%	25%
Windham	70%	24%	32%	3%	11%	30%
Cumberland County	60%	17%	31%	4%	8%	40%

Source: 2016-2020 American Community Survey 5-year estimates and Root Policy Research.

Figure IV-5c.
Household Type by Jurisdiction, District 3 and County, 2020

Jurisdiction	Family Households					Non-family households
	All family households	Married with children	Married, no children	Single parent	Other family households	
District 3	67%	21%	34%	4%	9%	33%
Brunswick	57%	17%	29%	3%	7%	43%
Chebeague Island	51%	9%	33%	4%	4%	49%
Cumberland	77%	33%	35%	4%	6%	23%
Freeport	78%	22%	40%	5%	11%	22%
Harpswell	64%	9%	47%	4%	3%	36%
Long Island	61%	23%	30%	0%	8%	39%
North Yarmouth	71%	27%	29%	2%	13%	29%
Pownal	79%	22%	46%	3%	9%	21%
Yarmouth	68%	22%	28%	6%	12%	32%
Cumberland County	60%	17%	31%	4%	8%	40%

Source: 2016-2020 American Community Survey 5-year estimates and Root Policy Research.

Figure IV-5d.
Household Type by Jurisdiction, District 4 and County, 2020

Jurisdiction	Family Households					Non-family households
	All family households	Married with children	Married, no children	Single parent	Other family households	
District 4	58%	15%	29%	5%	9%	42%
Cape Elizabeth	71%	27%	38%	3%	3%	29%
South Portland	55%	13%	26%	6%	10%	45%
Westbrook	55%	14%	29%	4%	8%	45%
Cumberland County	60%	17%	31%	4%	8%	40%

Source: 2016-2020 American Community Survey 5-year estimates and Root Policy Research.

Figure IV-5e.
Household Type by Jurisdiction, District 5 and County, 2020

Jurisdiction	Family Households					Non-family households
	All family households	Married with children	Married, no children	Single parent	Other family households	
District 5 - Portland	43%	12%	20%	5%	6%	57%
Cumberland County	60%	17%	31%	4%	8%	40%

Source: 2016-2020 American Community Survey 5-year estimates and Root Policy Research.

Disability. Figures IV-6a through IV-6e show the number of residents with a disability and disability rates by district. Overall, the proportion of county residents experiencing a disability has slightly decreased since 2012 (12% in 2012, 11% in 2020). Currently, there are approximately 33,000 residents experiencing a disability in Cumberland County.

Compared to the county, the share of the population experiencing a disability is slightly higher in Portland (13%). There has been no change in the proportion of residents experiencing a disability in the city since 2012.

In District 1, Bridgton has the highest rate of any jurisdiction in the county, where one in five residents experiences a disability. Baldwin residents also experience high rates of disability at 19%. Scarborough has the lowest rate in the district. In District 2, Casco has the highest share of people experiencing a disability (16%). Residents in New Gloucester and Naples also experience disability at a higher rate than the county (13% each, respectively). Falmouth and Raymond have the lowest rates among the district's jurisdictions (6% each, respectively).

Brunswick (14%), Harpswell (12%), and Long Island (12%) residents experience disability at the highest rates among all District 3 jurisdictions. Pownal has the lowest rate of disability in District 3 (6%). Four other District 3 jurisdictions all have rates in the single digits. Westbrook and South Portland have the highest rates of disability in District 4 (14% and 13%, respectively). Cape Elizabeth has the lowest share of the population with a disability at 6%.

Figure IV-6a. Residents with Disabilities by Jurisdiction, District 1 and County, 2020

Note:

Population refers to total civilian noninstitutionalized population.

Source:

2016-2020 American Community Survey 5-year estimates.

	Total Population	With a Disability	% with a Disability
District 1	56,544	7,132	13%
Baldwin	1,390	262	19%
Bridgton	5,373	1,070	20%
Gorham	17,591	2,176	12%
Scarborough	20,265	2,124	10%
Sebago	1,827	281	15%
Standish	10,098	1,219	12%
Cumberland County	290,964	33,093	11%

Figure IV-6b. Residents with Disabilities by Jurisdiction, District 2 and County, 2020

Note:

Population refers to total civilian noninstitutionalized population.

Source:

2016-2020 American Community Survey 5-year estimates.

	Total Population	With a Disability	% with a Disability
District 2	59,044	5,530	9%
Casco	3,895	625	16%
Falmouth	12,179	715	6%
Gray	8,150	912	11%
Harrison	2,804	316	11%
Naples	3,976	516	13%
New Gloucester	5,778	729	13%
Raymond	4,514	282	6%
Windham	17,748	1,435	8%
Cumberland County	290,964	33,093	11%

Figure IV-6c. Residents with Disabilities by Jurisdiction, District 3 and County, 2020

Note:

Population refers to total civilian noninstitutionalized population.

Source:

2016-2020 American Community Survey 5-year estimates.

	Total Population	With a Disability	% with a Disability
District 3	56,244	5,620	10%
Brunswick	20,285	2,801	14%
Chebeague Island	515	59	11%
Cumberland	8,144	538	7%
Freeport	8,361	570	7%
Harpswell	4,867	598	12%
Long Island	282	33	12%
North Yarmouth	3,839	283	7%
Pownal	1,549	87	6%
Yarmouth	8,402	651	8%
Cumberland County	290,964	33,093	11%

Figure IV-6d. Residents with Disabilities by Jurisdiction, District 4 and County, 2020

Note:

Population refers to total civilian noninstitutionalized population.

Source:

2016-2020 American Community Survey 5-year estimates.

	Total Population	With a Disability	% with a Disability
District 4	53,475	6,421	12%
Cape Elizabeth	9,307	581	6%
South Portland	25,297	3,224	13%
Westbrook	18,871	2,616	14%
Cumberland County	290,964	33,093	11%

Figure IV-6e. Residents with Disabilities by Jurisdiction, District 5 and County, 2020

Note:

Population refers to total civilian noninstitutionalized population.

Source:

2016-2020 American Community Survey 5-year estimates.

	Total Population	With a Disability	% with a Disability
District 5 - Portland	65,624	8,386	13%
Cumberland County	290,964	33,093	11%

As shown in Figures IV-7a through IV-7e, the incidence of disability increases with age. For example, about 7% of county residents between the ages of 18 to 34 have a disability, compared to 45% of residents ages 75 and older.

In Portland, residents over the age of 35 experience disability at a higher rate compared with the county. Residents between the ages of 35-64 have a disability rate of 14% (compared to 10% countywide), while a quarter of residents aged 65-74 (18% countywide) and half of residents over 75 (45% countywide) experience a disability. Residents under the age of 35 in Portland experience disabilities at a lower rate compared to the county.

While the pattern of increased incidence of disability by age holds true across communities, there are variations. For example, older adults living in New Gloucester and Bridgton are most likely to have a disability, yet older adults in Gray and North Yarmouth are least likely to have a disability.

In District 1, residents between the age of 18-34 in Bridgton experience disabilities at twice the rate of the county. In Baldwin, the rate of residents between the age of 5-17 experiencing a disability is more than four times the county rate. In District 2, while older adults in Gray are less likely to have a disability, residents between the age of 5-17 experience disabilities at three times the rate of the county. Residents under the age of 5 in New Gloucester also experience disabilities at a significantly higher rate compared to the county (7% in New Gloucester, less than 1% countywide).

Unlike all other jurisdictions in District 3, residents between the age of 64-75 experience disabilities at a higher rate than residents over the age of 75 (38% and 17%, respectively). Pownal has the highest proportion of residents under the age of 5 experiencing a disability (3%) among District 3 jurisdictions. In District 4, over half of residents in South Portland over the age of 75 experience a disability compared with just a quarter of residents older than 75 in Cape Elizabeth.

Differences in the prevalence of disability by community is likely a function of numerous factors ranging from housing affordability to age to access to services available to support aging in place, as well as disparities in health outcomes including mortality rates.

Figure IV-7a.
Share of Residents with Disabilities by Age Cohort, District 1, 2020

	Total Population with Disability	Under Age 5	Age 5 to 17	Age 18 to 34	Age 35 to 64	Age 65 to 74	Age 75 and over
District 1	13%	0%	7%	10%	9%	20%	49%
Baldwin	19%	0%	22%	2%	19%	23%	48%
Bridgton	20%	0%	0%	14%	19%	11%	56%
Gorham	12%	0%	6%	13%	9%	24%	55%
Scarborough	11%	0%	9%	6%	6%	17%	43%
Sebago	15%	0%	15%	12%	11%	26%	51%
Standish	12%	0%	6%	8%	10%	26%	53%
Cumberland County	11%	0%	5%	7%	10%	18%	45%

Source: 2016-2020 American Community Survey 5-year estimates and Root Policy Research.

Figure IV-7b.
Share of Residents with Disabilities by Age Cohort, District 2, 2020

	Total Population with Disability	Under Age 5	Age 5 to 17	Age 18 to 34	Age 35 to 64	Age 65 to 74	Age 75 and over
District 2	9%	1%	6%	6%	7%	16%	36%
Casco	16%	0%	0%	16%	17%	12%	39%
Falmouth	6%	0%	3%	6%	3%	8%	29%
Gray	11%	0%	16%	7%	11%	17%	16%
Harrison	11%	0%	3%	9%	11%	9%	25%
Naples	13%	0%	5%	2%	9%	26%	53%
New Gloucester	13%	7%	3%	17%	11%	20%	60%
Raymond	6%	0%	1%	0%	5%	14%	29%
Windham	8%	0%	7%	3%	6%	21%	38%
Cumberland County	11%	0%	5%	7%	10%	18%	45%

Source: 2016-2020 American Community Survey 5-year estimates and Root Policy Research.

Figure IV-7c.
Share of Residents with Disabilities by Age Cohort, District 3, 2020

	Total Population with Disability	Under Age 5	Age 5 to 17	Age 18 to 34	Age 35 to 64	Age 65 to 74	Age 75 and over
District 3	10%	0%	4%	6%	7%	14%	43%
Brunswick	14%	0%	8%	9%	10%	21%	49%
Chebeague Island	12%	0%	0%	4%	5%	15%	36%
Cumberland	7%	0%	2%	6%	5%	13%	34%
Freeport	7%	0%	3%	5%	5%	7%	49%
Harpswell	12%	0%	7%	0%	11%	10%	35%
Long Island	12%	0%	0%	6%	8%	26%	39%
North Yarmouth	7%	0%	5%	4%	5%	38%	17%
Pownal	6%	3%	0%	1%	5%	14%	30%
Yarmouth	8%	0%	1%	4%	5%	10%	47%
Cumberland County	11%	0%	5%	7%	10%	18%	45%

Source: 2016-2020 American Community Survey 5-year estimates and Root Policy Research.

Figure IV-7d.
Share of Residents with Disabilities by Age Cohort, District 4, 2020

	Total Population with Disability	Under Age 5	Age 5 to 17	Age 18 to 34	Age 35 to 64	Age 65 to 74	Age 75 and over
District 4	12%	0%	4%	7%	11%	19%	45%
Cape Elizabeth	6%	0%	1%	6%	6%	8%	24%
South Portland	13%	0%	3%	6%	11%	23%	52%
Westbrook	14%	0%	6%	8%	14%	21%	46%
Cumberland County	11%	0%	5%	7%	10%	18%	45%

Source: 2016-2020 American Community Survey 5-year estimates and Root Policy Research.

Figure IV-7e.
Share of Residents with Disabilities by Age Cohort, District 5, 2020

	Total Population with Disability	Under Age 5	Age 5 to 17	Age 18 to 34	Age 35 to 64	Age 65 to 74	Age 75 and over
District 5 - Portland	13%	0%	3%	6%	14%	25%	50%
Cumberland County	11%	0%	5%	7%	10%	18%	45%

Source: 2016-2020 American Community Survey 5-year estimates and Root Policy Research.

Figures IV-8a through IV-8e present the number of residents with disabilities by jurisdiction and shows the prevalence of different types of difficulties[21], as defined by the Census. Note that an individual may have one or more types of difficulties. The most common types of disability in Cumberland County are ambulatory, cognitive, and independent living difficulty (5%). The most common type of disability varies slightly by district (noted below).

- District 1: Ambulatory and cognitive (5%);
- District 2: Cognitive and hearing (4%);
- District 3: Ambulatory, cognitive, and hearing (4%);
- District 4: Ambulatory (9%); and
- Portland: Cognitive and independent living (6%).

Aside from cognitive and independent living disabilities, Portland residents experience all other types of disability at the same rate as the county.

Of note, District 4 residents experience several disabilities at a higher rate compared to the county. These residents are 50% more likely to experience hearing and self-care disabilities (6% and 3%, respectively) and nearly twice as likely to experience an ambulatory difficulty (9%).

[21] Difficulty is the term used in the Census as a classification category for different types of disabilities.

Figure IV-8a.
Disability by Type and Share of Population, by Jurisdiction, District 1 and County, 2020

Jurisdiction	Residents with a Disability	Type of Difficulty					
		Hearing Difficulty	Vision Difficulty	Cognitive Difficulty	Ambulatory Difficulty	Self-Care Difficulty	Independent Living Difficulty
District 1	7,132	4%	2%	5%	5%	2%	4%
Baldwin	262	6%	2%	7%	9%	3%	7%
Bridgton	1,070	5%	1%	5%	11%	2%	9%
Gorham	2,176	4%	2%	6%	5%	3%	5%
Scarborough	2,124	3%	2%	4%	5%	2%	4%
Sebago	281	4%	2%	7%	5%	1%	7%
Standish	1,219	7%	1%	5%	4%	3%	6%
Cumberland County	33,093	4%	2%	5%	5%	2%	5%

Note: Percentages represent the share of the total population in each respective jurisdiction.

Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-8b.
Disability by Type and Share of Population, by Jurisdiction, District 2 and County, 2020

Jurisdiction	Residents with a Disability	Type of Difficulty					
		Hearing Difficulty	Vision Difficulty	Cognitive Difficulty	Ambulatory Difficulty	Self-Care Difficulty	Independent Living Difficulty
District 2	5,530	4%	1%	4%	3%	1%	3%
Casco	625	7%	2%	8%	6%	3%	8%
Falmouth	715	2%	1%	3%	2%	1%	2%
Gray	912	2%	2%	5%	3%	1%	4%
Harrison	316	5%	1%	4%	4%	0%	3%
Naples	516	6%	2%	4%	5%	1%	2%
New Gloucester	729	6%	1%	4%	5%	2%	4%
Raymond	282	3%	1%	2%	2%	0%	2%
Windham	1,435	3%	1%	4%	3%	1%	4%
Cumberland County	33,093	4%	2%	5%	5%	2%	5%

Note: Percentages represent the share of the total population in each respective jurisdiction.

Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-8c.
Disability by Type and Share of Population, by Jurisdiction, District 3 and County, 2020

Jurisdiction	Residents with a Disability	Type of Difficulty					
		Hearing Difficulty	Vision Difficulty	Cognitive Difficulty	Ambulatory Difficulty	Self-Care Difficulty	Independent Living Difficulty
District 3	5,620	4%	1%	4%	4%	1%	3%
Brunswick	2,801	5%	2%	6%	6%	2%	6%
Chebeague Island	59	5%	2%	3%	6%	2%	5%
Cumberland	538	3%	1%	1%	3%	1%	4%
Freeport	570	2%	1%	3%	3%	2%	3%
Harpswell	598	8%	1%	2%	4%	1%	2%
Long Island	33	6%	2%	2%	3%	1%	4%
North Yarmouth	283	3%	1%	3%	3%	1%	1%
Pownal	87	2%	1%	2%	3%	1%	2%
Yarmouth	651	3%	1%	3%	3%	1%	3%
Cumberland County	33,093	4%	2%	5%	5%	2%	5%

Note: Percentages represent the share of the total population in each respective jurisdiction.

Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-8d.
Disability by Type and Share of Population, by Jurisdiction, District 4 and County, 2020

Jurisdiction	Residents with a Disability	Type of Difficulty					
		Hearing Difficulty	Vision Difficulty	Cognitive Difficulty	Ambulatory Difficulty	Self-Care Difficulty	Independent Living Difficulty
District 4	6,421	6%	2%	7%	9%	3%	7%
Cape Elizabeth	990	2%	1%	2%	3%	2%	3%
South Portland	5,517	4%	2%	5%	7%	2%	4%
Westbrook	5,298	5%	2%	6%	7%	3%	8%
Cumberland County	33,093	4%	2%	5%	5%	2%	5%

Note: Percentages represent the share of the total population.

Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-8e.
Disability by Type and Share of Population, by Jurisdiction, District 5 and County, 2020

Jurisdiction	Residents with a Disability	Type of Difficulty					
		Hearing Difficulty	Vision Difficulty	Cognitive Difficulty	Ambulatory Difficulty	Self-Care Difficulty	Independent Living Difficulty
District 5 - Portland	8,386	4%	2%	6%	5%	2%	6%
Cumberland County	33,093	4%	2%	5%	5%	2%	5%

Note: Percentages represent the share of the total population.

Source: 2016-2020 American Community Survey 5-year estimates.

National origin and limited English proficiency (LEP). The share of the foreign born population in the county has slightly increased since 2010. Overall, 6% of the population in the county is foreign born (5.5% in 2010), although this share varies by district. The greatest proportion of foreign born residents in the county are from Asia (33%) and Africa (29%).

As shown in Figures IV-9a through IV-9e, Portland has the highest share of foreign born residents in Cumberland County (11%). Residents born in Africa make up nearly half of the city's foreign born population (44%). Nearly a third of foreign born residents in Portland are from Asia (31%), followed by Europe (11%) and Latin America (9%).

The foreign born population makes up 5% of the District 1 population. Nearly four in ten foreign born residents were born in Asia (39%). Residents born in Europe (30%) and Latin America (14%) also make up substantial proportions of the district's foreign born residents. District 2 and District 3 have the lowest shares of foreign born residents among all districts, at 3% and 4%, respectively. The greatest proportion of foreign born residents in District 2 were born in Europe (38%) while those born in Asia (38%) represent the greatest proportion of foreign born residents in District 3.

In District 4, residents born in Africa (36%) represent the greatest proportion of foreign born residents. Residents born in Asia (31%) comprise the next greatest share of foreign born residents, followed by those born in Europe (16%) and Latin America (11%).

Overall, residents born in Africa are most likely to reside in District 4 (36%) and Portland (12%), while Districts 1, 3, and 4 have the highest shares of foreign born residents from Latin America. All districts in Cumberland County have a relatively similar proportion of foreign born Asian residents (ranging from 31% to 39%).

Figure IV-9a.
Foreign Born Population by Jurisdiction, District 1 and County, 2020

	District 1	Baldwin	Bridgton	Gorham	Scarborough	Sebago	Standish	Cumberland County
Number	1,935	13	174	760	908	31	49	17,703
Share of Population	5%	1%	3%	4%	4%	2%	0%	6%
Place of Origin Distribution								
Europe	30%	31%	75%	27%	25%	61%	14%	20%
Asia	39%	0%	21%	34%	51%	0%	18%	33%
Africa	4%	0%	4%	9%	0%	0%	14%	29%
Oceania	1%	0%	0%	1%	2%	0%	0%	2%
Latin America	14%	0%	0%	18%	11%	0%	53%	10%
North America	11%	69%	0%	11%	12%	39%	0%	6%

Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-9b.
Foreign Born Population by Jurisdiction, District 2 and County, 2020

	District 2	Casco	Falmouth	Gray	Harrison	Naples	New Gloucester	Raymond	Windham	Cumberland County
Number	1,813	18	852	188	85	76	116	95	383	17,703
Share of Population	3%	0%	7%	2%	3%	2%	2%	2%	2%	6%
Place of Origin Distribution										
Europe	38%	100%	35%	6%	27%	99%	14%	63%	49%	20%
Asia	36%	0%	37%	75%	41%	0%	66%	0%	19%	33%
Africa	2%	0%	0%	0%	0%	0%	8%	0%	6%	29%
Oceania	9%	0%	17%	7%	0%	0%	0%	0%	0%	2%
Latin America	4%	0%	0%	0%	11%	0%	0%	36%	7%	10%
North America	12%	0%	10%	12%	21%	1%	12%	1%	19%	6%

Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-9c.
Foreign Born Population by Jurisdiction, District 3 and County, 2020

	District 3	Brunswick	Chebeague Island	Cumberland	Freeport	Harpswell	Long Island	North Yarmouth	Pownal	Yarmouth	Cumberland County
Number	2,357	965	25	450	275	182	20	76	20	344	17,703
Share of Population	4%	5%	5%	6%	3%	4%	7%	2%	1%	4%	6%
Place of Origin Distribution											
Europe	31%	33%	12%	26%	27%	72%	35%	29%	0%	20%	20%
Asia	38%	33%	16%	36%	44%	12%	65%	43%	15%	67%	33%
Africa	8%	17%	0%	0%	4%	0%	0%	0%	0%	6%	29%
Oceania	2%	4%	0%	2%	0%	2%	0%	0%	0%	0%	2%
Latin America	12%	7%	0%	36%	6%	0%	0%	28%	0%	5%	10%
North America	8%	6%	72%	0%	19%	14%	0%	0%	85%	2%	6%

Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-9d.
Foreign Born Population by Jurisdiction, District 4 and County, 2020

	District 4	Cape Elizabeth	South Portland	Westbrook	Cumberland County
Number	4,246	413	2,456	1,377	17,703
Share of Population	8%	4%	10%	7%	6%
Place of Origin Distribution					
Europe	16%	32%	15%	15%	20%
Asia	31%	48%	28%	32%	33%
Africa	36%	4%	42%	35%	29%
Oceania	1%	6%	0%	0%	2%
Latin America	11%	0%	11%	15%	10%
North America	4%	12%	4%	2%	6%

Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-9e.
Foreign Born Population by Jurisdiction, District 5 and County, 2020

	District 5 - Portland	Cumberland County
Number	7,352	17,703
Share of Population	11%	6%
Place of Origin Distribution		
Europe	11%	20%
Asia	31%	33%
Africa	44%	29%
Oceania	1%	2%
Latin America	9%	10%
North America	5%	6%

Source: 2016-2020 American Community Survey 5-year estimates.

Figures IV-10a through IV-10e show the number and share of population that has limited English proficiency[22] (LEP) as well as the language distribution by district. Overall, about nearly 20,000 residents speak English less than "very well" in the county. Since 2010, the LEP population has decreased by approximately 1,700 people in the county. Among the LEP population, the most common spoken languages are Other Indo-European languages (44%), followed by Asian and Pacific Islander languages (19%) and Spanish (17%).

Portland has the largest share of LEP residents among the districts, 7,521 residents, representing 12% of the total population in the city. Since 2010, the LEP population living in Portland has nearly doubled (7% in 2010). The most commonly spoken languages among LEP populations in Portland are Other Indo-European languages (40%) and Other languages (26%).

In District 1, the LEP population represents 4% of the district's total population—all jurisdictions have a lower share of LEP residents than the county overall. Scarborough (6%) has the greatest share of LEP residents among district jurisdictions, while Baldwin and Sebago have the lowest shares (1% each, respectively). The most commonly spoken language in District 1 among LEP residents is Other Indo-European languages (52%).

Similar to District 1, LEP populations account for 4% of the population among District 2 jurisdictions. Falmouth (7%) has the highest share of LEP residents in District 2 while Casco, Harrison, and Raymond all have the lowest share (1% each, respectively). Other Indo-European languages are the most common languages spoken in the district (56%).

In District 3, the LEP population accounts for 5% of the total district population. Cumberland (8%) and Brunswick (7%) have the highest shares of LEP residents, while Chebeague Island (<1%) and North Yarmouth (1%) have the lowest shares. Other Indo-European languages (51%) are also the most commonly spoken languages in District 3. In District 4, 9% of the district's total population has limited English proficiency, with South Portland (11%) boasting the highest share of LEP residents and Cape Elizabeth the lowest (5%). The most common languages spoken among this population are Other languages (35%) and Other Indo-European languages (34%).

[22] Limited English proficiency refers to anyone above the age of 5 who reported speaking English less than "very well" in the annual American Community Survey (ACS).

Figure IV-10a.
Limited English Proficiency by Language and Jurisdiction, District 1 and County, 2020

	District 1	Baldwin	Bridgton	Gorham	Scarborough	Sebago	Standish	Cumberland County
Number	2,298	8	208	707	1,138	16	221	19,767
Share of Population	4%	1%	4%	4%	6%	1%	2%	7%
Languages Other than English Spoken at Home								
Spanish	17%	0%	53%	16%	9%	19%	27%	17%
Other Indo-European languages	52%	100%	43%	43%	57%	81%	62%	44%
Asian and Pacific Islander languages	24%	0%	3%	33%	25%	0%	9%	19%
Other languages	7%	0%	1%	8%	9%	0%	2%	21%

Source: 2016-2020 American Community Survey 5-year estimates and Root Policy Research.

Figure IV-10b.
Limited English Proficiency by Language and Jurisdiction, District 2 and County, 2020

	District 2	Casco	Falmouth	Gray	Harrison	Naples	New Gloucester	Raymond	Windham	Cumberland County
Number	2,520	35	820	292	16	155	266	31	905	19,767
Share of Population	4%	1%	7%	4%	1%	4%	5%	1%	5%	7%
Languages Other than English Spoken at Home										
Spanish	18%	66%	16%	18%	0%	9%	7%	0%	24%	17%
Other Indo-European languages	56%	34%	35%	71%	50%	91%	58%	100%	64%	44%
Asian and Pacific Islander languages	17%	0%	26%	8%	50%	0%	34%	0%	10%	19%
Other languages	8%	0%	23%	3%	0%	0%	1%	0%	1%	21%

Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-10c.
Limited English Proficiency by Language and Jurisdiction, District 3 and County, 2020

	District 3	Brunswick	Chebeague Island	Cumberland	Freeport	Harpswell	Long Island	North Yarmouth	Pownal	Yarmouth	Cumberland County
Number	2,708	1,295	2	603	386	133	6	34	43	206	19,767
Share of Population	5%	7%	0%	8%	5%	3%	2%	1%	3%	2%	7%
Languages Other than English Spoken at Home											
Spanish	26%	24%	0%	46%	15%	26%	33%	29%	37%	3%	17%
Other Indo-European languages	51%	48%	100%	40%	47%	62%	67%	68%	63%	88%	44%
Asian and Pacific Islander languages	18%	21%	0%	10%	38%	12%	0%	3%	0%	0%	19%
Other languages	5%	7%	0%	3%	0%	0%	0%	0%	0%	8%	21%

Source: 2016-2020 American Community Survey 5-year estimates and Root Policy Research.

Figure IV-10d.
Limited English Proficiency by Language and Jurisdiction, District 4 and County, 2020

	District 4	Cape Elizabeth	South Portland	Westbrook	Cumberland County
Number	4,720	426	2,725	1,569	19,767
Share of Population	9%	5%	11%	9%	7%
Languages Other than English Spoken at Home					
Spanish	13%	10%	12%	15%	17%
Other Indo-European languages	34%	44%	30%	39%	44%
Asian and Pacific Islander languages	18%	40%	16%	14%	19%
Other languages	35%	5%	41%	32%	21%

Source: 2016-2020 American Community Survey 5-year estimates and Root Policy Research.

Figure IV-10e.
Limited English Proficiency by Language and Jurisdiction, District 5 and County, 2020

	District 5 - Portland	Cumberland County
Number	7,521	19,767
Share of Population	12%	7%
Languages Other than English Spoken at Home		
Spanish	15%	17%
Other Indo-European languages	40%	44%
Asian and Pacific Islander languages	19%	19%
Other languages	26%	21%

Source: 2016-2020 American Community Survey 5-year estimates and Root Policy Research.

Segregation and Integration

In housing markets with opportunity, residents have the ability to move freely to accommodate their changing employment situations, educational preferences, and lifestyle needs. Limited housing mobility can result in racial and ethnic segregation, as history demonstrates. Segregation can also occur because residents seek out communities where they feel comfortable, where family and friends reside, and where cultural enclaves exist. Most critical is how racial and ethnic segregation relates to economic opportunity.

To that end, this analysis of segregation and integration is followed by an analysis of patterns of poverty and how high-poverty areas relate to racial and ethnic segregation. The Access to Opportunity chapter in Section V builds upon this analysis by examining access to quality educational and employment centers—and the role of public transportation.

The following maps show the geographic distribution of non-White and Hispanic groups in Cumberland County.

The upper end of the ranges that determine the shading in the maps corresponds to:

- Half of the overall county proportion;
- The overall county proportion;
- 1.5 times the county proportion;
- Greater than 1.5 times the county proportion.

For example, African American/Black residents represent 3.9% of the county's population overall. In the Figure IV-11 map, the first range shows census tracts with less than half of the overall county proportion that is African American/Black. The second range shows census tracts whose proportion is between half of the county share, to the county share. The third range shows census tracts whose African American/Black population ranges between the county share and 1.5 times the county share. The fourth range shows census tracts whose African American/Black population exceeds 1.5 times the county share.

Key takeaways from the maps include:

- African American/Black residents are primarily concentrated in Portland, as well as the west and southeast areas of Westbrook and the west side of South Portland. There are also slight concentrations in parts of Scarborough and Brunswick (Figure IV-11).

- Latino/Hispanic residents are also primarily concentrated in Portland, the west side of South Portland, and the central area of Brunswick. Other slight concentrations of Latino/Hispanic residents are found in Falmouth, Westbrook, Windham, Scarborough and other parts of Brunswick (Figure IV-12).

- Comparing Figures IV-11 and II-12, Hispanic residents appear to be more dispersed throughout the county while African American/Black residents are more concentrated in and around Portland.

- Concentrations of Asian residents are found throughout Portland, eastern areas in Westbrook, the east side of Falmouth, the west side of South Portland, and the central areas of both Scarborough and Brunswick (Figure IV-13).

- Overall, residents of color in Cumberland County are primarily concentrated in Portland, South Portland, and Westbrook, as well as parts of Scarborough and Brunswick. The rest of Cumberland County is largely non-Hispanic White (Figure IV-14).

Figure IV-11. Percent African American/ Black by Census Tract, 2020

Note:

Breaks represent 50%, 100%, and 150% of the county proportion of African American/Black residents (3.9%).

Source:

U.S. Census Bureau 2016-2020 American Community Survey 5-year estimates.

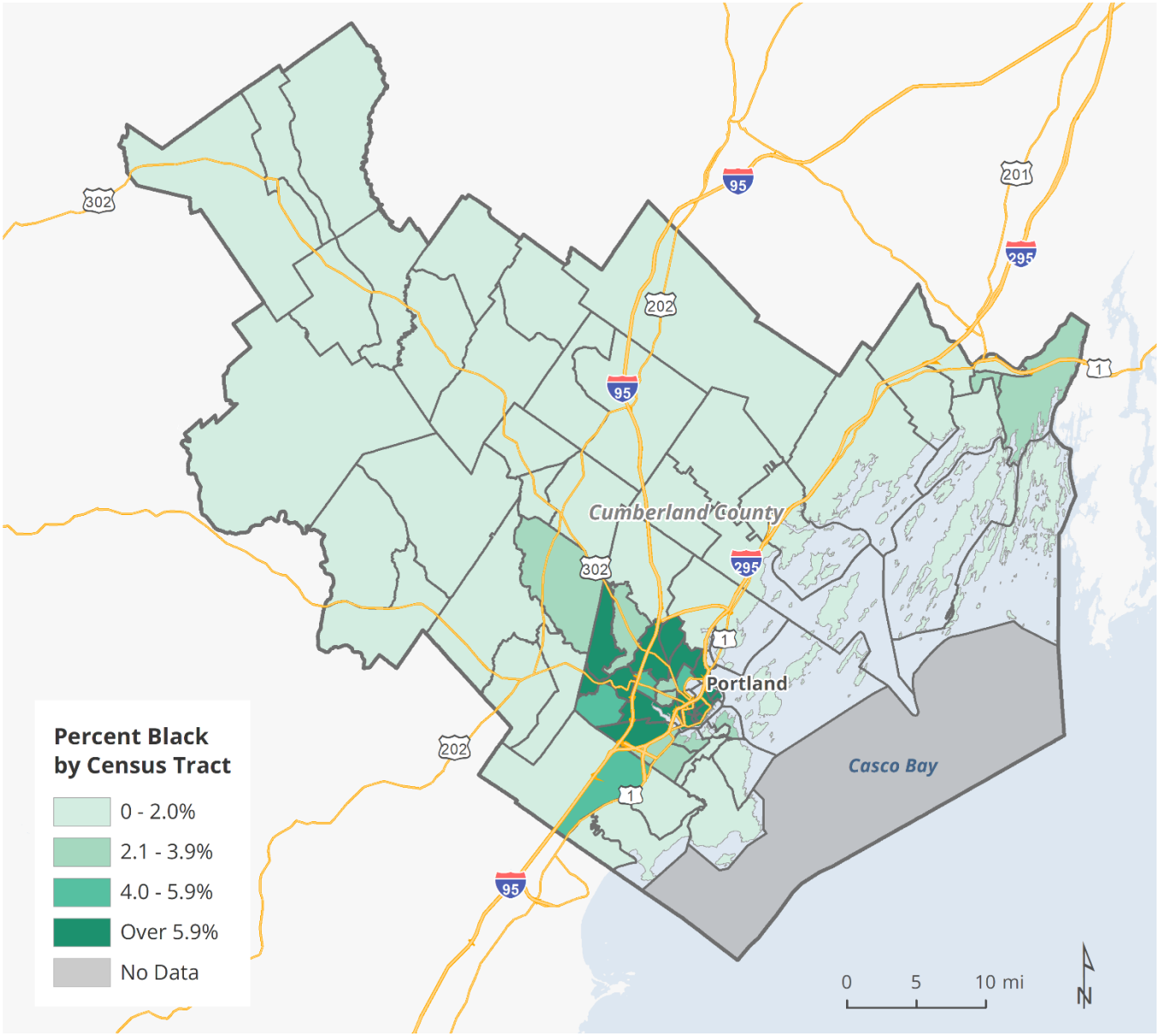


Figure IV-12. Percent Hispanic by Census Tract, 2020

Note:

Breaks represent 50%, 100%, and 150% of the county proportion of Latino/Hispanic residents (2.6%).

Source:

U.S. Census Bureau 2016-2020 American Community Survey 5-year estimates.

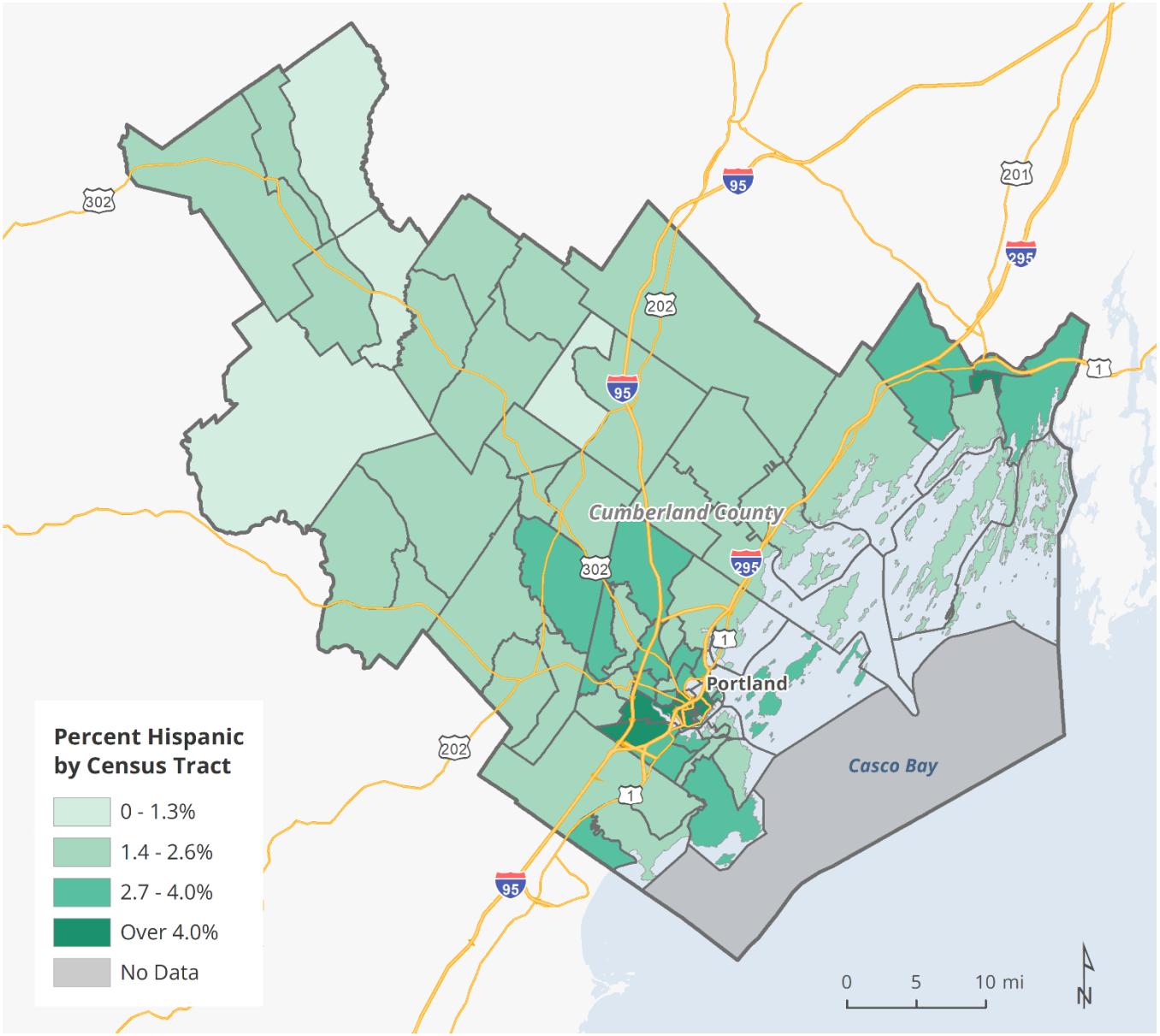


Figure IV-13. Percent Asian by Census Tract, 2020

Note:

Breaks represent 50%, 100%, and 150% of the county proportion of Asian residents (2.4%).

Source:

U.S. Census Bureau 2016-2020 American Community Survey 5-year estimates.

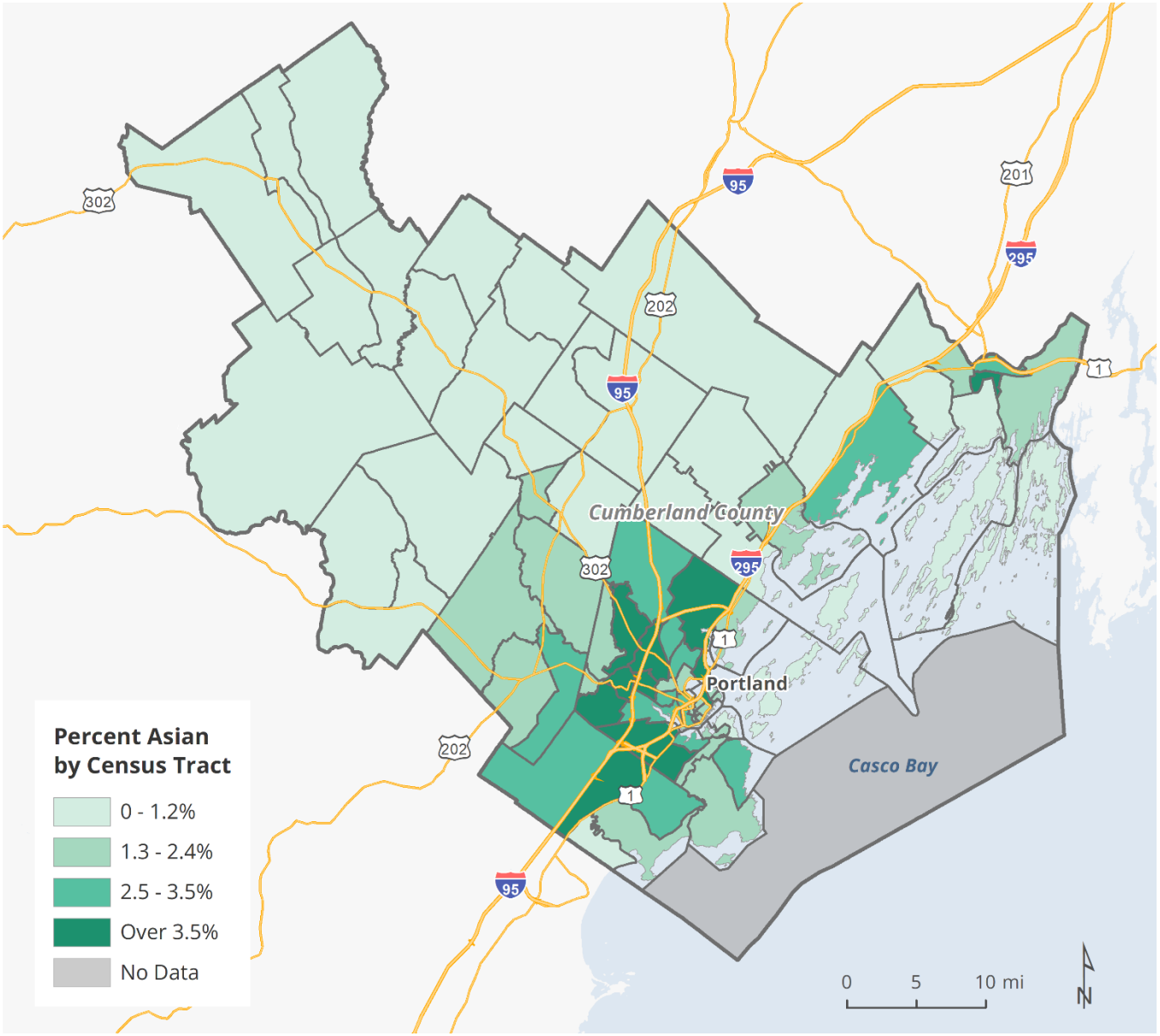


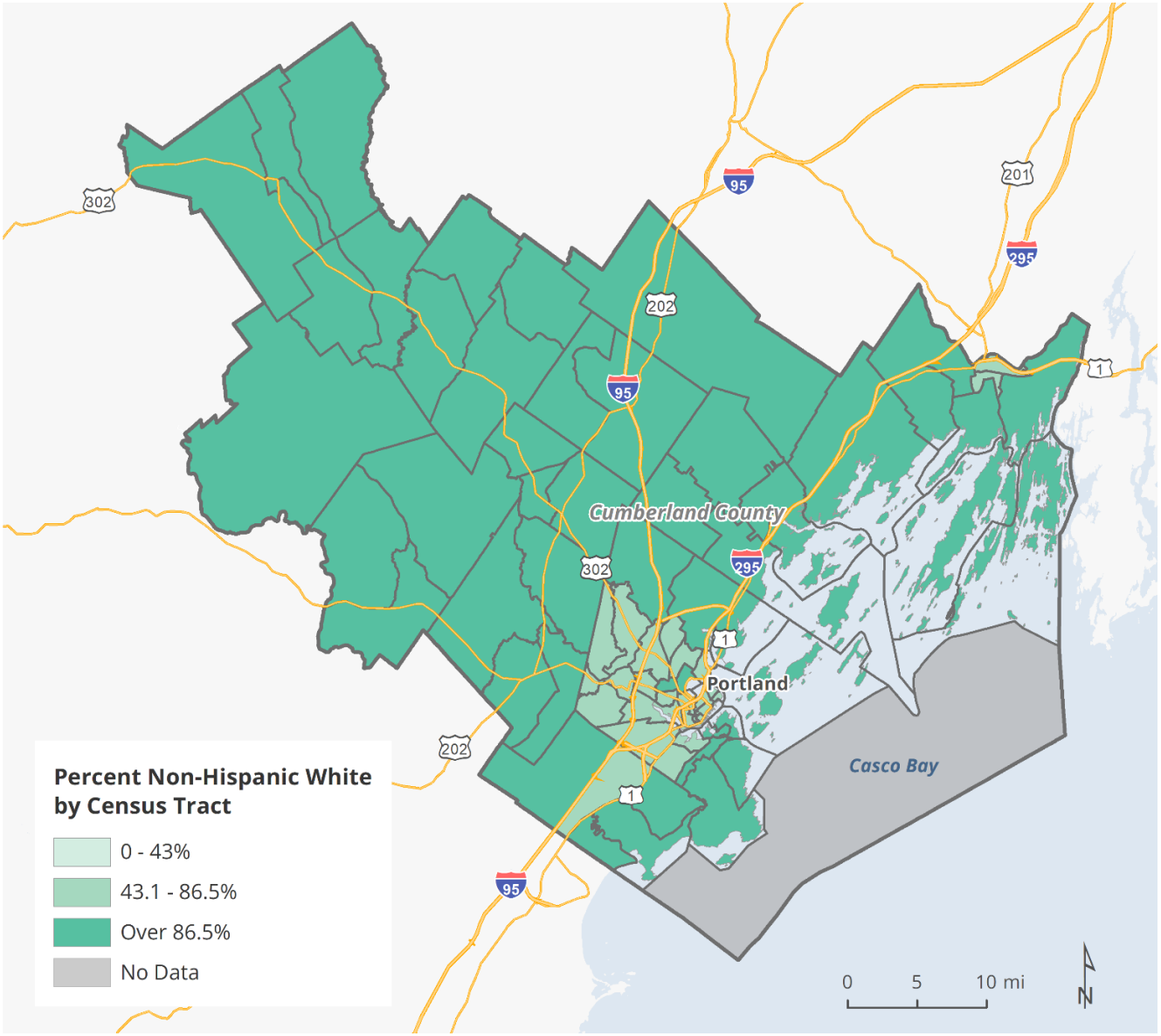
Figure IV-14. Percent Non-Hispanic White by Census Tract, 2020

Note:

Breaks represent 50%, 100%, and 150% of the county proportion of Non-Hispanic White residents (86.5%).

Source:

U.S. Census Bureau 2016-2020 American Community Survey 5-year estimates.



Figures IV-15 and IV-16 show the distribution of residents with Limited English Proficiency (LEP) and foreign-born residents. These serve as proxies for the protected class of national origin. The largest concentrations of LEP residents are located throughout Portland, the western areas of South Portland, Westbrook, and Naples, central area of Brunswick, and the northern area of Windham. Foreign-born residents are mainly concentrated in areas throughout Portland, the west sides of South Portland and Westbrook, and central Brunswick.

Figure IV-15. Percent Limited English Proficiency by Census Tract, 2020

Note:

Breaks represent 50%, 100%, and 150% of the county proportion of LEP residents (2.4%).

Source:

U.S. Census Bureau 2016-2020 American Community Survey 5-year estimates.

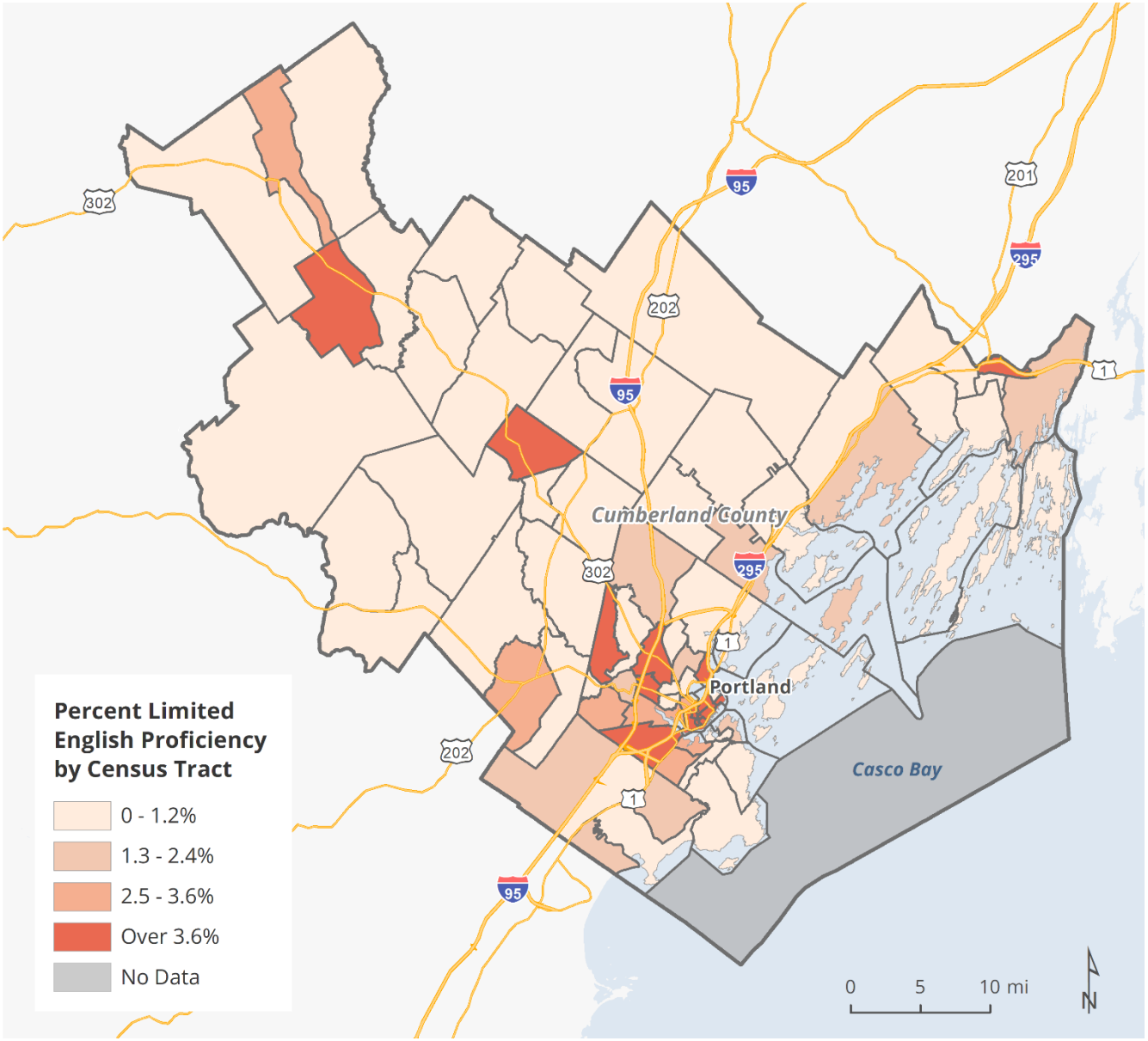


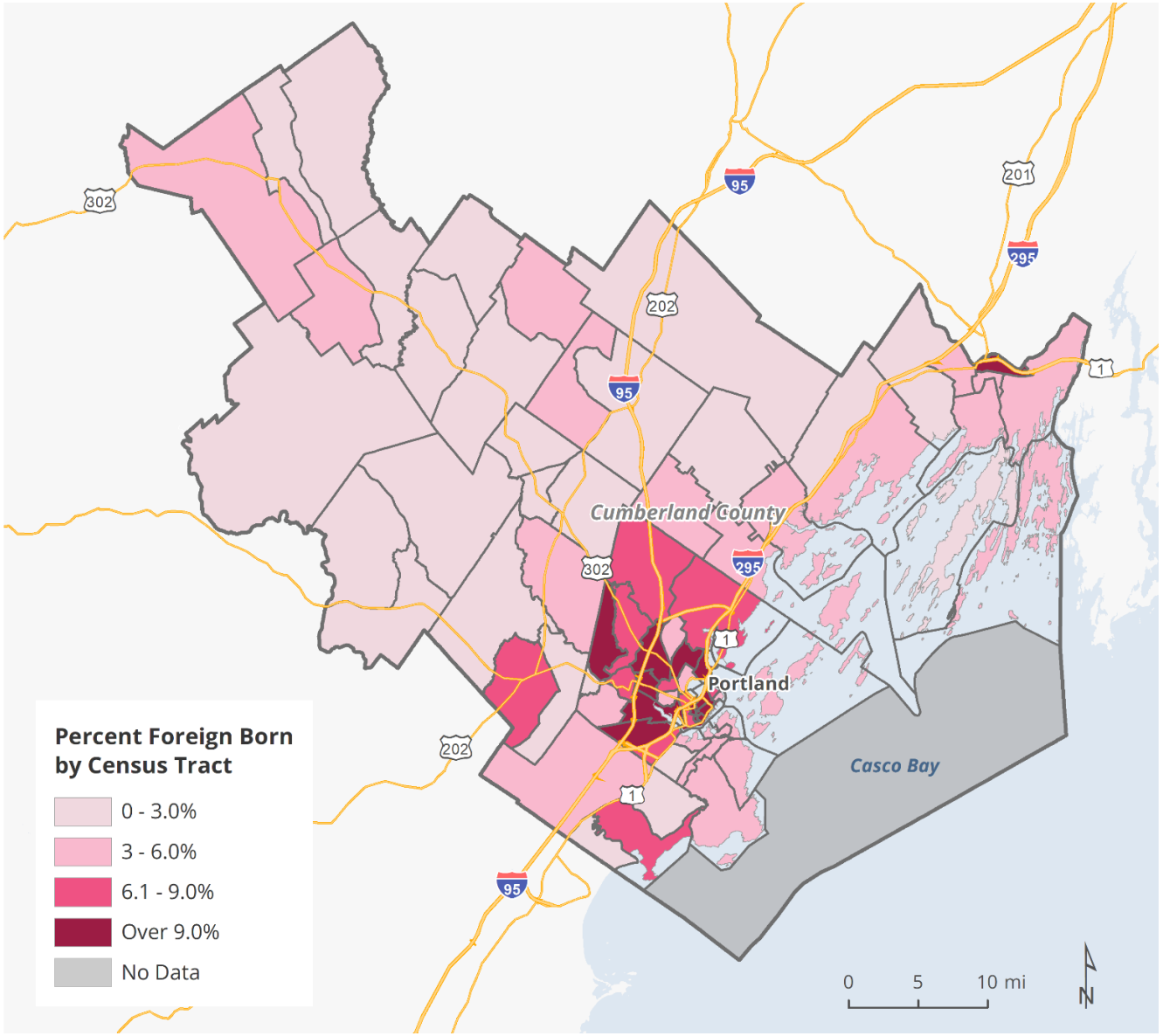
Figure IV-16. Percent Foreign Born by Census Tract, 2020

Note:

Breaks represent 50%, 100%, and 150% of the county proportion of foreign born residents (6.0%).

Source:

U.S. Census Bureau 2016-2020 American Community Survey 5-year estimates.



Severity of segregation. A common measure of segregation used in fair housing studies is the dissimilarity index (DI). The DI measures the degree to which two distinct groups are evenly distributed across a geographic area, usually a county, or a larger city. DI values range from 0 to 100—where 0 is perfect integration and 100 is complete segregation.

The DI represents a "score" where values between 0 and 39 indicate low segregation, values between 40 and 54 indicate moderate segregation, and values between 55 and 100 indicate high levels of segregation. The DI represents the percentage of a group's population that would have to move for each area in the county/city to have the same percentage of that group as the county/city overall.

It is important to note that the DI is a broad index that is a starting point for understanding the magnitude of segregation. Like all indices, the DI has some weaknesses: First, the DI typically uses non-Hispanic White residents as the primary comparison group. That is, all DI values compare racial and ethnic groups against the distribution of non-Hispanic White residents. While this is appropriate in a region like Cumberland County, with a majority population that is non-Hispanic White, it can mask nuances in segregation in other types of jurisdictions.

Another limitation of the DI is that it can conceal practices that lead to racial and ethnic exclusion. Communities without much diversity typically have very low DI ratings, while counties with the most diversity will show high levels of dissimilarity. Thus, a "low" dissimilarity index for a jurisdiction is not always a positive if it indicates that racial and ethnic minorities face barriers to entry in a community.

Figure III-17 shows trends in the DI for Cumberland County and Portland.

Trends in the DI for Cumberland County since 1990 show that:

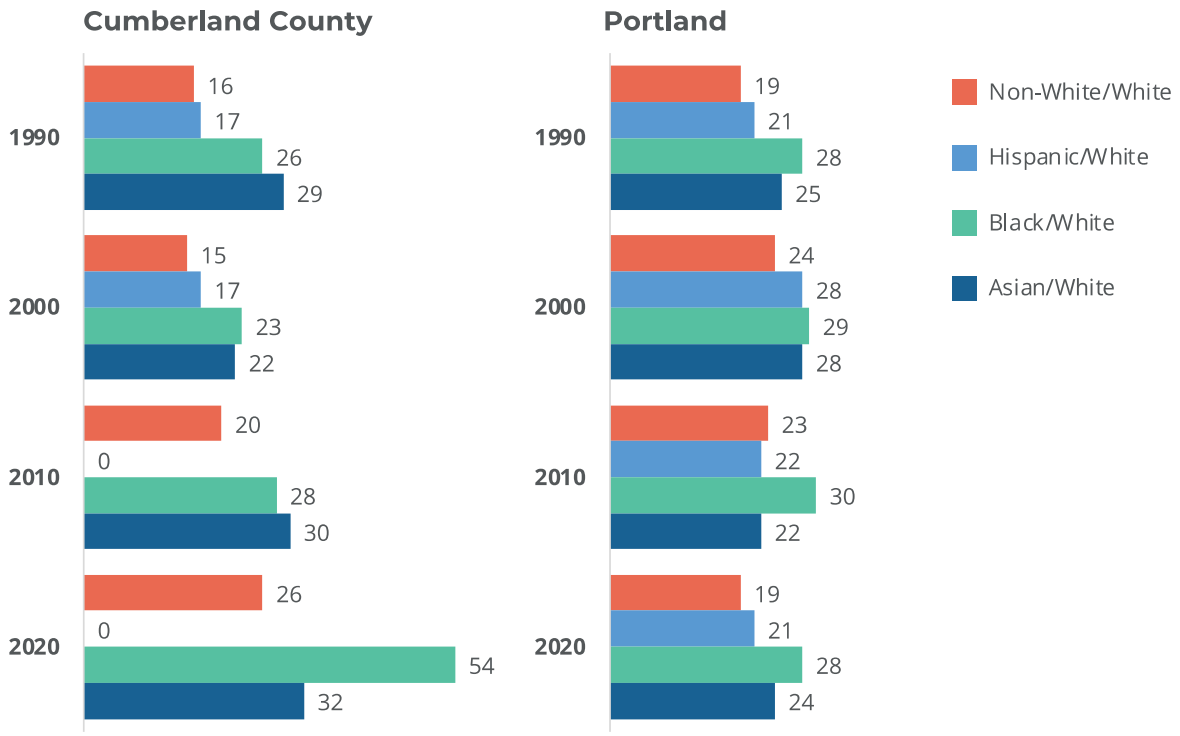
- Segregation among White residents and Non-White residents remains low, but is on a steady and increasing trend.
- Segregation between Asian and White residents is low (although on the high end of low) and is also on an upward trend.
- The lowest segregation is among Hispanic and White residents, which has remained in the low range since 1990 and increased only recently, between 2010 and 2020.
- Segregation among White and African American/Black residents increased significantly between 2010 and 2020, after staying in the low range between 1990 and 2010. The DI currently measures Black/White segregation on the high end of "moderate," with trends indicating it could be "high" soon. This increase in segregation appears to be driven by large increases in African American/Black residents in a handful of Census tracts in the county, notably Census tract 30.02 in South Portland.

For Portland, segregation remains low for all races and ethnicities and has been stable since 1990 for all.

Figure IV-17.
Dissimilarity Index, Cumberland County and Portland, 2010 and 2020

0-39 Low Segregation
40-54 Moderate Segregation
55-100 High Segregation

Jurisdiction	Non-White/White		Hispanic/White		Black/White		Asian/White	
	2010	2020	2010	2020	2010	2020	2010	2020
Cumberland County	20	26	17	21	28	54	30	32
Portland	23	19	22	21	30	28	22	24



Source: U.S. Census Bureau 2006-2010 and 2014-2018 American Community Survey 5-year estimates, and Root Policy Research.

Income and Poverty

The median household income in the county increased by 37% over the last 10 years, growing from around $55,700 to $76,000. In Portland, the median household income grew at a slightly faster rate than the county, increasing by 39% over the same time period. However, the city's median income is about $14,000 lower than the county overall.

As shown in Figure IV-18a, Bridgton and Scarborough experienced the greatest increases in household median income (37% each), while Baldwin experienced the smallest increase in District 1 (6%). As shown in Figure IV-18b, Windham and Falmouth, which have the highest incomes in District 2, experienced the greatest increases in median household income (43% and 39%, respectively). Conversely, Naples and Casco, which have the lowest median household incomes in the district, saw the smallest increases in median household income (4% and 1%, respectively).

In District 3, Long Island (72%) and Freeport (48%) experienced the greatest increases in household median income (Figure IV-18c). Several jurisdictions in District 3 saw their household median income increase by at least 33% over the last ten years. The only jurisdiction that saw an income contraction was Chebeague Island, which experienced an 11% decrease between 2010 and 2020. In District 4, household median income increased in Cape Elizabeth and Westbrook by 66% and 54%, respectively (Figure IV-18d). The household median income in South Portland, the lowest in the district, increased at a slower rate than the county (32%).

Figure IV-18a.
Median Household Income by Jurisdiction, District 1 and County, 2010 and 2020

Source:
2006-2010 and 2016-2020 American Community Survey 5-year estimates.

	2010	2020	Percent Change
District 1	n/a	n/a	n/a
Baldwin	$56,875	$60,500	6%
Bridgton	$42,420	$58,203	37%
Gorham	$70,786	$88,958	26%
Scarborough	$74,886	$102,742	37%
Sebago	$48,281	$59,706	24%
Standish	$64,797	$75,773	17%
Cumberland County	$55,658	$76,014	37%

Figure IV-18b. Median Household Income by Jurisdiction, District 2 and County, 2010 and 2020

Source:

2006-2010 and 2016-2020 American Community Survey 5-year estimates.

	2010	2020	Percent Change
District 2	n/a	n/a	n/a
Casco	$51,630	$52,188	1%
Falmouth	$87,455	$121,389	39%
Gray	$62,664	$82,074	31%
Harrison	$41,622	$47,548	14%
Naples	$52,824	$54,882	4%
New Gloucester	$64,564	$74,150	15%
Raymond	$64,444	$71,307	11%
Windham	$57,302	$82,188	43%
Cumberland County	$55,658	$76,014	37%

Figure IV-18c. Median Household Income by Jurisdiction, District 3 and County, 2010 and 2020

Source:

2006-2010 and 2016-2020 American Community Survey 5-year estimates.

	2010	2020	Percent Change
District 3	n/a	n/a	n/a
Brusnwick	$50,117	$66,699	33%
Chebeague Island	$57,381	$50,833	-11%
Cumberland	$85,838	$115,898	35%
Freeport	$60,500	$89,484	48%
Harpswell	$65,030	$81,702	26%
Long Island	$44,583	$76,875	72%
North Yarmouth	$70,881	$93,967	33%
Pownal	$66,838	$90,556	35%
Yarmouth	$73,950	$88,295	19%
Cumberland County	$55,658	$76,014	37%

Figure IV-18d. Median Household Income by Jurisdiction, District 4 and County, 2010 and 2020

Source:

2006-2010 and 2016-2020 American Community Survey 5-year estimates.

	2010	2020	Percent Change
District 4	n/a	n/a	n/a
Cape Elizabeth	$76,741	$127,363	66%
South Portland	$51,066	$67,198	32%
Westbrook	$46,112	$71,183	54%
Cumberland County	$55,658	$76,014	37%

Figure IV-18e.
Median Household Income by Jurisdiction, District 5 and County, 2010 and 2020

	2010	2020	Percent Change
District 5 - Portland	$44,422	$61,695	39%
Cumberland County	$55,658	$76,014	37%

Source:
2006-2010 and 2016-2020 American Community Survey 5-year estimates.

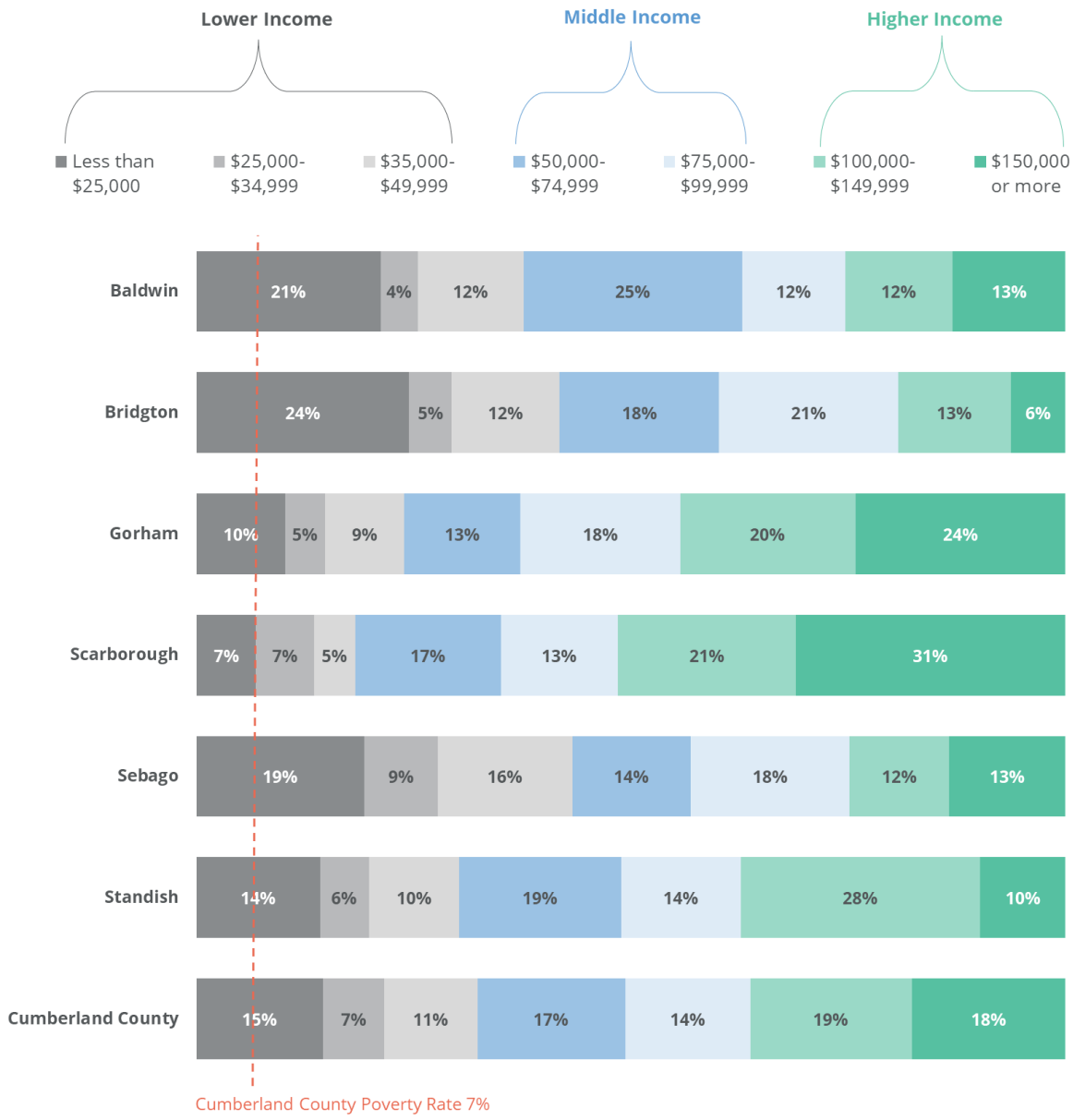
Figures IV-19a through IV-19e show the income distribution by jurisdiction and county. Jurisdictions with a higher percentage of high income households than the county overall include:

- District 1—Scarborough, Gorham, and Standish;
- District 2—Falmouth, Gray, New Gloucester, and Raymond;
- District 3—Cumberland, Freeport, North Yarmouth, Yarmouth, Long Island, Pownal, and Harpswell; and
- District 4—Cape Elizabeth.

Jurisdictions with a higher percentage of low income households than the county overall include:

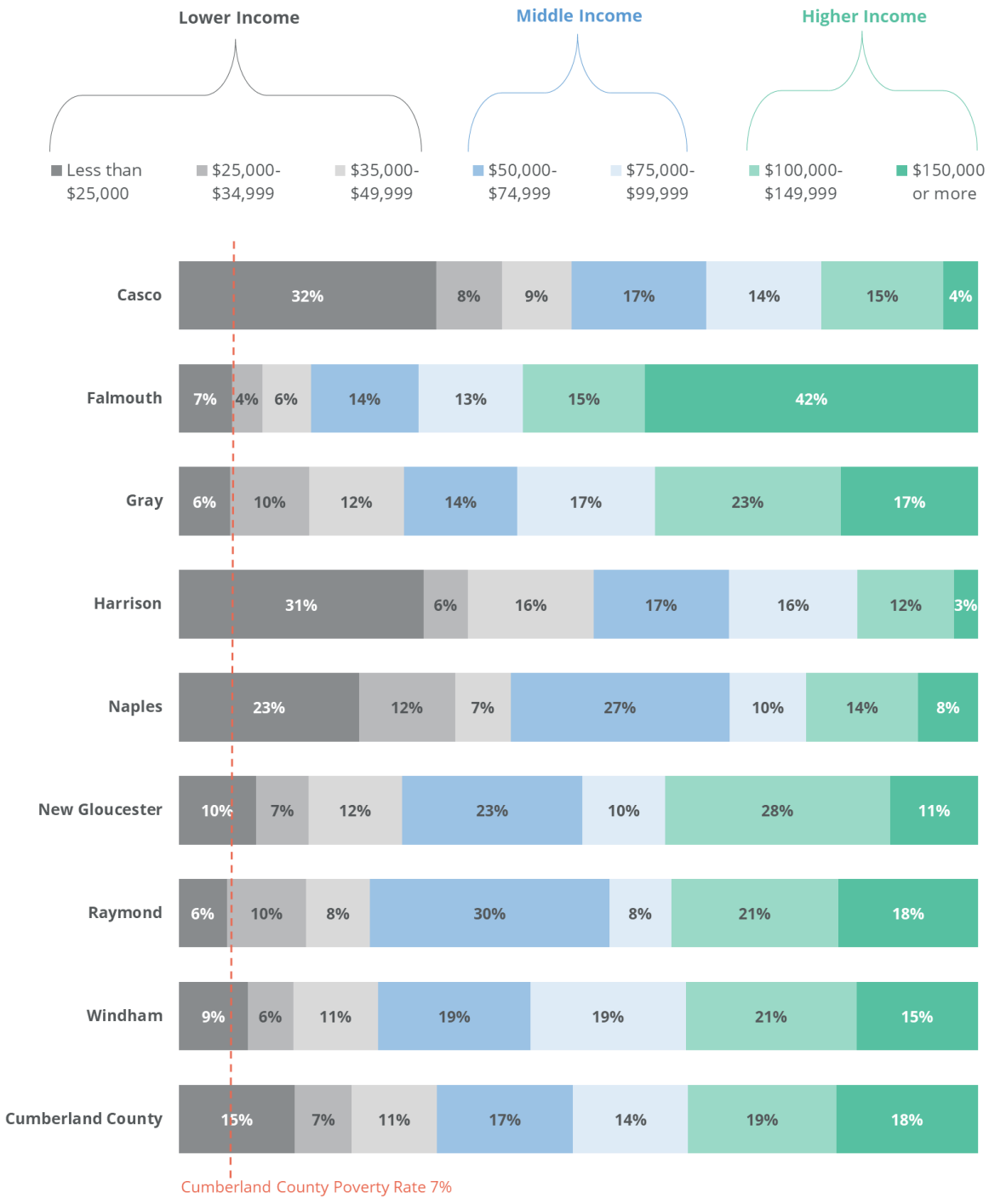
- District 1—Bridgton, Baldwin, and Sebago;
- District 2—Harrison, Casco, and Naples;
- District 3—Chebeague Island and Brunswick;
- District 4—Westbrook and South Portland; and
- District 5—Portland.

Figure IV-19a.
Income Distribution by Jurisdiction, District 1 and County, 2020



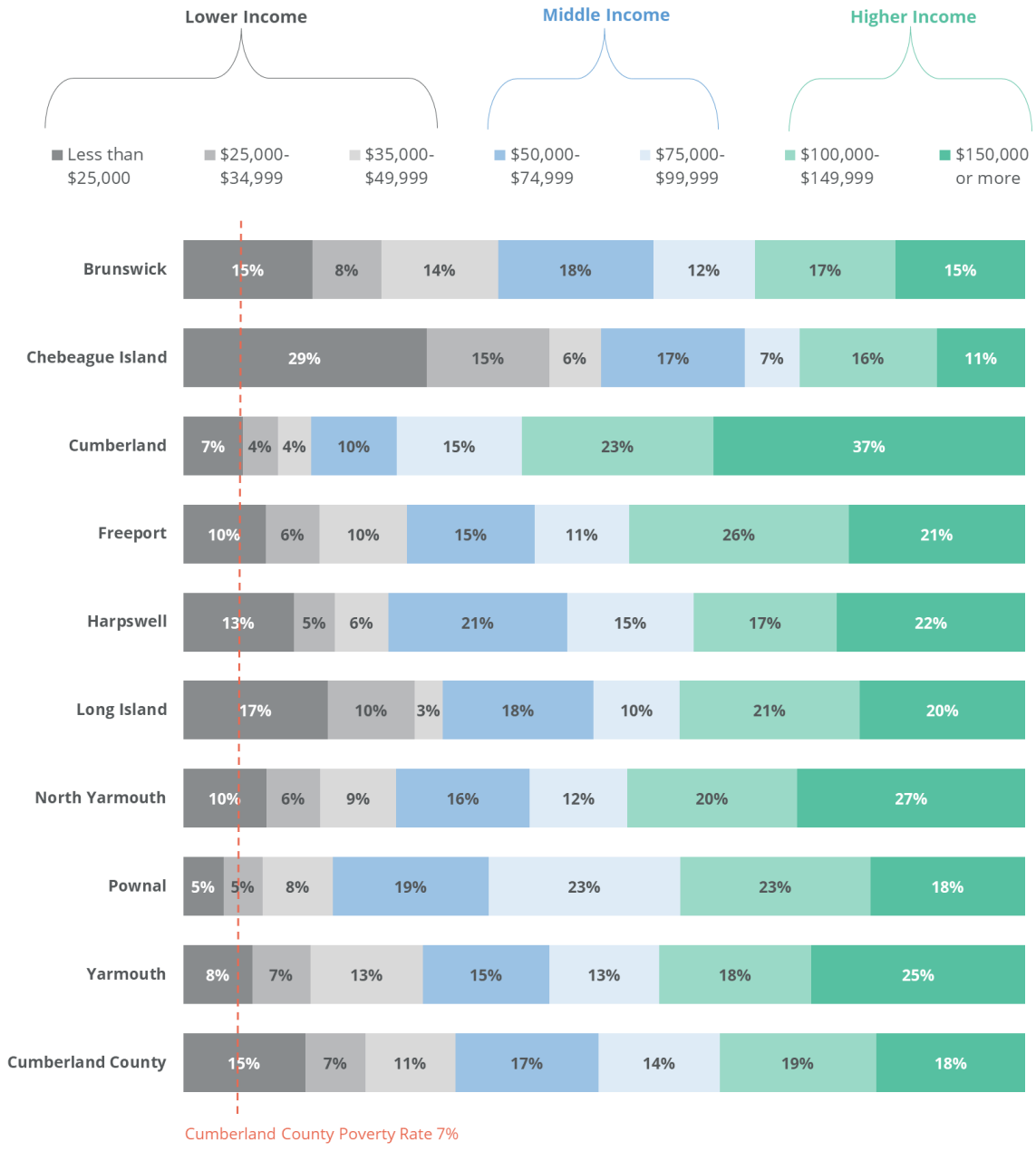
Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-19b.
Income Distribution by Jurisdiction, District 2 and County, 2020



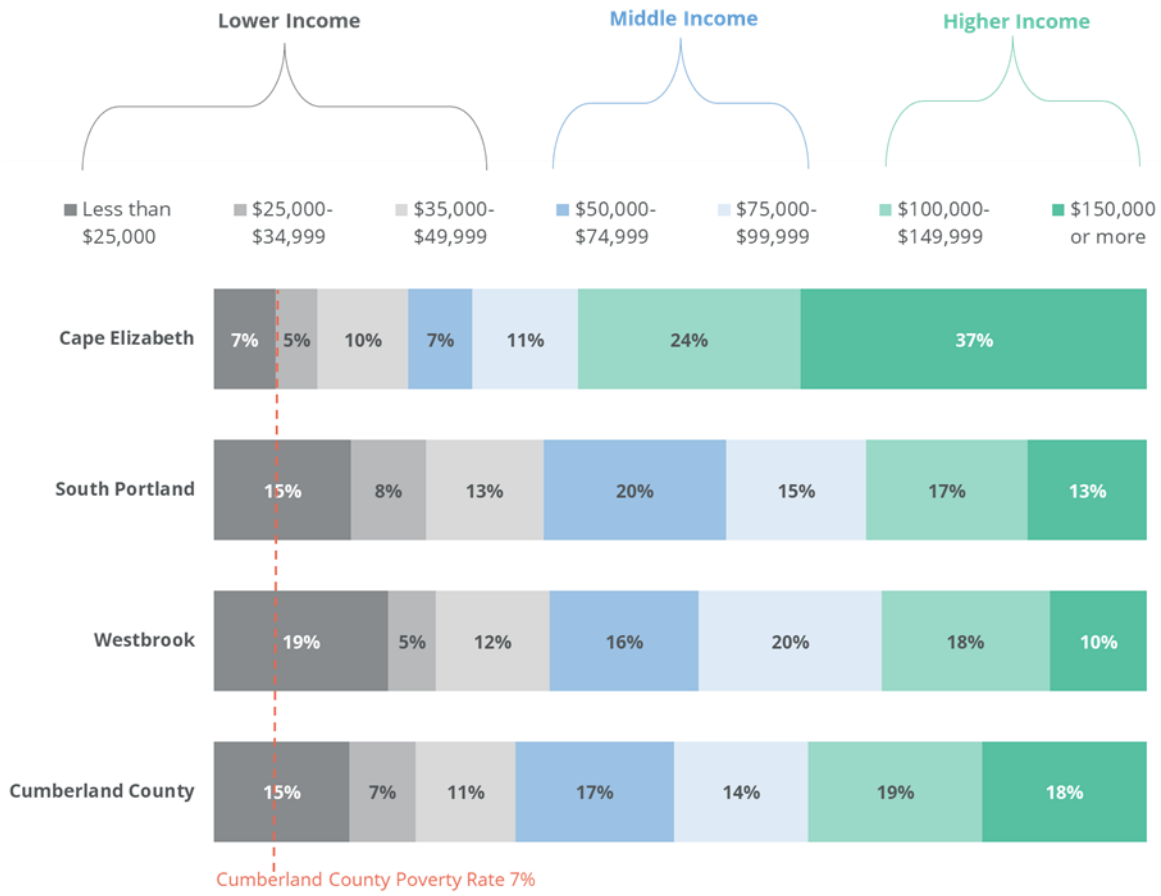
Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-19c.
Income Distribution by Jurisdiction, District 3 and County, 2020



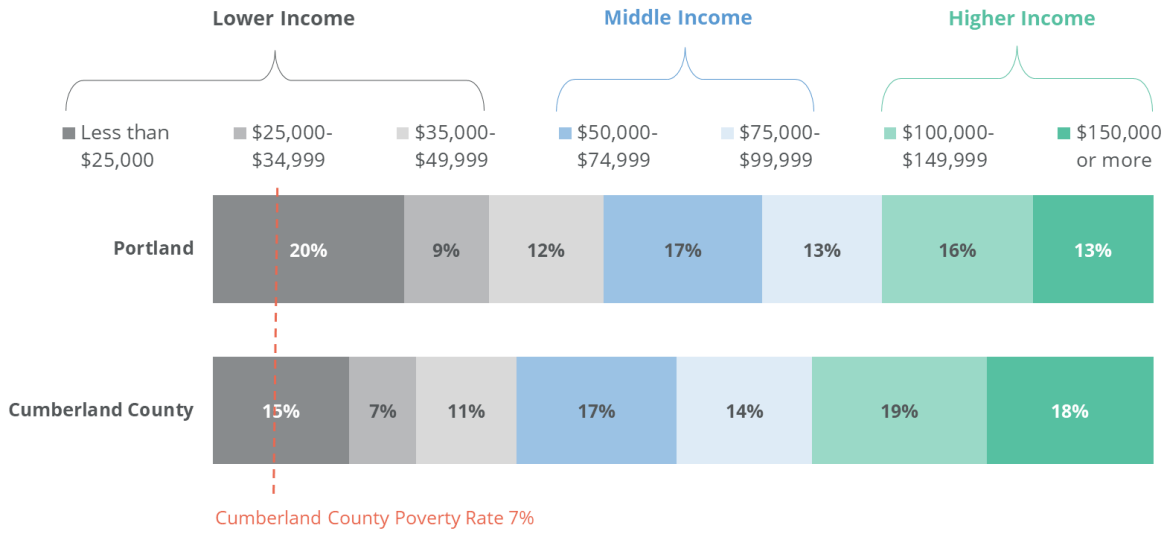
Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-19d.
Income Distribution by Jurisdiction, District 4 and County, 2020



Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-19e.
Income Distribution by Jurisdiction, District 5 and County, 2020



Source: 2016-2020 American Community Survey 5-year estimates.

Figures IV-20a through IV-20e show the number of *individuals* and *families* living in poverty. Between 2012 and 2020, the number of individuals and families experiencing poverty decreased in the county, with approximately 6,600 people and 1,800 families no longer living in poverty. Within the county, Portland has the largest number of residents and families living in poverty (9,084 and 996, respectively). However, they experienced the largest numerical decrease in persons and families living in poverty over the past eight years (3,444 and 837, respectively).

In addition to Portland, the largest decreases in persons living in poverty at the district level between 2012 and 2020 were seen in District 4 (1,344) and District 2 (1,299). Similarly, District 4 (485) and District 2 (346) also saw the greatest decrease in families experiencing poverty. All districts saw a decrease in the number of families experiencing poverty between 2012 and 2020.

Among all districts, District 1 has the fewest Individuals and families living in poverty (2,539 and 386). Jurisdictions that saw the greatest numerical increase in persons living in poverty among all districts include Yarmouth (555), Gorham (322), and Casco (157). Additionally, Yarmouth (154), Gorham (97), and Freeport (65) saw the greatest increase in families experiencing poverty.

Figure IV-20a.
Change in Persons Living in Poverty by Jurisdiction, District 1 and County, 2012 to 2020

Jurisdiction	2012		2020		Numerical Change	
	Individuals	Families	Individuals	Families	Individuals	Families
District 1	2,683	423	2,539	386	-144	-36
Baldwin	183	45	163	23	-20	-22
Bridgton	742	108	306	33	-436	-75
Gorham	425	41	747	138	322	97
Scarborough	710	93	569	72	-141	-20
Sebago	136	25	171	16	35	-9
Standish	487	110	583	104	96	-7
Cumberland County	30,315	4,995	23,726	3,162	-6,589	-1,832

Note: 2012 is the oldest 5-year estimate available.

Source: 2008-2012 and 2016-2020 American Community Survey 5-year estimates.

Figure IV-20b.
Change in Persons Living in Poverty by Jurisdiction, District 2 and County, 2012 and 2020

Jurisdiction	2012		2020		Numerical Change	
	Individuals	Families	Individuals	Families	Individuals	Families
District 2	5,344	941	4,045	596	-1,299	-346
Casco	503	114	660	64	157	-50
Falmouth	466	67	328	70	-138	3
Gray	947	160	364	25	-583	-135
Harrison	353	60	416	48	63	-12
Naples	583	75	465	85	-118	10
New Gloucester	389	72	506	117	117	45
Raymond	391	67	157	19	-234	-48
Windham	1,712	326	1,149	167	-563	-158
Cumberland County	30,315	4,995	23,726	3,162	-6,589	-1,832

Note: 2012 is the oldest 5-year estimate.

Source: 2008-2012 and 2016-2020 American Community Survey 5-year estimates.

Figure IV-20c.
Change in Persons Living in Poverty by Jurisdiction, District 3 and County, 2012 and 2020

Jurisdiction	2012		2020		Numerical Change	
	Individuals	Families	Individuals	Families	Individuals	Families
District 3	4,107	681	3,748	568	-359	-113
Brusnwick	2,002	321	1,649	118	-353	-203
Chebeague Island	27	10	65	7	38	-3
Cumberland	217	35	262	36	45	2
Freeport	479	55	288	120	-191	65
Harpswell	807	161	333	66	-474	-96
Long Island	41	10	7	0	-34	-10
North Yarmouth	95	30	225	22	130	-8
Pownal	126	17	51	3	-75	-14
Yarmouth	313	42	868	196	555	154
Cumberland County	30,315	4,995	23,726	3,162	-6,589	-1,832

Note: 2012 is the oldest 5-year estimate available.

Source: 2008-2012 and 2016-2020 American Community Survey 5-year estimates.

Figure IV-20d.
Change in Persons Living in Poverty by Jurisdiction, District 4 and County, 2012 and 2020

Jurisdiction	2012		2020		Numerical Change	
	Individuals	Families	Individuals	Families	Individuals	Families
District 4	5,650	1,124	4,306	638	-1,344	-485
Cape Elizabeth	293	59	317	67	24	8
South Portland	2,777	524	1,725	216	-1,052	-308
Westbrook	2,580	541	2,264	355	-316	-186
Cumberland County	30,315	4,995	23,726	3,162	-6,589	-1,832

Note: 2012 is the oldest 5-year estimate available.

Source: 2008-2012 and 2016-2020 American Community Survey 5-year estimates.

Figure IV-20e.
Change in Persons Living in Poverty by Jurisdiction, District 5 and County, 2012 and 2020

Jurisdiction	2012		2020		Numerical Change	
	Individuals	Families	Individuals	Families	Individuals	Families
District 5 - Portland	12,528	1,832	9,084	996	-3,444	-837
Cumberland County	30,315	4,995	23,726	3,162	-6,589	-1,832

Note: 2012 is the oldest 5-year estimate available.

Source: 2008-2012 and 2016-2020 American Community Survey 5-year estimates.

Figures IV-21a through IV-21e show poverty rates for individuals and families in 2012 and 2020, as well as the percentage point change across those years. Poverty decreased among individuals and families in Cumberland County by three percentage points each (11% to 8% for individuals, 7% to 4% for families). Differences in the proportion of persons living in poverty range from a low of 5% (District 1) to a high of 12% (Portland). Differences in the proportion of families living in poverty range from a low of 3% (District 1) to a high of 6% (Portland).

The largest increases in individual poverty rates were found in Yarmouth (7%), as well as Casco (4%), North Yarmouth and Chebeague Island (3% each, respectively). Portland saw no change in its individual poverty rate but the family poverty rate has decreased by nearly 50%. The largest decreases in individual poverty rates were found in Long Island (11%), Harpswell (10%), Bridgton (9%), and Gray (8%).

The largest percentage point change in family poverty was also in Yarmouth—family poverty increased by 7 percentage points—a very large increase. Other jurisdictions that saw percentage point increases in family poverty include New Gloucester (3%), Freeport (2%), Gorham (2%), and Naples (1%). Jurisdictions that experienced major decreases in poverty include Long Island (10%), Harpswell (8%) Gray (7%), and Chebeague Island (6%).

Figure IV-21a.
Poverty Rates by Jurisdiction, District 1 and County, 2012 and 2020

Jurisdiction	2012		2020		Percent Point Change	
	Individuals	Families	Individuals	Families	Individuals	Families
District 1	5%	3%	5%	3%	-1%	0%
Baldwin	12%	10%	12%	6%	0%	-4%
Bridgton	15%	8%	6%	2%	-9%	-5%
Gorham	3%	1%	5%	3%	2%	2%
Scarborough	4%	2%	3%	1%	-1%	-1%
Sebago	9%	6%	9%	3%	1%	-2%
Standish	5%	4%	6%	4%	1%	0%
Cumberland County	11%	7%	8%	4%	-3%	-3%

Note: 2012 is the oldest 5-year estimate available.

Source: 2008-2012 and 2016-2020 American Community Survey 5-year estimates.

Figure IV-21b.
Poverty Rates by Jurisdiction, District 2 and County, 2012 and 2020

Jurisdiction	2012		2020		Percent Point Change	
	Individuals	Families	Individuals	Families	Individuals	Families
District 2	10%	6%	7%	4%	-3%	-3%
Casco	14%	11%	17%	7%	4%	-4%
Falmouth	4%	2%	3%	2%	-2%	0%
Gray	12%	8%	5%	1%	-8%	-7%
Harrison	13%	7%	15%	7%	2%	-1%
Naples	15%	7%	12%	8%	-4%	1%
New Gloucester	7%	5%	9%	8%	2%	3%
Raymond	9%	5%	4%	1%	-5%	-4%
Windham	11%	7%	7%	3%	-4%	-4%
Cumberland County	11%	7%	8%	4%	-3%	-3%

Note: 2012 is the oldest 5-year estimate available.

Source: 2008-2012 and 2016-2020 American Community Survey 5-year estimates.

Figure IV-21c.
Poverty Rates by Jurisdiction, District 3 and County, 2012 and 2020

Jurisdiction	2012		2020		Percent Point Change	
	Individuals	Families	Individuals	Families	Individuals	Families
District 3	8%	5%	7%	4%	-1%	-1%
Brunswick	11%	7%	9%	3%	-2%	-4%
Chebeague Island	10%	11%	13%	5%	3%	-6%
Cumberland	3%	2%	3%	2%	0%	0%
Freeport	6%	3%	4%	5%	-3%	2%
Harpswell	17%	12%	7%	4%	-10%	-8%
Long Island	13%	10%	3%	0%	-11%	-10%
North Yarmouth	3%	3%	6%	2%	3%	-1%
Pownal	9%	4%	3%	1%	-6%	-4%
Yarmouth	4%	2%	10%	9%	7%	7%
Cumberland County	11%	7%	8%	4%	-3%	-3%

Note: 2012 is the oldest 5-year estimate available.

Source: 2008-2012 and 2016-2020 American Community Survey 5-year estimates.

Figure IV-21d.
Poverty Rates by Jurisdiction, District 4 and County, 2012 and 2020

Jurisdiction	2012		2020		Percent Point Change	
	Individuals	Families	Individuals	Families	Individuals	Families
District 4	11%	8%	8%	5%	-3%	-4%
Cape Elizabeth	3%	2%	3%	3%	0%	0%
South Portland	11%	8%	7%	4%	-4%	-5%
Westbrook	15%	12%	12%	8%	-3%	-5%
Cumberland County	11%	7%	8%	4%	-3%	-3%

Note: 2012 is the oldest 5-year estimate available.

Source: 2008-2012 and 2016-2020 American Community Survey 5-year estimates.

Figure IV-21e.
Poverty Rates by Jurisdiction, District 5 and County, 2012 and 2020

Jurisdiction	2012		2020		Percent Point Change	
	Individuals	Families	Individuals	Families	Individuals	Families
District 5 - Portland	12%	10%	12%	6%	0%	-4%
Cumberland County	11%	7%	8%	4%	-3%	-3%

Note: 2012 is the oldest 5-year estimate available.

Source: 2008-2012 and 2016-2020 American Community Survey 5-year estimates.

Poverty by family structure. There is wide variation in poverty rates by family structure. Married couples have the lowest poverty rates across districts, while single mothers with children living in the home have the highest poverty rates. In Cumberland County, single mothers are five times as likely to live in poverty as the average family household.

Portland (25%), along with Districts 3 and 4 (24% each, respectively), have the greatest proportion of single mothers experiencing poverty in the county. By jurisdiction, Chebeague Island (65%), Westbrook (54%), Yarmouth (49%), and Harrison (42%) have the highest proportion of single mothers experiencing poverty.

There are several jurisdictions in Cumberland County that have seen significant increases in the proportion of single mother households experiencing poverty. Compared to 2012, there are now six times as many single mother households experiencing poverty in Standish, as well as nearly four times as many in Yarmouth, more than twice as many in Cape Elizabeth and more than 1.5 times in Harrison and Falmouth in 2020.

The challenges faced by single mothers—poverty, housing burden, difficulty finding appropriately-sized housing—have been exacerbated during the COVID-19 pandemic, given that service sectors like restaurants and tourism that employ a large share of women have seen some of the biggest job losses during the pandemic. This combined with disruptions in schools and day care centers make the current economic downturn unique for single mothers compared to previous economic recessions.

The map in Figure IV-22 shows the geographic distribution of single mother households across the county. The neighborhoods with the highest proportions of single mothers are closely aligned with concentrated poverty, as shown in subsequent maps.

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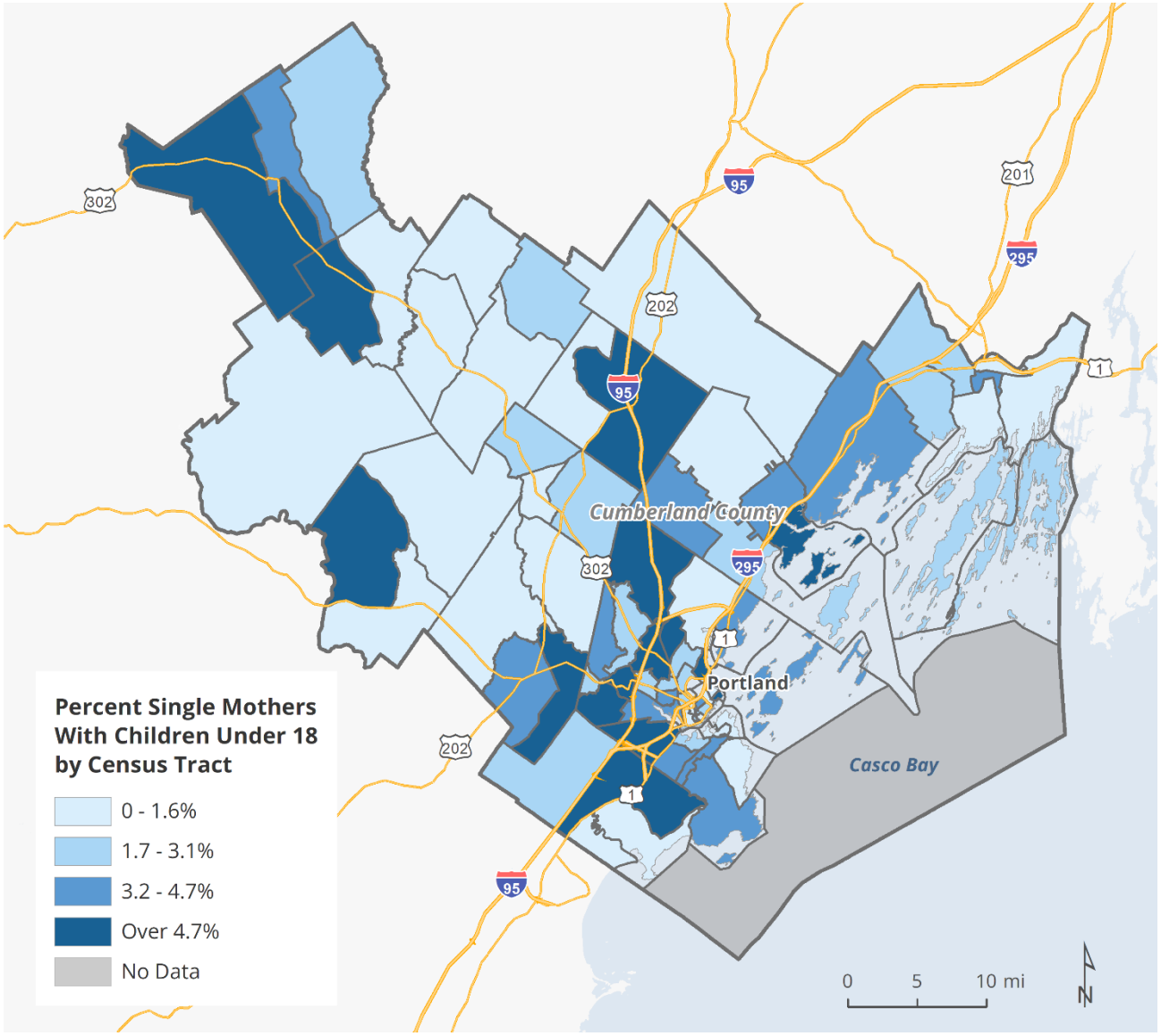
Figure IV-22. Percent of Single Mothers with Children in Home by Census Tract, 2018

Note:

Breaks represent 50%, 100%, and 150% of the county proportion single mothers with children in home residents (3.1%).

Source:

U.S. Census Bureau 2016-2020 American Community Survey 5-year estimates.



Poverty by race and ethnicity. As previously noted, poverty has decreased overall for families in Cumberland County. Hispanic families experienced the most dramatic decrease in poverty (24% in 2012, 6% in 2020) among all families by race/ethnicity. Non-Hispanic White families saw poverty decrease by half (6% in 2012, 3% in 2020) while both African American/Black (48% in 2012, 35% in 2020) and Asian (16% in 2012, 12% in 2020) households experienced poverty decreases by 25%.

However, poverty rates for families of color are much higher than poverty rates for non-Hispanic White families in Cumberland County. The poverty rate for African American/Black families is almost 12 times that of non-Hispanic White families in Cumberland County. Asian families are four times as likely to experience poverty as non-Hispanic White families, while Hispanic families are twice as likely.

The difference in poverty rates for African American/Black families is the most pronounced in Portland, where the poverty rate for African American/Black families is more than 11 times that of non-Hispanic White families. Additionally, African American/Black families are more than eight times as likely to experience poverty than non-Hispanic White families in Westbrook and more than three times as likely in South Portland.

For Latino/Hispanic families, the difference is most pronounced in Westbrook, where the poverty rate for Latino/Hispanic families is nearly four times that of non-Hispanic White families. In Falmouth, Asian families are five times as likely to experience poverty as non-Hispanic White family.

Poverty by age. County residents between the ages of 18-34 experience the highest rate of poverty (11%), followed by residents under 18 (9%). Residents between the ages of 35-64 and older than 65 have the lowest rate of poverty in the county (7%).

Similar to the county, residents under the age of 18 and between the ages of 18-34 have the highest rates of poverty in Portland (16% each, respectively), followed by residents over the age of 65 (13%) and those between the ages of 35-64 (12%).

Among jurisdictions in the county, residents between the ages of 18-34 experience the highest rates of poverty in Chebeague Island (76%), Baldwin (27%), Harrison (18%) and Brunswick (18%).

Residents under the age of 18 experience the highest rates of poverty in Westbrook (28%), Portland (16%), and Yarmouth (16%). Residents under the age of 35 still make up nearly half of all residents below the poverty line, which has implications for educational achievement and workforce growth.

Economic segregation. A critical aspect of expanding economic opportunity is addressing economic segregation. A growing body of research has consistently found that reducing economic segregation, especially for young children, has long-term, positive outcomes for families, and decreases the public sector costs of addressing the consequences of poverty.

Applying the concept of economic inequality to the county, this section examines how low income households are distributed across the county. This exercise compares the overall and low income distribution of households, families, and non-families (i.e., single persons living alone or with unrelated roommates). The far right column in Figures IV-23a through IV-23e shows the under- or over-representation of low income households by comparing the distribution of those households to the distribution of households in the county overall.

For low income households overall, Portland has a higher share than the city's overall proportion of the county's households would suggest (10 percentage points) — the only district with an over-representation of low income households in the county.

This difference is partially, although not entirely, related to the provision of affordable housing. A comparison of rental units priced at less than $650/month (affordable to households with incomes of $25,000 and less) showed modest differences in the share of affordable rentals compared to all rentals, with Bridgton, Brunswick, Portland, and mostly Westbrook providing a slightly higher share of affordable rentals than rental units overall. A similar analysis of owned homes found only modest variances in shares with only resort-oriented counties providing a lower share of affordable homes for purchase. In sum, the region is not significantly unbalanced, and differences are due both to where low wage jobs are located and where older residents living on fixed incomes are located, in addition to the location of affordable housing.

By District and jurisdiction:

- Districts 1 through 3 have a lower share of low income households than their respective proportion of households in the county would suggest. No jurisdiction in District 1 has an overrepresentation of low income households compared to their share of households in the county overall. Low income households are most underrepresented in Scarborough (7% of county households, 3% of county households making less than $25,000).
- Overall, District 2 has a smaller proportion of low income households compared with its proportion of county households overall (20% of county households, 16% of county households making less than $25,000). The only jurisdictions in District 2 with an overrepresentation of low income households are Casco, Harrison, and Naples.
- Similar to District 1, District 3 has no jurisdictions with an overrepresentation of low income households compared to their share of households in the county overall. Of

note, six of the nine jurisdictions in District 3 have a proportional share of low income households compared with their share of county households overall.

- Overall, District 4 has a proportional share of lower income households compared to its share of county households. Of the jurisdictions in District 4, Cape Elizabeth has an underrepresentation of low income households while Westbrook is overrepresented. South Portland has a proportional share of low income households.

Similar trends are exhibited for low income families and differences are the smallest for non-families.

Figure IV-23a.
Share of Very Low Incomes Households, Families, and Non-families by Jurisdiction, District 1 and County, 2020

	Households				
	All Households	% of (County) All Households	< $25,000 Households	% of < $25,000 Households	Difference in Share of County Households and <$25,000
District 1	21,890	18%	2,571	14%	-3%
Baldwin	540	0%	114	1%	0%
Bridgton	2,479	2%	605	3%	1%
Gorham	6,058	5%	618	3%	-1%
Scarborough	8,462	7%	575	3%	-4%
Sebago	800	1%	154	1%	0%
Standish	3,551	3%	504	3%	0%
Cumberland County	123,384	100%	17,891	15%	
	Families				
	All Families	% of (County) All Family Households	< $25,000 Families	% of < $25,000 Families	Difference in Share of County Households and <$25,000
District 1	15,298	21%	689	16%	-5%
Baldwin	366	0%	34	1%	0%
Bridgton	1,517	2%	130	3%	1%
Gorham	4,319	6%	173	4%	-2%
Scarborough	6,022	8%	102	2%	-6%
Sebago	484	1%	22	0%	0%
Standish	2,590	4%	228	5%	2%
Cumberland County	73,543	100%	4,413	6%	
	Non-families				
	All Non-families	% of (County) All Non-families	< $25,000 Non-families	% of < $25,000 Non-families	Difference in Share of County Households and <$25,000
District 1	6,592	13%	1,889	14%	0%
Baldwin	174	0%	80	1%	0%
Bridgton	962	2%	476	3%	1%
Gorham	1,739	3%	449	3%	0%
Scarborough	2,440	5%	473	3%	-2%
Sebago	316	1%	134	1%	0%
Standish	961	2%	277	2%	0%
Cumberland County	49,841	100%	13,955	28%	

Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-23b.
Share of Very Low Income Households, Families, and Non-families by Jurisdiction, District 2 and County, 2020

	Households				
	All Households	% of (County) All Households	< $25,000 Households	% of < $25,000 Households	Difference in Share of County Households and <$25,000
District 2	24,656	20%	2,947	16%	-4%
Casco	1,913	2%	616	3%	2%
Falmouth	4,786	4%	316	2%	-2%
Gray	3,657	3%	234	1%	-2%
Harrison	1,401	1%	429	2%	1%
Naples	1,961	2%	441	2%	1%
New Gloucester	2,041	2%	196	1%	-1%
Raymond	1,908	2%	114	1%	-1%
Windham	6,989	6%	601	3%	-2%
Cumberland County	123,384	100%	17,891	15%	
	Families				
	All Families	% of (County) All Family Households	< $25,000 Families	% of < $25,000 Families	Difference in Share of County Households and <$25,000
District 2	16,584	23%	779	18%	-5%
Casco	920	1%	64	1%	0%
Falmouth	3,522	5%	81	2%	-3%
Gray	2,456	3%	29	1%	-3%
Harrison	717	1%	70	2%	1%
Naples	1,061	1%	120	3%	1%
New Gloucester	1,545	2%	94	2%	0%
Raymond	1,437	2%	30	1%	-1%
Windham	4,926	7%	291	7%	0%
Cumberland County	73,543	100%	4,413	6%	
	Non-families				
	All Non-families	% of (County) All Non-families	< $25,000 Non-families	% of < $25,000 Non-families	Difference in Share of County Households and <$25,000
District 2	8,072	16%	2,275	16%	0%
Casco	993	2%	551	4%	2%
Falmouth	1,264	3%	264	2%	-1%
Gray	1,201	2%	203	1%	-1%
Harrison	684	1%	364	3%	1%
Naples	900	2%	321	2%	0%
New Gloucester	496	1%	102	1%	0%
Raymond	471	1%	94	1%	0%
Windham	2,063	4%	375	3%	-1%
Cumberland County	49,841	100%	13,955	28%	

Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-23c.
Share of Very Low Income Households, Families, and Non-families by Jurisdiction, District 3 and County, 2020

	Households				
	All Households	% of (County) All Households	< $25,000 Households	% of < $25,000 Households	Difference in Share of County Households and <$25,000
District 3	22,641	18%	2,658	15%	-3%
Brunswick	8,295	7%	1,269	7%	0%
Chebeague Island	276	0%	80	0%	0%
Cumberland	2,920	2%	207	1%	-1%
Freeport	3,415	3%	335	2%	-1%
Harpswell	2,382	2%	312	2%	0%
Long Island	117	0%	20	0%	0%
North Yarmouth	1,427	1%	141	1%	0%
Pownal	562	0%	27	0%	0%
Yarmouth	3,247	3%	266	1%	-1%
Cumberland County	123,384	100%	17,891	15%	
	Families				
	All Families	% of (County) All Family Households	< $25,000 Families	% of < $25,000 Families	Difference in Share of County Households and <$25,000
District 3	15,087	21%	703	16%	-5%
Brunswick	4,738	6%	190	4%	-2%
Chebeague Island	141	0%	13	0%	0%
Cumberland	2,262	3%	48	1%	-2%
Freeport	2,674	4%	144	3%	0%
Harpswell	1,526	2%	64	1%	-1%
Long Island	71	0%	0	0%	0%
North Yarmouth	1,009	1%	13	0%	-1%
Pownal	444	1%	7	0%	0%
Yarmouth	2,222	3%	224	5%	2%
Cumberland County	73,543	100%	4,413	6%	
	Non-families				
	All Non-families	% of (County) All Non-families	< $25,000 Non-families	% of < $25,000 Non-families	Difference in Share of County Households and <$25,000
District 3	7,554	15%	2,230	16%	1%
Brunswick	3,557	7%	1,145	8%	1%
Chebeague Island	135	0%	67	0%	0%
Cumberland	658	1%	160	1%	0%
Freeport	741	1%	207	1%	0%
Harpswell	856	2%	247	2%	0%
Long Island	46	0%	20	0%	0%
North Yarmouth	418	1%	128	1%	0%
Pownal	118	0%	23	0%	0%
Yarmouth	1,025	2%	232	2%	0%
Cumberland County	49,841	100%	13,955	28%	

Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-23d.
Share of Very Low Income Households, Families, and Non-families by Jurisdiction, District 4 and County, 2020

	Households				
	All Households	% of (County) All Households	< $25,000 Households	% of < $25,000 Households	Difference in Share of County Households and <$25,000
District 4	23,382	19%	3,469	19%	0%
Cape Elizabeth	3,754	3%	248	1%	-2%
South Portland	11,242	9%	1,653	9%	0%
Westbrook	8,386	7%	1,568	9%	2%
Cumberland County	123,384	100%	17,891	15%	
	Families				
	All Families	% of (County) All Family Households	< $25,000 Families	% of < $25,000 Families	Difference in Share of County Households and <$25,000
District 4	13,462	18%	989	22%	4%
Cape Elizabeth	2,679	4%	91	2%	-2%
South Portland	6,167	8%	358	8%	0%
Westbrook	4,616	6%	540	12%	6%
Cumberland County	73,543	100%	4,413	6%	
	Non-families				
	All Non-families	% of (County) All Non-families	< $25,000 Non-families	% of < $25,000 Non-families	Difference in Share of County Households and <$25,000
District 4	9,920	20%	2,486	18%	-2%
Cape Elizabeth	1,075	2%	156	1%	-1%
South Portland	5,075	10%	1,304	9%	-1%
Westbrook	3,770	8%	1,025	7%	0%
Cumberland County	49,841	100%	13,955	28%	

Source: 2016-2020 American Community Survey 5-year estimates.

Figure IV-23e.
Share of Very Low Income Households, Families, and Non-families by Jurisdiction, District 5 and County, 2020

	Households				
	All Households	% of (County) All Households	< $25,000 Households	% of < $25,000 Households	Difference in Share of County Households and <$25,000
District 5 - Portland	30,796	25%	6,252	35%	10%
Cumberland County	123,384	100%	17,891	15%	
	Families				
	All Families	% of (County) All Family Households	< $25,000 Families	% of < $25,000 Families	Difference in Share of County Households and <$25,000
District 5 - Portland	13,099	18%	1,258	28%	11%
Cumberland County	73,543	100%	4,413	6%	
	Non-families				
	All Non-families	% of (County) All Non-families	< $25,000 Non-families	% of < $25,000 Non-families	Difference in Share of County Households and <$25,000
District 5 - Portland	17,697	36%	5,132	37%	1%
Cumberland County	49,841	100%	13,955	28%	

Source: 2016-2020 American Community Survey 5-year estimates.

The maps in the following figures show how poverty—roughly equivalent to the "<$25,000" households captured in the table above—is distributed in the county. The maps are shown for individuals and families, with little variation between the two.

In line with data in the previous table, concentrations of poverty are located throughout Cumberland County, located in Portland, Westbrook, Brunswick, Yarmouth, Casco, Naples, and Standish.

In Cumberland County, there were five census tracts with individual poverty rates at least three times that of the county rate. Overall, these census tracts are much more diverse, younger, and more likely to be unemployed than the county overall. Each of the five census tracts have a higher proportion of African American/Black residents compared to the county. Two of the census tracts also have a greater proportion of single mother households.

There were seven census tracts with family poverty rates at least three times that of the county rate. Collectively, these census tracts are more diverse and younger than the county overall. A majority of the census tracts have a greater proportion of single mother households.

Figure IV-24. Individual Poverty Rate by Census Tract, 2020

Note:

Breaks represent 50%, 100%, and 150% of the county proportion of individuals below the poverty rate (8.3%).

Source:

2016-2020 American Community Survey 5-year estimates.

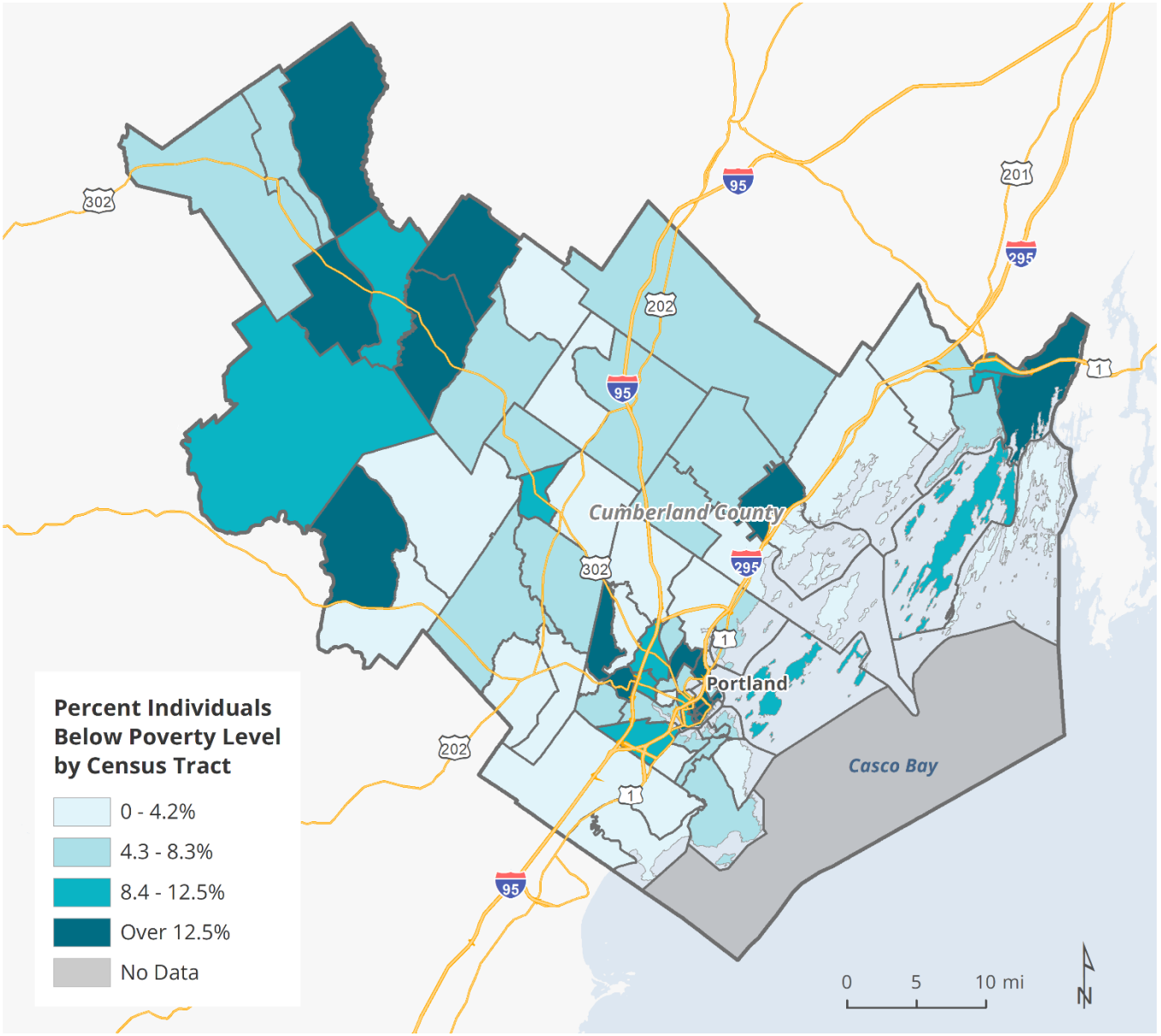


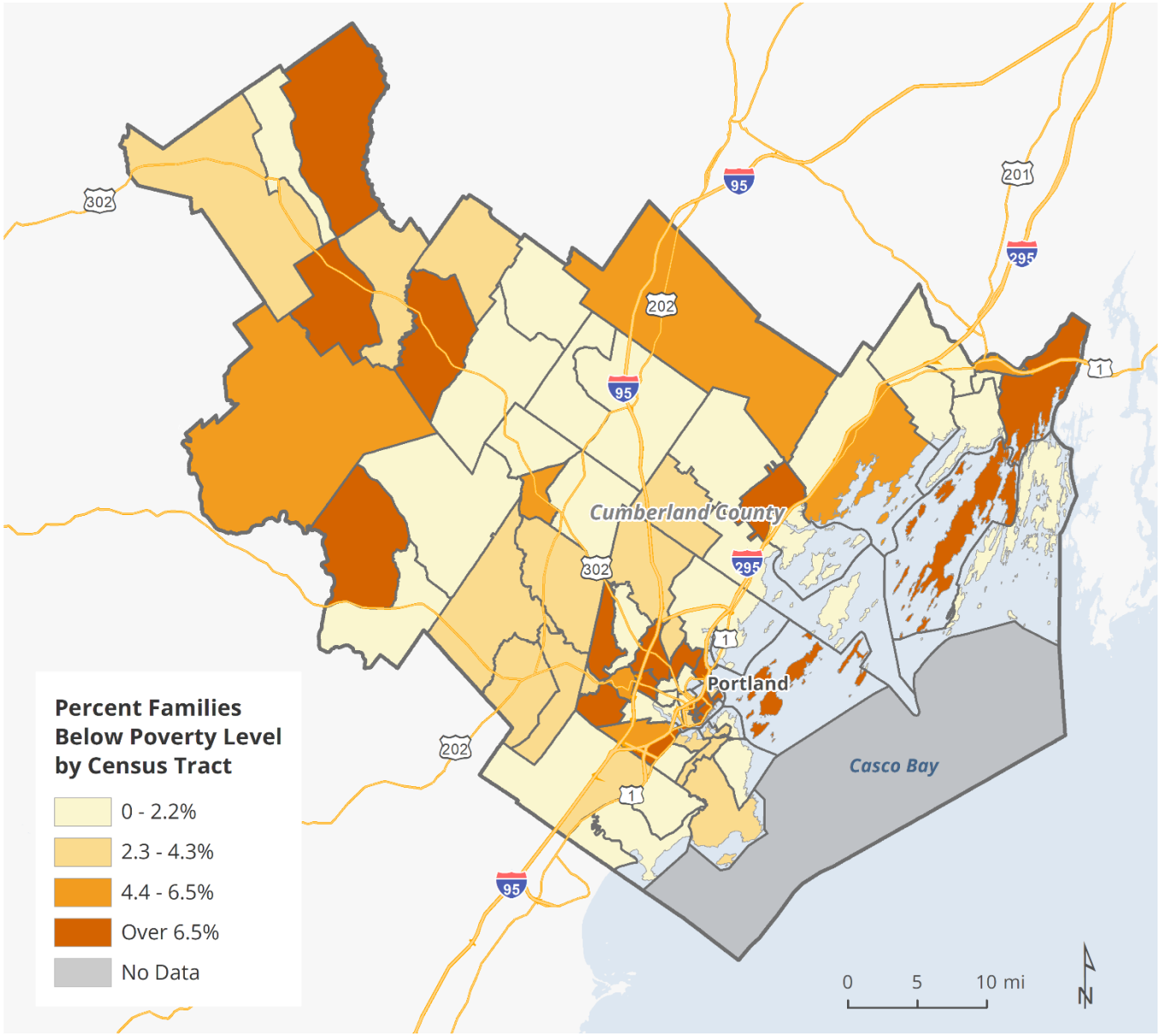
Figure IV-25. Family Poverty Rate by Census Tract, 2020

Note:

Breaks represent 50%, 100%, and 150% of the county proportion of families below the poverty rate (4.3%).

Source:

2016-2020 American Community Survey 5-year estimates.



SECTION V.

ACCESS TO OPPORTUNITY

SECTION V.
Access to Opportunity

The Access to Opportunity section examines the many factors that determine the economic health of Cumberland County's communities and neighborhoods. Access to economic opportunity is measured through **equitable access to community assets** including:

- Employment opportunities and outcomes;
- Access to quality educational environments, which promise economic growth for future workforce;
- Access to employment readiness programs and job training; and
- Access to work enabling services including broadband, childcare, and transportation.

In reading this analysis, it is important to note that access to opportunity is multi-faceted, complex, and requires a collective and concerted effort to facilitate change. This section provides base data and trends to inform future efforts to improve access to opportunity—and to support Cumberland County's economic growth in a way that benefits those who need it the most.

Geographic area of analysis. This section departs from the district-level analysis used in prior sections. It instead focuses on typical employment market boundaries, as defined by labor market data and commute patterns. Geographic areas referenced in this section include Cumberland County overall, the City of Portland, and "Greater Portland"—which includes the cities of Portland, South Portland, and Westbrook.

Primary Findings

- **Median wages were slightly higher in Cumberland County than in the state overall.** Median annual wages in the county in 2020 were $45,005—nearly $5,000 more than the state's median annual wages ($40,460) (Figure V-1).

- **Nearly 6 in 10 heads of household who work in lower wage jobs**—entertainment, recreation, accommodation, food service, agriculture, forestry, fishing, hunting, or mining—in Greater Portland **earn wages that are not high enough to cover housing costs**. Workers in these industries are housing cost burdened (Figure V-2).

- Cumberland County had one of the lowest unemployment rates (5.3%) in the state during 2020 (Figure V-4). **The unemployment rate among Native Americans (15.4%) was disproportionately high while African American/Black**

residents had the lowest rate (1.4%) (Figure V-5). Except for Native Americans, Cumberland County workers had higher labor force participation rates than the state across racial and ethnic groups. (Figure V-9).

- **Residents experiencing disabilities had higher rates of unemployment in both Portland and Cumberland County** (Figure V-6), and participated in the labor force at a much lower rate (43% and 49%, respectively) than the overall working-age population (71% and 69%, respectively) (Figure V-10). However, the gap between the unemployment rate of people experiencing disabilities and the overall workforce was smaller in both the city and county than the state (3.9 and 5.7 percentage point gap in the city and county, 6.6 percentage point gap in the state).

- **Cumberland County residents are more likely than peer counties and the state to have access to a computer and broadband internet** (Figures V-20 and V-21). However, there are inequities in access among households by income: 41% of Cumberland County households making less than $20,000 do not have a broadband internet subscription. Compared to Cumberland County, Portland residents have slightly less access to a computer and broadband internet — 7.8% of residents do not have access to a computer and 12.6% do not have broadband internet.

- **Economically disadvantaged students make up more than half of school enrollment** in the Westbrook School District, Harpswell Coastal Academy, RSU 17 (serving Harrison), and RSU 61 (serving Bridgton and Naples). These school districts also experienced some of the lowest rates of student testing success among all county school districts (Figures V-15 and V-17)—suggesting that these districts need more support to address the needs of economically disadvantaged students.

- Educational attainment matters for earnings potential: **County residents with a bachelor's degree earn 56% more than those with a high school diploma,** while Portland residents with a bachelor's degree earn 48% more than their counterparts with a high school diploma. The gap is wider in Cumberland County than in other parts of Maine (Figure V-27).

- **The ability to attain homeownership increases with educational attainment:** 52% of county residents with a high school diploma own their home, compared to 76% for those with a college degree (Figure V-29). The numbers are much lower in Portland — 36% of city residents with a high school diploma own their home while 54% with a college degree are homeowners. Compared to the state, it is more difficult for city and county households with lower levels of educational attainment to become homeowners.

- Cumberland County's childcare infrastructure is robust compared to the state. However, there are childcare deserts found in Portland, South Portland, Westbrook, Bridgton, and Brunswick (Figure V-23). Statewide, **Hispanic and low income**

families, as well as family living in rural areas, are more likely to live in areas with limited childcare options.

Cumberland County's Economy at a Glance

The Access to Economic Opportunity analysis begins with an overview of employment conditions in Cumberland County, which drive wages and ability to afford housing.

Primary industries and wages. A large share of Maine's jobs are located in Cumberland County: There were 175,110 total workers in Cumberland County, making up a third of Maine's total jobs of 575,220.

Cumberland County holds large shares of the state's higher paying jobs. For instance, 57% of the state's computer and mathematical occupations; legal occupations (49%); and business and financial operations occupations (43%) are located in the county. This is also true of arts and entertainment occupations (43%).

Disparities by industry. However, the industries with the most jobs in Cumberland County are mostly lower paying. Primary employment industries include office support (14%) and sales (10%), followed by an equal distribution of jobs in management (7%), business/finance (7%), healthcare practitioners (7%), food preparation and serving (7%), and transportation/moving (7%).

Median wages were slightly higher in Cumberland County than in the state overall. Median annual wages in Cumberland County in 2020 were $45,005—nearly $5,000 more than the state's median annual wages ($40,460).

There is a large difference in median wages by job type in the county, leading to a challenging job market for low wage earners—who hold the most common jobs in the county. Median wages were highest in Cumberland County for those working in management ($103,339), followed by those working as architects and engineers ($84,027), computer and mathematics workers ($80,062), and healthcare practitioners ($71,130). Median wages were lowest for those working in food preparation and serving ($28,635), personal care ($30,944), healthcare support ($31,808), cleaning and maintenance ($32,562), and sales ($34,460).

Figure V-1.
Employment and Annual Wages, Cumberland County, 2020

	Estimated Employment	Median Wages
All Occupations	175,110	$45,005
Office and Administrative Support	24,120	$39,824
Sales and Related	16,970	$34,460
Food Preparation and Serving	12,960	$28,635
Management	12,480	$103,339
Transportation and Moving	12,150	$35,770
Business and Financial Operations	11,900	$66,268
Healthcare Practitioners	11,750	$71,130
Educational and Library	10,450	$51,453
Healthcare Support	9,460	$31,808
Production	7,310	$37,892
Computer and Mathematical	6,860	$80,062
Construction and Extraction	6,190	$47,837
Maintenance and Repair	6,160	$48,754
Cleaning and Maintenance	5,930	$32,562
Personal Care and Service	3,970	$30,944
Protective Service	3,640	$43,816
Community and Social Service	3,430	$49,089
Arts, Design, and Entertainment	3,080	$48,348
Architecture and Engineering	2,870	$84,027
Legal	1,850	$62,967
Life, Physical, and Social Science	1,450	$66,258
Farming, Fishing, and Forestry	140	$38,544

Source: Maine Department of Labor Center for Workforce Research & Information and Root Policy Research.

Low wages in several sectors means that housing costs are difficult to cover. The housing market typically responds to the highest wage earners, burdening low wage workers who, in low vacancy markets, have few choices but to absorb increased costs.

Housing cost burden by industry. As shown in Figure V-2, many Greater Portland (namely, Portland, South Portland, and Westbrook) households working in low-wage industries experience cost burden at higher rates than those working in high-income

industries. In fact, 58% of Greater Portland households in which the head works in entertainment, recreation, accommodation, or food service are cost burdened (meaning they spend more than 30% of their household income on housing costs). Similarly, 58% of households whose head works in agriculture, forestry, fishing, hunting, or mining are cost burdened.

Households in which the head works in utilities/transportation, information, or finance/insurance/real estate have the lowest rates of cost burden: less than 25% of such households pay more than 30% of their income in housing costs.

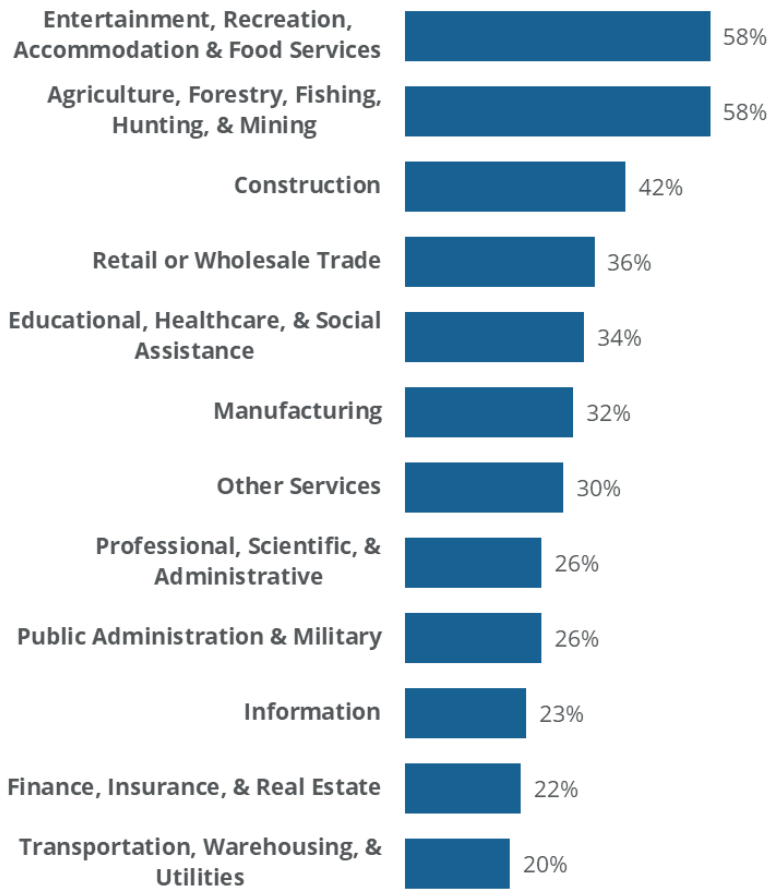
Figure V-2. Cost Burden by Employment Industry, Greater Portland, 2019

Note:

Households are considered cost burdened if their gross rent or total monthly ownership costs are greater than 30% of their household income. Households' industry is determined by the industry of the household head. Unemployed household heads or those out of the labor force are excluded from the data. "Other Services" include automotive repair and maintenance, personal and household goods repair and maintenance, barber shops, beauty salons, laundry services, religious organizations, etc.

Source:

2019 5-year IPUMS data and Root Policy Research.

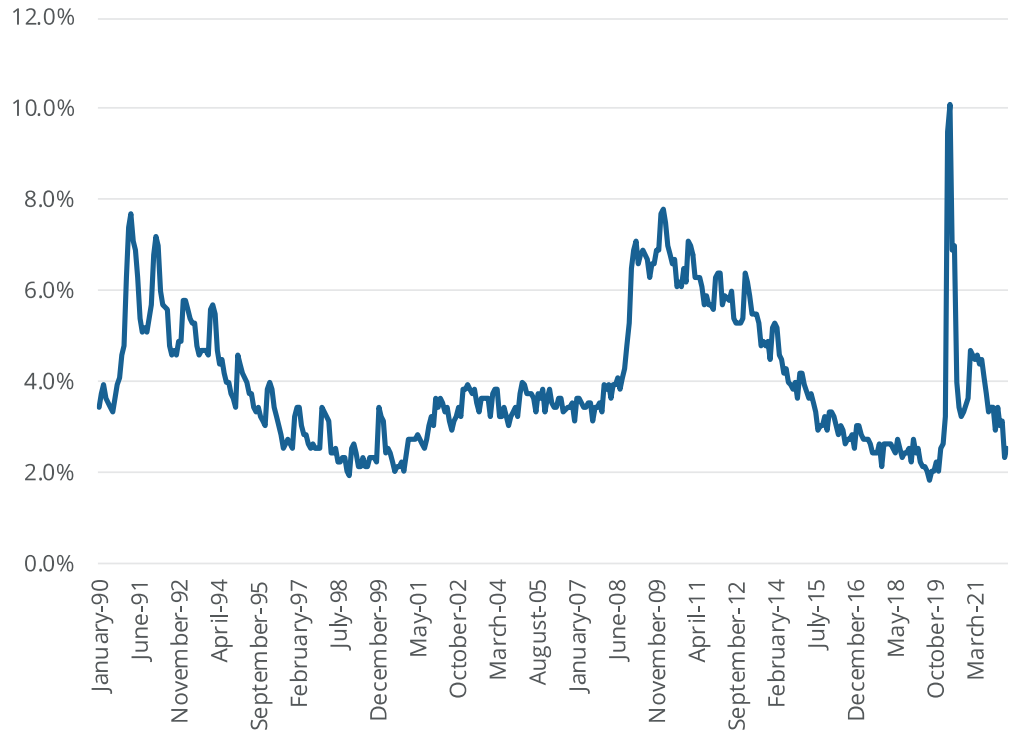


High rates of cost burden are costly not only for those experiencing them, but for the state's economy as a whole. Estimates using survey-weighted 2019 IPUMS data indicate that had cost burdened households in Greater Portland been able to spend just 30% of their incomes in housing costs, this would have freed up an aggregate of about $9,980,090 per month (or $119,761,080 per year). This money could have otherwise been saved, spent, and invested within Greater Portland communities.

Unemployment. Cumberland County's unemployment rate as of May 2022 was a very low 2.5%. This is lower than the state's unemployment rate of 3.2% and the national

unemployment rate of 3.6%. As shown in Figure V-3, after spiking in May 2020 at the height of the pandemic, the rate returned to near pre-pandemic levels within a year. The employment recovery following the pandemic was much more swift than that following the Great Recession, where employment peaked at around 8% and was followed by a 5 year recovery period.

Figure V-3.
Unemployment Rate, Cumberland County, January 1990 to May 2022



Note: These data are not seasonally adjusted.

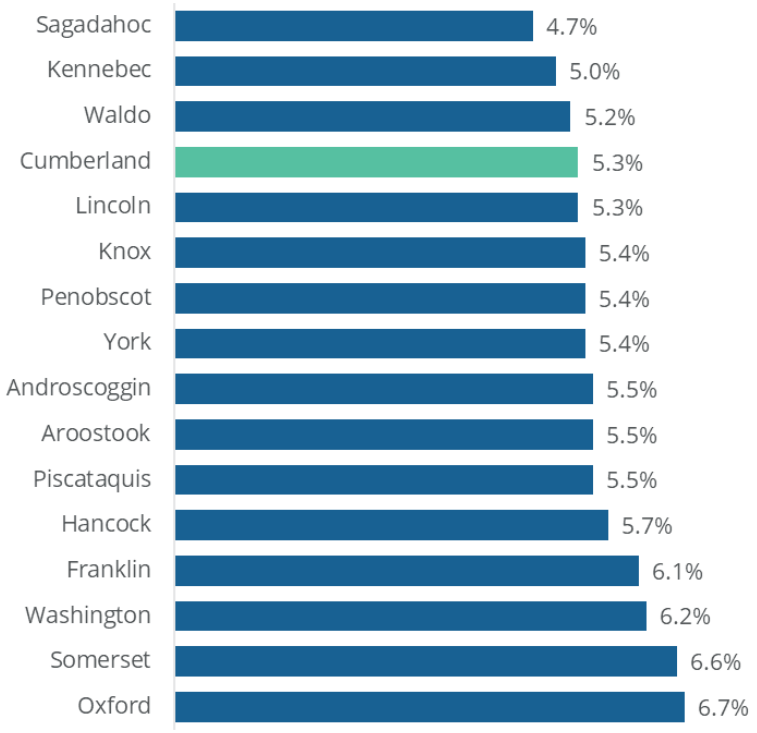
Source: Bureau of Labor Statistics and Root Policy Research.

According to the Maine Department of Labor, Cumberland County had one of the lowest unemployment rates in the state during 2020 (Figure V-4). Cumberland's 2020 annual average unemployment rate was 5.3%, while neighboring Oxford County had the highest unemployment rate in the state at 6.7%. Cumberland also had lower unemployment rates than neighboring York (5.4%) and Androscoggin counties (5.5%). Sagadahoc County had the lowest unemployment rate at 4.7%.

Figure V-4. Average Annual Unemployment Rate, Maine Counties, 2020

Source:

Maine Department of Labor Center for Workforce Research & Information and Root Policy Research.



Racial disparities. According to 2020 ACS data, the unemployment rate among Native Americans was higher than any other racial or ethnic group in Cumberland County. The unemployment rate among Native Americans in Cumberland County (15.4%) was substantially higher than the unemployment rate among Native Americans statewide (9.0%). Compared to 2019 ACS data, the unemployment rate for Native Americans increased by more than nine percentage points for this population in just over a year—highlighting the disproportionate impact of the pandemic on this population group.

For all other races and ethnicities, unemployment is very low and is lower in Cumberland County than in the state overall.

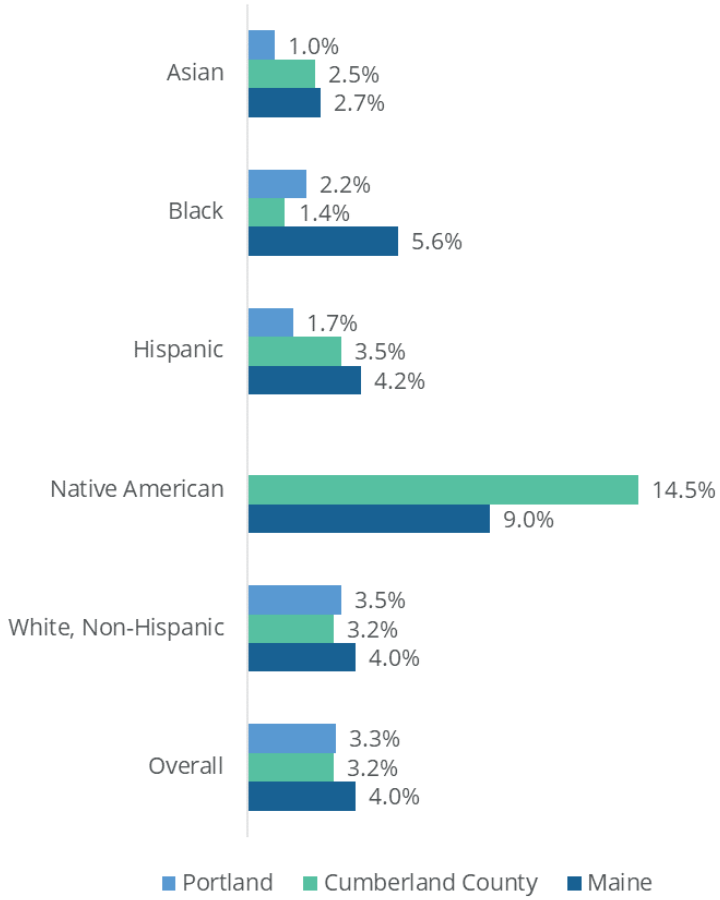
African American/Black residents in Cumberland County had the lowest unemployment rate in 2020, at just 1.4%. This is also substantially lower than the statewide average unemployment rate among African American/Black workers, which was 6%.

The unemployment rates among different racial and ethnic groups in Portland were also relatively low compared to the state. Non-Hispanic White residents had the highest unemployment rate in the city (3.5%), while Asian residents had the lowest (1%). The unemployment rate for Native Americans at the city level was not calculated due to the small sample size.

Figure V-5. Unemployment rate, by Race and Ethnicity, Portland, Cumberland County and Maine, 2020

Source:

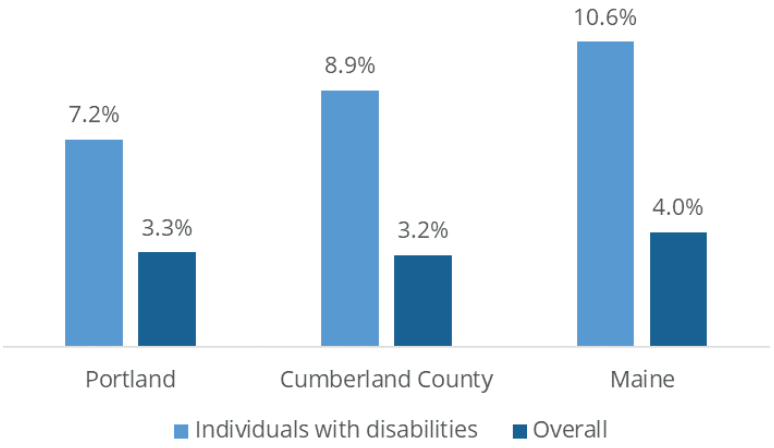
5-year 2020 ACS estimates and Root Policy Research.



Disparities by disability. Residents experiencing disabilities in Portland, Cumberland County, and Maine had higher unemployment rates than the overall population. However, the gaps in both the city and county were narrower than the state. In Cumberland County in 2020, 8.9% of people with disabilities were unemployed compared to 3.2% of workers overall—a difference of 5.7 percentage points. Portland's gap was even smaller at 3.9 percentage points — with 7.2% of people experiencing disabilities unemployed compared to 3.3% overall. This is smaller than the statewide gap of 6.6 percentage points.

Figure V-6. Unemployment rate, by Disability Status, Portland, Cumberland County, and Maine, 2020

Source:
5-year 2020 ACS estimates and Root Policy Research.



Labor force participation. Another measure of workforce conditions is labor force participation. Labor force participation rates measure the percent of individuals over age 15 who are either employed *or are actively looking for employment*.

A high labor force participation rate coupled with a high unemployment rate—as seen for Native Americans in Cumberland County—is indicative of a lack of available jobs for the skill set of job seekers.

Labor force participation rates in Portland were higher than both the county and the state, seeing a strong increase between 2015 and 2018. Since peaking in 2018 at 72.2%, the labor force participation rate has slightly declined. Labor force participation rates have been declining steadily over time in Maine and nationwide, but Cumberland County's labor force participation rate has remained relatively steady since 2010.

Figure V-7. Labor Force Participation Rates, Portland, Cumberland County, and Maine, 2010 to 2020

Source:
5-year ACS estimates and Root Policy Research.

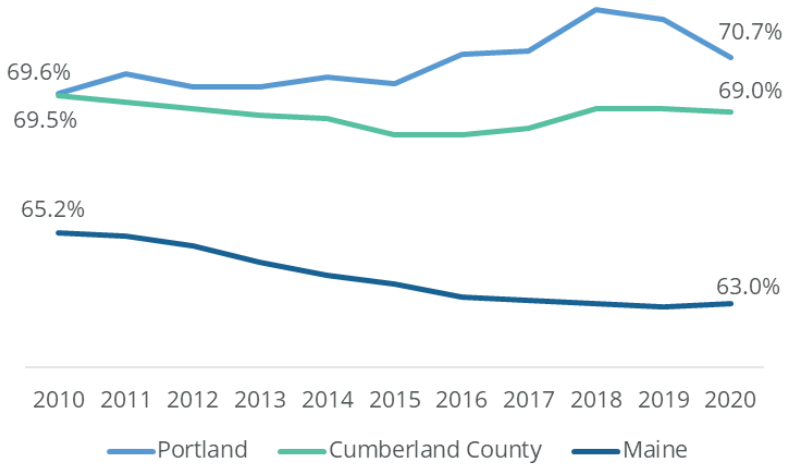
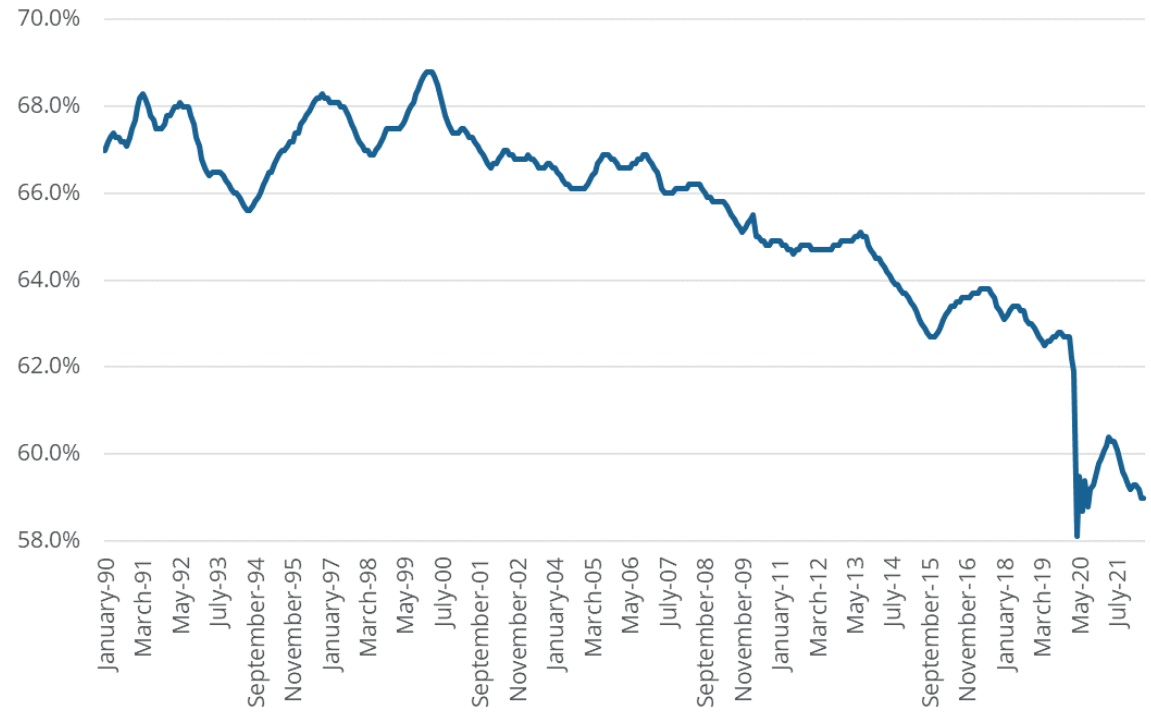


Figure V-8 shows labor force participation by month for the state overall, highlighting the effect on the pandemic. Statewide labor force participation rates hit their lowest level in April 2020 at 58.6%, only slightly recovering to 59.0% by May 2022.

Figure V-8.
Labor Force Participation Rate, Maine, January 1990 to May 2022



Note: These data are not seasonally adjusted.

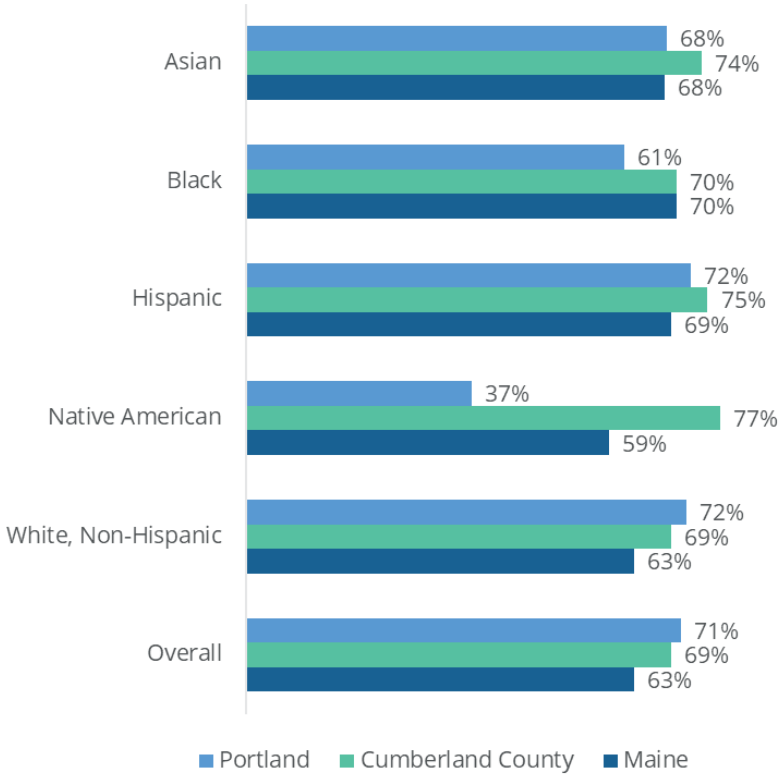
Source: Bureau of Labor Statistics and Root Policy Research.

Racial and gender disparities. Labor force participation rates are higher among some racial and ethnic populations and differ by gender. In Cumberland County, Native Americans African American/Black, Hispanic, and Asian workers have the highest labor force participation rate, while non-Hispanic White residents have the lowest. The opposite holds true in Portland, where non-Hispanic White and Hispanic residents have the highest labor force participate rate. Native Americans in Portland have the lowest rate among different racial and ethnic populations.

Overall, Maine's labor force participation rate is 63%. African American/Black Mainers have the highest labor force participation rate (70%), while Native Americans have the lowest (59%).

Figure V-9. Labor force Participation Rate, by Race and Ethnicity, Portland, Cumberland County and Maine, 2020

Source:
5-year ACS estimates and Root Policy Research.

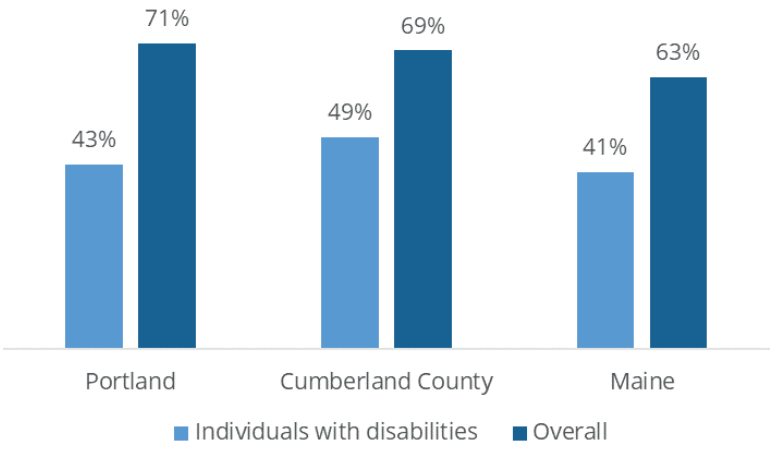


Disparities by disability. As shown in Figure V-10, 49% of working-age people with disabilities were employed or looking for a job compared to 69% of the working-age population overall in Cumberland County. The gap among residents in the workforce with and without disabilities is larger in Portland (43% with disabilities, 71% overall. Maine shows similar differences to the county.

These differences in labor force participation rates largely have to do with access to the labor market, including via housing and transportation. Some people with disabilities and low income workers who are out of the labor force might otherwise be in the labor force if accessible and reliable transportation and housing were easier to obtain.[1]

[1] Lubin, Andrea, and Devajyoti Deka. "Role of public transportation as job access mode: Lessons from survey of people with disabilities in New Jersey." *Transportation research record* 2277.1 (2012): 90-97.

Figure V-10. Labor force Participation Rate, by Disability Status, Cumberland County and Maine, 2020



Source:
5-year 2020 ACS estimates and Root Policy Research.

Employment challenges. During the focus groups conducted for this study, several stakeholders spoke to the link between the lack of affordable housing and the impact on employment. One stakeholder commented that it was unfortunate that public, private, and nonprofit sectors haven't come together to address housing issues in the state because it's also impacting the workforce. This stakeholder emphasized that the "State [of Maine] needs workforce." Another stakeholder offered: "we do not have a challenge with unemployment, we have a shortage of labor." One stakeholder noted that the State's economic development plan wants to add at least 75,000 workers over the next 10 years. They added that because the population is aging and the death rate is higher than the birth rate, the State won't be able to reach this mark without immigration.

Several stakeholders noted that employment patterns have changed significantly over the past two years, namely the ability to work from home. Expanded access to internet and the availability to work remotely has made some of the more rural areas in Cumberland County more appealing to out-of-state workers, which has led to an increase in domestic in-migration. A couple of stakeholders felt this has led to an increased demand for workforce housing in their towns. Participants noted the expansion of the Roux Institute in Portland will further increase demand for housing in the area.

Stakeholders from a couple of towns outside of Portland noted that their lack of rental housing stock is limiting housing options for the segment of workforce with lower incomes, particularly new Mainers. One stakeholder said that "much of the rental stock in these communities is comprised of smaller attached homes that are currently taken up by higher income renters waiting to buy larger single-family homes."

One stakeholder felt that while there are employment opportunities available, people are having trouble finding quality jobs. Several stakeholders spoke to the skills mismatch between the asylum-seeking, refugee population and employment opportunities, adding that many of these people have many more skills (e.g., doctor, nurse) than the jobs that are

available to them (e.g., lower-wage tourism jobs). Even though they have credentials in their native country, they're not able to practice their profession in the United States. They added that immigrant populations are trying to remain stable and cannot plan for careers. Other stakeholders noted that businesses are now starting to look at immigrants to fill higher-skilled positions, noting that technical assistance and career training would be beneficial for new Mainers to take advantage of the labor market.

This stakeholder also spoke to the poor conditions faced by undocumented workers. They noted that not only have they been working in Maine for a long time under bad conditions, but during COVID, were primarily in jobs (e.g., seafood processing) where they had to keep showing up in person. One stakeholder estimated that around 40% of school-aged Hispanic children were chronically absent from school due to worker shortages they were filling. Another stakeholder articulated that people experiencing disabilities are often working lower paying jobs and are on the lower end of the socioeconomic scale.

The resident survey asked respondents to articulate what they would need most to improve their employment situation. The overwhelming response from respondents was **an increase in wages**. Respondents most likely to articulate this need include:

- Single parents, 60%
- Asian, 56%
- Brunswick, 56%
- Renters, 54%
- Households making between $25,000-$49,999, 51%
- Households making between $50,000-$99,999, 47%
- Hispanic, 47%

Education and Employment Readiness

This section examines disparities in two areas that are critical for successful employment in the majority of jobs: K-12 education quality and education beyond high school, including community college and job training programs. It focuses on the disparities in outcomes among protected classes in each.

Publicly supported education. Publicly supported education and training are key building blocks for a well-functioning economy. A population that is better educated has less unemployment, reduced dependence on public assistance programs, and generates greater tax revenue.[2]

Public schools have played an important part in closing the gap between wealthy and poor students on measures of intelligence, which helps reduce income inequality.[3] A highly educated populous is also typically better protected against economic recessions and depressions.[4]

As of the 2019-2020 school year, Cumberland County has 26 school districts, which include 97 total public schools. The majority of these (87) are typical public schools, but there are also five charter schools and four technical schools.

- The charter schools include Baxter Academy for Tech & Sciences in Portland, Harpswell Coastal Academy Division 1 in Harpswell, Harpswell Coastal Academy Divisions 2 and 3 in Brunswick, Maine Connections Academy in Scarborough, and Fiddlehead School of Arts & Science in Gray.

- The technical schools include Lake Region Vocational Center in Naples, Portland Arts & Technology High School in Portland, Westbrook Regional Technology Center in Westbrook, and Maine Region Ten Technical High School in Brunswick.

- The Arthur R. Gould School, Long Creek Youth Development Center's Educational Program (LCYDC), is a state-run college-preparatory program.

Portland Public School District is the largest in the county with 17 individual schools and an enrollment of 6,754. The island school districts are among the smallest: the Long Island Public School District had just 25 students enrolled in 2019-2020 and Chebeague Island Public Schools had 49 students.

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[2] Wolfe, B.L. and R.H. Haveman, Social and Nonmarket Benefits from Education in an Advanced Economy. 2002, Federal Reserve Bank of Boston: Boston, MA.

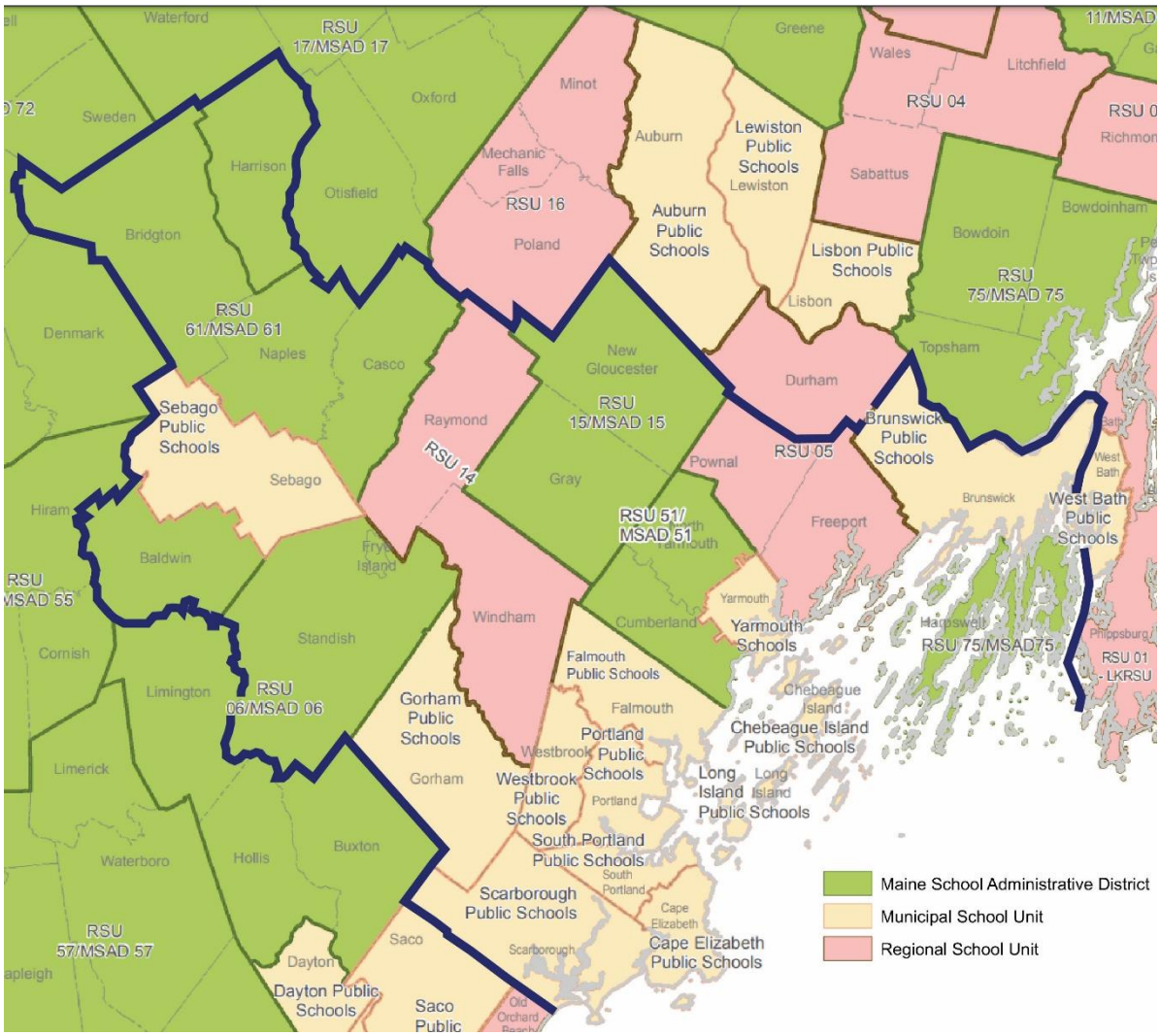
[3] Alexander, K., Public Education and the Public Good. 1997, Social Forces. 76(1): p. 1-30.

[4] Surn, Andrew, and Ishwar Khatiwada. "The Nation's Underemployed in the Great Recession of 2007-09." Monthly Lab. Rev. 133 (2010): 3.

RSU refers to Regional School Unit and MSAD refers to Maine School Administrative District within Cumberland County. Those schools serve the following communities:

- RSU 05—Freeport and Pownal
- RSU 06/MSAD 06—Standish and Steep Falls
- RSU 14—Raymond and Windham
- RSU 15/MSAD 15—Gray and New Gloucester
- RSU 17/MSAD 17—Harrison
- RSU 51/MSAD 51—Cumberland
- RSU 61/MSAD 61—Bridgton, Casco, and Naples
- RSU 75/MSAD 75—Harpswell

Figure V-11
School Districts Map, Cumberland County, 2019-2020



Source: Maine Department of Education and Root Policy Research.

Figure V-12
School Districts and Enrollment, Cumberland County, 2019-2020

School District	# of Schools	Towns/City	Enrollment 2019-2020
Arthur R. Gould School - LCYDC	1	South Portland	28
Baxter Academy for Technology & Science	1	Portland	395
Brunswick Public Schools	4	Brunswick	2,378
Cape Elizabeth Public Schools	3	Cape Elizabeth	1,569
Chebeague Island Public Schools	1	Chebeague Island	49
Falmouth Public Schools	3	Falmouth	2,088
Fiddlehead School of Arts and Sciences	1	Gray	149
Gorham Public Schools	5	Gorham	2,779
Harpswell Coastal Academy	2	Harpswell, Brunswick	181
Long Island Public Schools	1	Long Island	25
Maine Connections Academy	1	Scarborough	394
Portland Public Schools	17	Portland, Cliff Island, Peaks Island	6,754
RSU 05	5	Freeport, Pownal	2,006
RSU 06/MSAD 06	4	Standish, Steep Falls	3,514
RSU 14	6	Raymond, Windham	3,175
RSU 15/MSAD 15	5	Gray, New Gloucester	1,882
RSU 17/MSAD 17	1	Harrison	3,376
RSU 51/MSAD 51	4	Cumberland	2,105
RSU 61/MSAD 61	5	Bridgton, Casco, Naples	1,570
RSU 75/MSAD 75	1	Harpswell	2,443
Scarborough Public Schools	6	Scarborough	3,010
Sebago Public Schools	1	Sebago	205
South Portland Public Schools	8	South Portland	2,971
Westbrook Public Schools	6	Westbrook	2,474
Yarmouth Schools	4	Yarmouth	1,660

Note: Data are unavailable for Brunswick Region Ten Technical High School.

Source: Maine Department of Education and Root Policy Research.

Figure V-13 below shows K-12 enrollment by race and ethnicity. Portland Public Schools has the most diverse student body, with 28% of students identifying as African American/Black and 53% White; comparatively, the city's residents are 10% African American/Black and 78% White. The surrounding school districts of Westbrook and South Portland also have relatively high diversity, as does A.R. Gould.

Figure V-13
K-12 Enrollment by Race and Ethnicity, Cumberland County School Districts, 2019-2020

School District	White	Asian	Black	Native American	Hispanic	Two or more races
Arthur R. Gould School - LCYDC	79%	0%	11%	4%	4%	4%
Baxter Academy for Technology & Science	90%	2%	3%	0.5%	2%	2%
Brunswick Public Schools	85%	2%	2%	0.4%	5%	6%
Cape Elizabeth Public Schools	90%	3%	1%	0.1%	3%	3%
Chebeague Island Public Schools	96%	0%	0%	2%	0%	2%
Falmouth Public Schools	90%	6%	2%	0.4%	1%	0%
Fiddlehead School of Arts and Sciences	91%	0%	5%	0.7%	0%	3%
Gorham Public Schools	90%	2%	2%	0.1%	3%	3%
Harpswell Coastal Academy	94%	0%	1%	0%	1%	4%
Long Island Public Schools	92%	0%	0%	0%	0%	8%
Maine Connections Academy	88%	1%	3%	0.5%	3%	5%
Portland Public Schools	53%	5%	28%	0.3%	8%	6%
RSU 05	93%	2%	1%	0.5%	1%	2%
RSU 06/MSAD 06	92%	1%	1%	0.5%	2%	3%
RSU 14	92%	1%	2%	0.3%	2%	3%
RSU 15/MSAD 15	92%	1%	1%	0.1%	2%	4%
RSU 17/MSAD 17	93%	1%	1%	0.4%	2%	3%
RSU 51/MSAD 51	92%	1%	1%	0.1%	2%	3%
RSU 61/MSAD 61	91%	1%	1%	0.2%	3%	3%
RSU 75/MSAD 75	93%	1%	1%	0.2%	2%	3%
Scarborough Public Schools	89%	6%	3%	0.2%	1%	3%
Sebago Public Schools	87%	2%	2%	1.5%	3%	0%
South Portland Public Schools	72%	4%	12%	0.3%	6%	6%
Westbrook Public Schools	71%	5%	16%	0.2%	4%	3%
Yarmouth Schools	87%	2%	2%	0.1%	2%	6%

Note: Data are unavailable for Brunswick Region Ten Technical High School.

Source: Maine Department of Education and Root Policy Research.

Figure V-14 shows enrollment for students who are more likely to need educational supports to be successful, including students who are economically disadvantaged, students with disabilities, and English Language Learners.

Portland Public Schools are also most likely to be serving students who are learning English: nearly a quarter of the district's student body are English language learners.

Over half of students enrolled in Westbrook School District, Harpswell Coastal Academy, RSU 17 (serving Harrison), and RSU 61 (serving Bridgton and Naples) are economically disadvantaged. In contrast, fewer than 10% of students in Falmouth Public Schools, Cape Elizabeth Public Schools, RSU 51 (serving Cumberland), and Yarmouth Public Schools are economically disadvantaged.

A.R. Gould School is serving the largest share of students with disabilities (57%), followed by Harpswell Coastal Academy (33%).

Figure V-14
K-12 Enrollment by Extenuating Circumstances, Cumberland County, 2019-2020

School District	Economically Disadvantaged	Students with Disabilities	English Language Learners
Arthur R. Gould School - LCYDC	36%	57%	N/A
Baxter Academy for Technology & Science	16%	17%	N/A
Brunswick Public Schools	29%	17%	2%
Cape Elizabeth Public Schools	6%	10%	2%
Chebeague Island Public Schools	N/A	N/A	N/A
Falmouth Public Schools	5%	13%	1%
Fiddlehead School of Arts and Sciences	34%	20%	N/A
Gorham Public Schools	18%	13%	2%
Harpswell Coastal Academy	57%	33%	N/A
Long Island Public Schools	N/A	N/A	N/A
Maine Connections Academy	44%	18%	1%
Portland Public Schools	50%	16%	24%
RSU 05	25%	13%	1%
RSU 06/MSAD 06	32%	19%	0%
RSU 14	26%	16%	1%
RSU 15/MSAD 15	26%	18%	0%
RSU 17/MSAD 17	56%	19%	0%
RSU 51/MSAD 51	6%	13%	0%
RSU 61/MSAD 61	51%	20%	1%
RSU 75/MSAD 75	28%	22%	1%
Scarborough Public Schools	13%	14%	2%
Sebago Public Schools	41%	14%	N/A
South Portland Public Schools	37%	19%	11%
Westbrook Public Schools	59%	21%	17%
Yarmouth Schools	9%	11%	2%

Note: Data are unavailable for Brunswick Region Ten Technical High School.

Source: Maine Department of Education and Root Policy Research.

School districts that serve few students with extenuating circumstances and also higher-income populations tend to have higher standardized testing scores—a typical outcome in

K-12 education. For instance, Cape Elizabeth students met or exceeded state standards in math (67%), English (82%), and science (85%) testing at higher rates than any other district in the county; these students are also the least likely to be economically disadvantaged. Falmouth, Yarmouth, and RSU 51 (serving Cumberland) also had high shares of students meeting or exceeding testing standards and also have low proportions of students who are economically disadvantaged.

Conversely, districts with higher proportions of economically disadvantaged students and/or students with disabilities have lower test scores. For instance, at Harpswell Coastal Academy, where 57% of students are economically disadvantaged, 13% of students met mathematics testing standards. RSU 17 (serving Harrison) and RSU 61 (serving Bridgton and Naples) also had consistently lower test scores than other districts in the county. These data suggest that these districts are in need of more resources and supports to assist their students.

Figure V-15
Percent of Students who Met or Exceeded State Standards in Testing, Cumberland County, 2018-2019

School District	Math	English	Science
Baxter Academy for Technology & Science	42%	81%	72%
Brunswick Public Schools	44%	63%	74%
Cape Elizabeth Public Schools	67%	82%	85%
Chebeague Island Public Schools	32%	55%	N/A
Falmouth Public Schools	66%	81%	80%
Fiddlehead School of Arts and Sciences	33%	59%	N/A
Gorham Public Schools	46%	68%	69%
Harpswell Coastal Academy	13%	31%	40%
Long Island Public Schools	46%	N/A	N/A
Maine Connections Academy	29%	66%	61%
Portland Public Schools	35%	55%	52%
RSU 05	55%	70%	77%
RSU 06/MSAD 06	25%	49%	53%
RSU 14	33%	60%	59%
RSU 15/MSAD 15	41%	61%	59%
RSU 17/MSAD 17	23%	43%	49%
RSU 51/MSAD 51	65%	81%	81%
RSU 61/MSAD 61	27%	50%	49%
RSU 75/MSAD 75	40%	59%	58%
Scarborough Public Schools	54%	75%	75%
Sebago Public Schools	34%	59%	50%
South Portland Public Schools	38%	58%	62%
Westbrook Public Schools	28%	45%	46%
Yarmouth Schools	66%	79%	76%
Statewide	36%	56%	60%

Note: Data are unavailable for Brunswick Region Ten Technical High School and for A.R. Gould School,
Source: Maine Department of Education and Root Policy Research.

Figure V-16 shows how test scores vary by race and ethnicity. Mathematics proficiency varies considerably across races and ethnicities and among school districts. Compared to

the state overall, Maine Connections Academy, RSU 06/MSAD 06, RSU 14, RSU 17/MSAD 17, RSU 61/MSAD 61, and Westbrook School Districts have lower proficiency (with Portland about the same).

Hispanic students in the majority of the county's school districts outperform their peers in the state (the exception is RSU 14). Similarly, the majority of districts' African American/Black students outperform their peers; proficiency is lower for Portland and South Portland Districts. Asian students do worse than their peers in Portland, RSU 06/MSAD 06, RSU 14, and Westbrook Public School Districts.

White students underperformed their state peers in Maine Connections Academy, RSU 06/MSD 06, RSU 14, RSU 17/MSAD 17, RSU 61/MSAD 61, and Westbrook Public Schools.

Schools where proficiency varied the most among students were:

- Falmouth, where 38% of African American/Black students are proficient, compared to 66% of all students (28 percentage point gap);
- Long Island, where 23% of African American/Black students are proficient, compared to 46% of all students (23 percentage point gap);
- Scarborough Public Schools where just 16% of Black students met or exceeded math testing standards, compared to 54% of students overall, for a 38 percentage point gap.

In contrast, in RSU 17/MSAD 17, African American/Black students far exceed White students' performance (24 percentage point gap).

Figure V-16
Mathematics State Testing Proficiency, by Race and Ethnicity, Cumberland County, 2018-2019

School District	White	Asian	Black	Hispanic	All Students
Brunswick Public Schools	44%	N/A	N/A	54%	44%
Cape Elizabeth Public Schools	68%	N/A	N/A	57%	67%
Falmouth Public Schools	66%	69%	38%	N/A	66%
Gorham Public Schools	47%	56%	41%	N/A	46%
Long Island Public Schools	N/A	N/A	23%	N/A	46%
Maine Connections Academy	29%	N/A	N/A	N/A	29%
Portland Public Schools	49%	33%	12%	N/A	35%
RSU 05	56%	75%	N/A	N/A	55%
RSU 06/MSAD 06	26%	41%	N/A	N/A	25%
RSU 14	35%	30%	N/A	19%	33%
RSU 15/MSAD 15	41%	N/A	N/A	64%	41%
RSU 17/MSAD 17	23%	55%	47%	N/A	23%
RSU 51/MSAD 51	66%	N/A	N/A	47%	65%
RSU 61/MSAD 61	27%	N/A	N/A	N/A	27%
RSU 75/MSAD 75	40%	N/A	N/A	29%	40%
Scarborough Public Schools	54%	65%	16%	N/A	54%
South Portland Public Schools	42%	N/A	11%	27%	38%
Westbrook Public Schools	32%	37%	N/A	N/A	28%
Yarmouth Schools	67%	65%	N/A	N/A	66%
Statewide	37%	49%	13%	27%	36%

Note: Data are unavailable for Brunswick Region Ten Technical High School and for A.R. Gould School. Samples disaggregated by race are unavailable in Chebeague Island Public Schools, Baxter Academy for Technology and Science, Fiddlehead School of Arts and Sciences, Harpswell Coastal Academy, and Sebago Public Schools.

Source: Maine Department of Education and Root Policy Research.

Figure V-17 shows math proficiency for economically disadvantaged, students with disabilities, and English Language Learners.

- Among economically disadvantaged students, Baxter Academy had the highest pass rate, where 53% of economically disadvantaged students met or exceeded mathematics standards. Falmouth Public Schools also had a high rate at 41%. Statewide, 22% of economically disadvantaged students are math proficient.

- Among students with disabilities, Cape Elizabeth (30%) and Falmouth Public Schools (29%) had the highest proficiency rates—3x the state proficiency rate. Students with disabilities have very low proficiency statewide at 10%, indicating a significant shortage of resources to address learning gaps.
- Similarly, English Language Learners also have very low proficiency statewide (8%). Most Cumberland County schools exceeded the statewide rate, with Falmouth and Gorham Public Schools posting the highest rates of proficiency at 38% and 44%. The lowest was for Portland, South Portland, and Westbrook Public Schools which were lower than the already very low state rate.
- Among school districts, the widest proficiency gaps were in Cape Elizabeth, where 25% of economically disadvantaged students met standards compared to 67% of students overall—a 42 percentage point gap. Cape Elizabeth schools have some of the lowest shares of economically disadvantaged, students with disabilities, and English Language Learners. Similarly, in Yarmouth, where just 29% of economically disadvantaged students met standards compared to 66% of students overall, there was a 38 percentage point gap. This suggests that in Cape Elizabeth and Yarmouth, low-income students may be falling through the cracks.

Figure V-17
Mathematics State Testing Proficiency for Economically Disadvantaged, Students with Disabilities, and English Language Learners, Cumberland County, 2018-2019

School District	Economically Disadvantaged	Students with Disabilities	English Language Learners	All Students
Baxter Academy for Technology & Science	53%	N/A	N/A	42%
Brunswick Public Schools	18%	10%	N/A	44%
Cape Elizabeth Public Schools	25%	30%	N/A	67%
Falmouth Public Schools	41%	29%	38%	66%
Gorham Public Schools	30%	16%	44%	46%
Harpswell Coastal Academy	11%	N/A	N/A	13%
Maine Connections Academy	22%	N/A	N/A	29%
Portland Public Schools	16%	10%	5%	35%
RSU 05	33%	18%	N/A	55%
RSU 06/MSAD 06	14%	7%	N/A	25%
RSU 14	20%	6%	N/A	33%
RSU 15/MSAD 15	25%	17%	N/A	41%
RSU 17/MSAD 17	16%	7%	N/A	23%
RSU 51/MSAD 51	36%	17%	N/A	65%
RSU 61/MSAD 61	20%	9%	N/A	27%
RSU 75/MSAD 75	29%	13%	N/A	40%
Scarborough Public Schools	33%	15%	23%	54%
Sebago Public Schools	28%	N/A	N/A	34%
South Portland Public Schools	23%	14%	7%	38%
Westbrook Public Schools	18%	9%	6%	28%
Yarmouth Schools	29%	16%	29%	66%
Statewide	22%	10%	8%	36%

Note: Data are unavailable for Brunswick Region Ten Technical High School and for A.R. Gould School. Samples disaggregated by race are unavailable in Chebeague Island Public Schools, Baxter Academy for Technology and Science, Fiddlehead School of Arts and Sciences, Harpswell Coastal Academy, and Sebago Public Schools.

Source: Maine Department of Education and Root Policy Research.

Another measure of school quality is high school graduation and college attendance rates, shown in Figure V-18.

Cape Elizabeth, RSU 51, and Scarborough Public Schools had the highest four-year graduation rates in the county in the 2019-2020 academic year. A.R. Gould, Maine Connections Academy, and Harpswell Coastal Academy had the lowest, at 45%, 61%, and 74%, respectively. Among the more typical public schools, RSU 6 and RSU 17 had four-year graduation rates below 85%.

Among graduating seniors, many pursued post-secondary education. The rate of pursuit was highest in Yarmouth (89%), RSU 51 (89%), Falmouth (88%), and Scarborough (85%). The college-going rate was lowest in RSU 61 (50%), RSU 6 (54%), Maine Connections Academy (55%) and RSU 17 (56%).

Figure V-18
Graduation and College Going Rates, Cumberland County, 2019-2020

School District	4-year Graduation Rate	5/6 year Graduation Rate	College-Going Rate
Arthur R. Gould School - LCYDC	45%	45%	N/A
Baxter Academy for Technology & Science	94%	100%	78%
Brunswick Public Schools	86%	94%	69%
Cape Elizabeth Public Schools	100%	98%	82%
Falmouth Public Schools	N/A	N/A	88%
Gorham Public Schools	94%	95%	77%
Harpswell Coastal Academy	74%	N/A	N/A
Maine Connections Academy	61%	67%	55%
Portland Public Schools	88%	90%	74%
RSU 05	N/A	96%	71%
RSU 06/MSAD 06	81%	87%	54%
RSU 14	87%	91%	67%
RSU 15/MSAD 15	91%	91%	57%
RSU 17/MSAD 17	82%	83%	56%
RSU 51/MSAD 51	96%	97%	89%
RSU 61/MSAD 61	91%	88%	50%
RSU 75/MSAD 75	88%	92%	60%
Scarborough Public Schools	95%	97%	85%
South Portland Public Schools	91%	90%	68%
Westbrook Public Schools	87%	87%	66%
Yarmouth Schools	N/A	100%	89%
Statewide	88%	90%	65%

Note: Data are unavailable for Brunswick Region Ten Technical High School.

Source: Maine Department of Education and Root Policy Research.

Chronic absenteeism. Chronic absenteeism can be an indicator of access to opportunity, with poor attendance in school linked to **lower** outcomes in standardized testing, graduation rates, and overall academic achievement.[5] A report on chronic absenteeism by the U.S. Department of Education found that students of color and

[5] https://www.ednc.org/eraceing-inequities-chronic-absenteeism/

students experiencing disabilities experience higher rates of chronic absenteeism compared to their non-Hispanic White counterparts and students without disabilities.[6]

In Maine, as in the U.S., chronic absenteeism disproportionately affects certain students of color. In 2021, 21% of the state's students were chronically absent, a 27% increase from 2018. Native American (42%) and African American/Black(35%) students experienced the highest rates of chronic absenteeism statewide, while Asian (15%) and White (20%) experienced the lowest rates.

Similar to the country and state students of color experience higher rates of chronic absenteeism than their White counterparts in Cumberland County (Figure V-19). School districts with the highest rates of chronic absenteeism among African American/Black students were Baxter Academy for Technology & Science (54%), RSU 61/MSAD 61 (37%), and RSU 06/MSAD 06 (24%). For Hispanic students, Baxter Academy for Technology & Science (75%), Portland Public Schools (27%), RSU 14 (27%), and Westbrook Public Schools (26%) had the highest rates. Students who identified as two or more races had the highest chronic absenteeism rates in Westbrook Public Schools (27%), RSU 06/MSAD 06 (26%), Portland Public Schools (22%), and RSU 17/MSAD 17 (22%). Long Island Public Schools (58%) and Harpswell Coastal Academy (47%) have the highest rates of chronic absenteeism among White students.

South Portland Public Schools (8%) and Portland Public Schools (13%) have the lowest chronic absenteeism rates for African American/Black students. The lowest rates for Hispanic students are found in Brunswick Public Schools (11%) and RSU 75/MSAD 75 (13%). Yarmouth Schools (7%) and RSU 51/MSAD 51 (9%) have the lowest rates for students who identify with two or more races. In addition to Cape Elizabeth Public Schools and Scarborough Public Schools, RSU 51/MSAD 51 also have the lowest chronic absenteeism rates for White students (9% each, respectively).

[6] https://www2.ed.gov/datastory/chronicabsenteeism.html

Figure V-19
Chronic Absenteeism Rates by Race and Ethnicity, Cumberland County, 2019-2020

School District	White	Asian	Black	Native American	Hispanic	Two or more races
Baxter Academy for Technology & Science	36%	*	54%	*	75%	*
Brunswick Public Schools	12%	*	23%	*	11%	15%
Cape Elizabeth Public Schools	9%	*	*	*	*	*
Falmouth Public Schools	10%	*	*	*	*	*
Gorham Public Schools	11%	*	*	*	18%	18%
Harpswell Coastal Academy	47%	*	*	*	*	*
Long Island Public Schools	58%	*	*	*	*	*
Portland Public Schools	17%	21%	13%	*	27%	22%
RSU 05	14%	*	*	*	*	14%
RSU 06/MSAD 06	20%	*	24%	31%	14%	26%
RSU 14	13%	*	*	*	27%	14%
RSU 15/MSAD 15	11%	*	*	*	*	15%
RSU 17/MSAD 17	19%	*	*	*	18%	22%
RSU 51/MSAD 51	9%	*	*	*	*	9%
RSU 61/MSAD 61	21%	*	37%	*	18%	18%
RSU 75/MSAD 75	12%	*	*	*	13%	11%
Scarborough Public Schools	9%	*	14%	*	22%	*
South Portland Public Schools	11%	*	8%	*	18%	14%
Westbrook Public Schools	23%	*	20%	*	26%	27%
Yarmouth Schools	10%	*	16%	*	*	7%

Note: Data are unavailable for Brunswick Region Ten Technical High School. Samples disaggregated by race are unavailable in Arthur R. Gould School, Chebeague Island Public Schools, Fiddlehead School of Arts and Sciences, Maine Connections Academy, and Sebago Public Schools.

Source: Maine Department of Education and Root Policy Research.

Restraints and seclusion. Beginning in 2012, the Maine Department of Education has been required by the state legislature to collect and provide data on the use of physical restraint and seclusion in Maine schools. A 2012 report by the U.S. Department of Education emphasized that physical restraints[7] and seclusion[8] are detrimental not only to the physical well-being of students but also to their academic achievement.

In 2020, Cumberland County school districts reported 519 restraint incidents. The school districts with the highest number of restraints were Scarborough Public Schools (91), followed by Portland Public Schools (89), and RSU 15/MSAD 15 (59). Several school districts, including Arthur R. Gould School, Baxter Academy, Cape Elizabeth Public Schools, Chebeague Island Public Schools, Long Island Public Schools, Maine Connections Academy, and Sebago Public Schools, reported no restraint incidents. Incidents of restraints in Cumberland County school districts have been falling since peaking in 2016 (1,523 restraint incidents reported).[9]

In 2020, Cumberland County school districts reported 714 incidents of seclusion. Scarborough Public Schools (199) reported the greatest number of seclusions, followed by South Portland Public Schools (98), Portland Public Schools (72), and RSU 06/MSAD 06 (72). Arthur R. Gould School, Baxter Academy, Chebeague Island Public Schools, Fiddlehead School of Arts and Sciences, Long Island Public Schools, Maine Connections Academy, RSU 15/MSAD 15 and Sebago Public Schools reported no incidents of seclusion in 2020. Since 2014, the number of reported seclusion incidents has remained relatively steady, peaking in 2019 (1,157).

Community colleges and job skills training. In the resident survey, nearly 30% of respondents who identified as single parents articulated a need for financial assistance for job training or college.

Southern Maine Community College (SMCC) is the only community college located in Cumberland County. It is the largest community college in the state and as of fall 2019, serves nearly 10,000 individuals annually at its South Portland and Brunswick campuses, as well as online and at satellite locations across southern Maine. Of students enrolled in the

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[7] The U.S. Department of Education defines *physical restraint* as a personal restriction that immobilizes or reduces the ability of a student to move [their] torso, arms, legs, or head freely. Maine DOE does not provide a definition for *physical restraint*.

[8] The U.S. Department of Education defines *seclusion* as the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. It does not include a timeout, which is a behavior management technique that is part of an approved program, involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming. Maine DOE does not provide a definition for *seclusion*.

[9] Maine Department of Education provides data on the number of restraints and seclusions by school district beginning in 2014.

Fall of 2019, over half lived in Cumberland County (54%). The next greatest proportion of students who attended SMCC lived in York County (23%) and Sagadahoc County (7%).

In fall 2019, 79% of the student population identified as White. The next greatest proportion of students were African American/Black (7%), Hispanic (3%), Asian (2%), and Native American (<1%). Four percent of students did not report their race or ethnicity. Additionally, 57% of student are considered first generation[10] while 60% are considered low income. The faculty at SMCC is considerably less diverse than the student population, with 99% of the faculty identifying as White.

The level of college preparedness differs among students of different racial and ethnic backgrounds. Of degree seeking students entering SMCC during the fall of 2019, over 60% of African American/Black students were required to take one or more college preparatory classes. Just over 40% of Asian students were also required to take these courses, as well as just under 40% of Hispanic students. Just under 30% of White students were required to take similar classes.

SMCC also provides workforce training opportunities for students, which are short-term courses that prepare individuals for employment. These classes are often grant funded and require no payment from qualified applicants. The number of students enrolled in the workforce development courses has increased by 56% over the last four years, with 853 students enrolled for the 2019-2020 school year.

In addition to workforce training opportunities available at SMCC, several other programs and organizations exist to provide employment readiness and job training services throughout the county.

- CareerCenter, which is part of the Maine Department of Labor, offers employment and training services free of charge for Maine workers and businesses. There are two of these centers located in the county: the Greater Portland CareerCenter is located in Portland and the Southern Midcoast CareerCenter is located in Brunswick.
- The Senior Community Service Employment Program (SCSEP) offers job training opportunities for low income Mainers over the age of 55. The program is funded through a grant administered by the U.S. Department of Labor. In Cumberland County, the grant is administered by the Office of Aging and Disability Services (OADS).
- Workforce Solutions Maine, operated by Goodwill Northern New England, serves six Maine counties (Cumberland, Knox, Lincoln, Sagadahoc, Waldo, and York) and provides adult and youth employment services, including on-the-job training, job coaching, one-on-one counseling, and additional support service. According to the

[10] First generation students are defined by SMCC as students whose parent(s) or legal guardian(s) have not completed a bachelor's degree.

website, auxiliary aids and services are available to individuals with disabilities upon request.

Resident perspectives on education. In the resident survey, respondents were asked to share their perspectives on several different issues related to schools and education. A summary of those perspectives is provided below.

One issue identified in the resident survey by several respondents was a desire to make choosing a different school for their child(ren) easier. Over a quarter of single parent households (26%) and more than one in five households with children under 18 (21%) expressed a need for more flexibility in choosing schools as a means to improving their children's education.

Respondents most likely to say stop bullying/crime/drug use at school:

- African American, 32%
- Single parents, 31%
- Windham, 24%
- Households with children under 18, 19%

Respondents most likely to articulate a need for more activities after school:

- Households with children under 18, 30%
- Large households, 27%
- Households making more than $100,000, 18%
- Homeowners, 14%

Respondents most likely to articulate the need for better school facilities:

- Single parents, 29%
- Households with children under 18, 26%
- Large households, 20%
- Households making more than $100,000, 18%
- Westbrook, 17%

Maintaining the Ability to Work

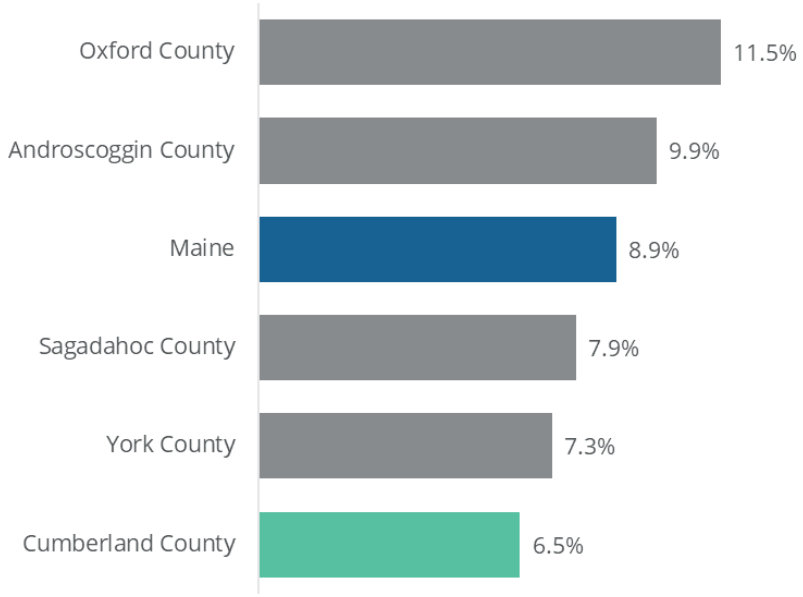
This section examines barriers to work and economic productivity. Access to high-speed internet and childcare are each important components to labor force participation and business formation. This section is followed by an examination of how transportation systems affect access to work.

Internet, innovation, and productivity. Although not explicitly mentioned in the fair housing guidance[11], the pandemic revealed that access to high-speed Internet creates employment and education opportunities that otherwise would not be possible. Recent studies have found that broadband access increases rates of firm start-ups, particularly in rural areas and especially among women entrepreneurs in rural areas.[12]

According to 5-year 2020 ACS data, 6.5% of Cumberland County households do not own a computer, including a smartphone or tablet. The proportion of Portland residents without a computer is slightly higher at 7.8%. Cumberland County's proportion of residents without a computer is lower than the statewide average of 8.9% and is the lowest among peer counties.

Figure V-20. Percent of Households without a Computer, County, Peer Counties, and Maine, 2020

Source:
5-year 2020 ACS estimates and Root Policy Research.

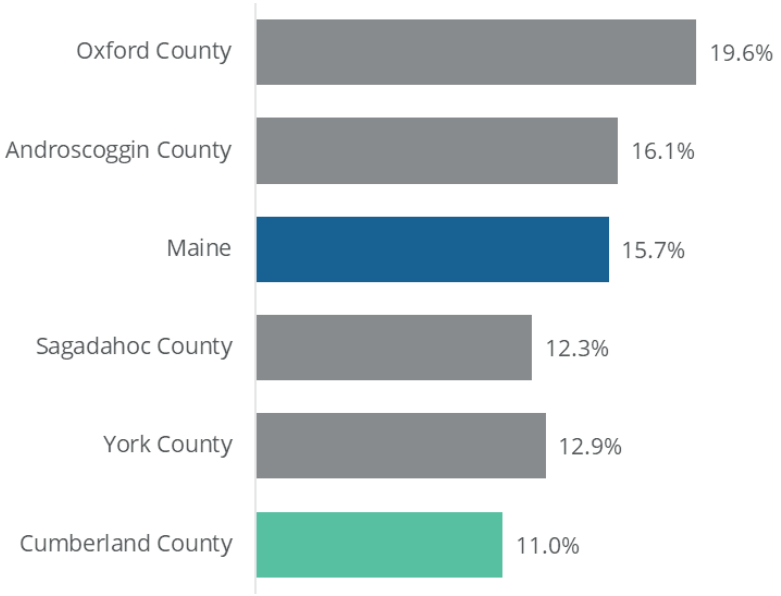


Additionally, 11% of Cumberland County households do not have a broadband internet subscription, which is again the lowest rate among peer counties. The share of Portland residents without a broadband internet subscription is slightly higher at 12.6%. Both rates are lower than the statewide average (15.7%).

[11] Current guides were developed before the Internet was a normal component of work.

[12] Conroy, Tessa, and Sarah A. Low. "Entrepreneurship, Broadband, and Gender: Evidence from Establishment Births in Rural America." International Regional Science Review (2021): 01600176211018749.

Figure V-21. Percent of Households without Broadband Internet, Cumberland County, Peer Counties, and Maine 2020



Source:
5-year 2020 ACS estimates and Root Policy Research.

Limited access to the Internet is much more prevalent among lower income households in Cumberland County:

- 40.7% of Cumberland County households with an income less than $20,000 do not have a broadband internet subscription.
- This compares with 16.8% of households with incomes between $20,000 and $74,999, and just 4.8% of households with income, above $75,000.

These disparities exacerbate the economic inequalities among households by limiting low income households' ability to access and retain higher wage jobs, in addition to accessing education, financial, and health care services.

Childcare deserts. School and preschool enrollment, early childhood education, and childcare not only benefit children, but also allow parents to participate in the labor force. Adequate childcare can be a solution to the declining labor force participation rates discussed above.

According to research from the Minneapolis Federal Reserve, early childhood "programs that offer enriched experiences for children and involve parents and other caregivers provide benefits for all children but have the strongest impact on children from disadvantaged environments."[13] Other studies have shown that inadequate access to childcare constrains local economic activity. For example, many scholars have found that presence of young children in the household reduces women's likelihood of labor force

[13] Rob Grunewald, "Investments in Young Children Yield High Public Returns," Federal Reserve Bank of Minneapolis, 2016. Available at www.philadelphiafed.org/community-development/publications/cascade/93/04_investments-in-young-children

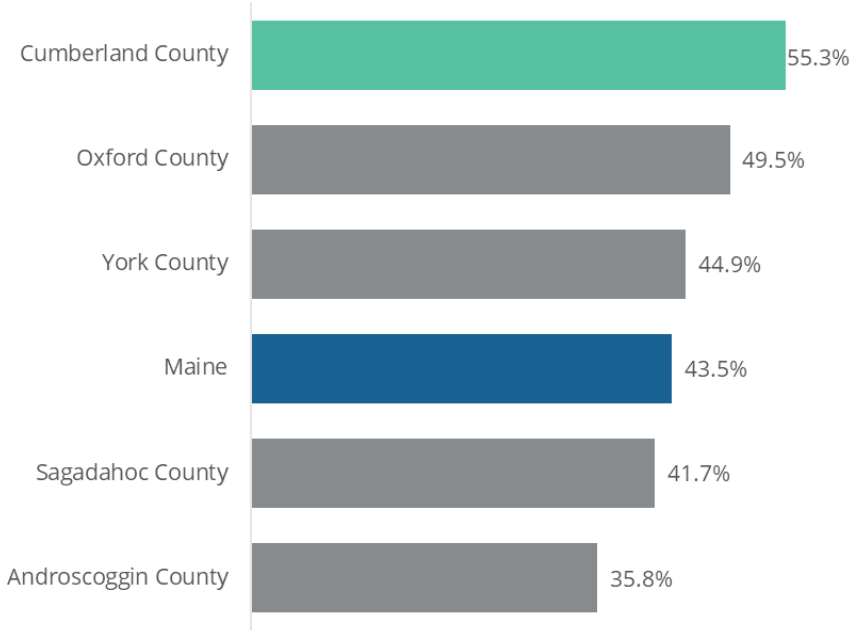
participation. A 2019 study found that this can be mitigated by childcare availability.[14] Other studies have found that parent absenteeism and productivity reductions due to childcare breakdowns cost U.S. businesses more than $3 billion annually.[15]

Overall, Cumberland County's childcare infrastructure is robust compared to the state as a whole.

School enrollment data from 2020 5-year ACS indicate that 55% of 3- to 4-year-olds in Cumberland County are enrolled in preschool, which is substantially higher than the statewide average and peer counties. The county rate is also higher compared to the proportion of 3-to-4-year-olds enrolled in preschool in Portland (48%). This frees up many families to participate in the labor force, in addition to providing a stronger foundation for young learners.

Figure V-22. Percent of 3- to 4-Year-Old Children Enrolled in School, Cumberland County, Peer Counties and Maine, 2020

Source:
5-year 2020 ACS estimates and Root Policy Research.



However, some households in Maine and Cumberland County do not have adequate access to childcare outside of school. A childcare desert is defined as an area where there are more than three times as many children as licensed childcare slots. According to research done by the Center for American Progress, 22% of people in Maine lived in a

[14] Conroy, Tessa. "The kids are alright: working women, schedule flexibility and childcare." *Regional Studies* 53.2 (2019): 261-271.

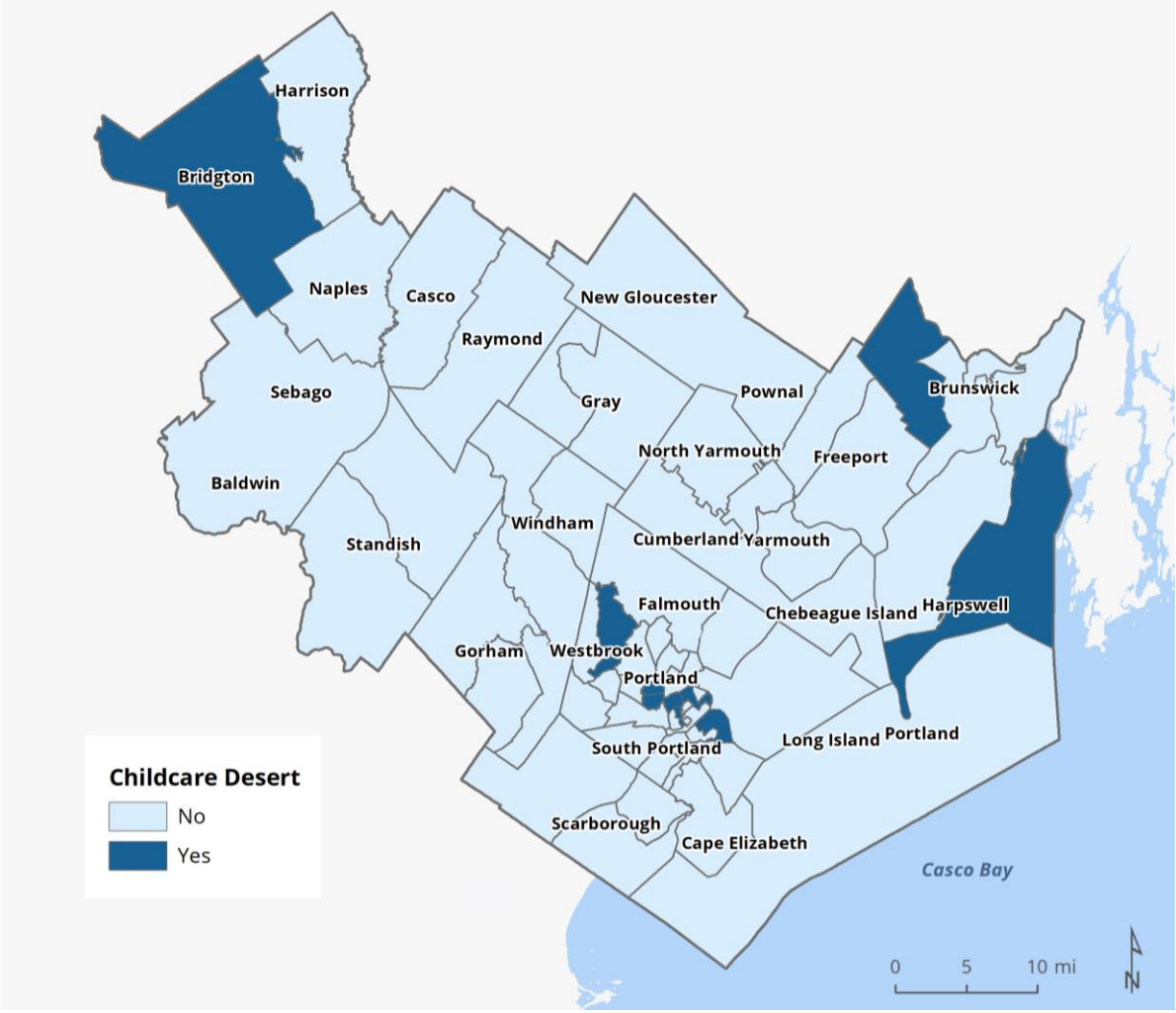
[15] Rob Grunewald, "Investments in Young Children Yield High Public Returns," Federal Reserve Bank of Minneapolis, 2016. Available at www.philadelphiafed.org/community-development/publications/cascade/93/04_investments-in-young-children

childcare desert in 2018.[16] Though this is among the lowest rates in the nation, there are disparities among some populations, with the largest being for low income families: 26% of Hispanic families, 26% of rural families, and 38% of low-income families in Maine live in childcare deserts.

Using the Center for American Progress data, census tracts with childcare deserts in Cumberland County were identified in Greater Portland (Portland, South Portland, and Westbrook), Bridgton, Brunswick and Harpswell (Figure V-23). These areas are small in numbers, indicating that the region does a relatively good job of providing childcare opportunities for working families.

[16] https://childcaredeserts.org/2018/?state=ME

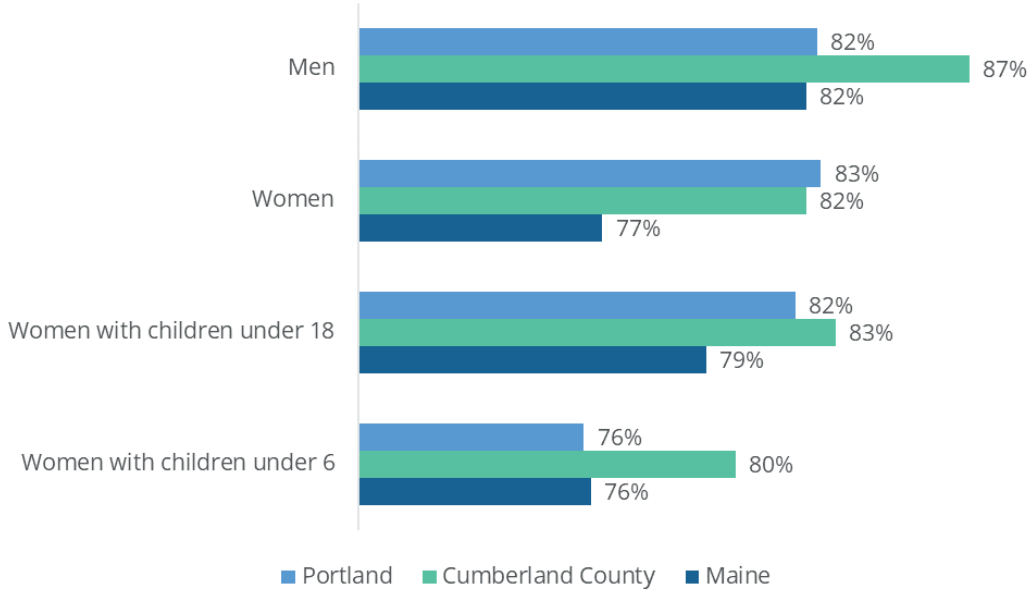
Figure V-23.
Childcare Deserts in Cumberland County by Census Tract, 2018



Source: 2018 Center for American Progress data and Root Policy Research.

The provision of childcare in the region appears to have boosted employment rates among women. Overall, Portland and Cumberland County women are more likely to participate in the labor force than women in the state overall. While Portland women with children are one percentage point *less likely* to participate in the labor force than Portland women overall, Cumberland County women with children are one percentage point *more likely* than county women overall to participate in the labor force. Additionally, 80% of women with young children in the county are participants in the labor force, which is higher than women with young children in Portland and statewide (76% each, respectively).

Figure V-24.
Labor Force Participation Rates by Gender and Parental Status, Portland, Cumberland County, and Maine, 2020



Note: Labor force participation rates for population within age 24 to 64 years. Data for men with children are not available.
Source: 2020 5-year ACS estimates and Root Policy Research.

Stakeholder perspectives. Stakeholders were also asked to give their perceptions on childcare availability in Cumberland County. One stakeholder felt that because of the lack of services available in more rural areas of the county, there are few, if any, affordable childcare options. Another stakeholder said there were plenty of employment opportunities available in the greater Portland region but that "you need childcare in place to take advantage of them." Another stakeholder added that families, particularly single mothers, with children who have medical conditions that don't allow them to be in daycare cannot join the labor force.

Access to Transportation

This section discusses current commuting patterns and transportation costs in Cumberland County. Affordable and reliable transportation options allow communities to access employment opportunities, school and other amenities, such as grocery stores, parks, and healthcare. For those who cannot afford or choose not to use a private vehicle, other transportation options allow for residents' full participation in society.

Commuting patterns. Countywide, 82% of residents got to work in a car, truck, or van according to 5-year 2020 American Community Survey data. Eight percent of commuters countywide carpooled, but the proportion of commuters carpooling was much higher in Naples (16%), Casco (15%), Harpswell (14%), Baldwin (12%), and Scarborough (12%). Carpooling efforts may be related to affordability, environmental consciousness, or lack of public transit options.

One percent of Cumberland County residents took public transportation to work, but rates were significantly higher in Long Island (22%). The high usage rate in Long Island can be attributed to the ferry service required to travel between Long Island and the mainland. Other relatively high rates of public transportation use are found in Chebeague Island (3.7%), South Portland (3.6%), and Portland (2.5%). Over 6% of county residents either walked or biked to work, with the highest rates of workers walking/biking found in Portland (15%), Brunswick (11%), Freeport (9%), and Long Island (8%).

Figure V-25a.
Commute Type, District 1 Jurisdictions and County, 2020

Jurisdiction	Drove alone	Carpooled	Public transit	Walked or biked	Taxi, motorcycle or other	Worked from home
Baldwin	82%	12%	0.4%	3%	1%	2%
Bridgton	87%	6%	0.0%	3%	0%	4%
Gorham	72%	10%	0.3%	7%	2%	9%
Scarborough	73%	12%	0.2%	2%	1%	12%
Sebago	82%	7%	0.0%	0%	1%	10%
Standish	78%	8%	0.1%	4%	2%	8%
Cumberland County	73%	8%	1%	6%	1%	10%

Source: 2020 5-year ACS estimates and Root Policy Research.

Figure V-25b.
Commute Type, District 2 Jurisdictions and County, 2020

Jurisdiction	Drove alone	Carpooled	Public transit	Walked or biked	Taxi, motorcycle or other	Worked from home
Casco	64%	15%	0.0%	3%	0%	18%
Falmouth	74%	7%	0.7%	3%	1%	14%
Gray	83%	9%	0.1%	1%	0%	7%
Harrison	86%	5%	0.0%	0%	0%	9%
Naples	71%	16%	0.0%	0%	0%	12%
New Gloucester	82%	5%	0.2%	0%	1%	11%
Raymond	76%	9%	0.2%	1%	0%	13%
Windham	84%	8%	0.3%	0%	0%	7%
Cumberland County	73%	8%	1%	6%	1%	10%

Source: 2020 5-year ACS estimates and Root Policy Research.

Figure V-25c.
Commute Type, District 3 Jurisdictions and County, 2020

Jurisdiction	Drove alone	Carpooled	Public transit	Walked or biked	Taxi, motorcycle or other	Worked from home
Brunswick	69%	7%	0.2%	11%	1%	11%
Chebeague Island	59%	5%	3.7%	7%	4%	22%
Cumberland	78%	4%	1.3%	1%	0%	16%
Freeport	72%	6%	0.4%	9%	0%	13%
Harpswell	67%	14%	0.0%	3%	2%	14%
Long Island	48%	7%	21.6%	8%	4%	13%
North Yarmouth	81%	8%	0.0%	1%	0%	9%
Pownal	82%	7%	0.5%	0%	1%	10%
Yarmouth	77%	7%	0.3%	2%	1%	12%
Cumberland County	73%	8%	1%	6%	1%	10%

Source: 2020 5-year ACS estimates and Root Policy Research.

Figure V-25d.
Commute Type, District 4 Jurisdictions and County, 2020

Jurisdiction	Drove alone	Carpooled	Public transit	Walked or biked	Taxi, motorcycle or other	Worked from home
Cape Elizabeth	78%	4%	0.4%	1%	0%	16%
South Portland	76%	8%	3.6%	3%	3%	6%
Westbrook	83%	6%	0.7%	1%	1%	8%
Cumberland County	73%	8%	1%	6%	1%	10%

Source: 2020 5-year ACS estimates and Root Policy Research.

Figure V-25e.
Commute Type, District 4 Jurisdictions and County, 2020

Jurisdiction	Drove alone	Carpooled	Public transit	Walked or biked	Taxi, motorcycle or other	Worked from home
District 5 - Portland	62%	9%	2.5%	15%	1%	11%
Cumberland County	73%	8%	1%	6%	1%	10%

Source: 2020 5-year ACS estimates and Root Policy Research.

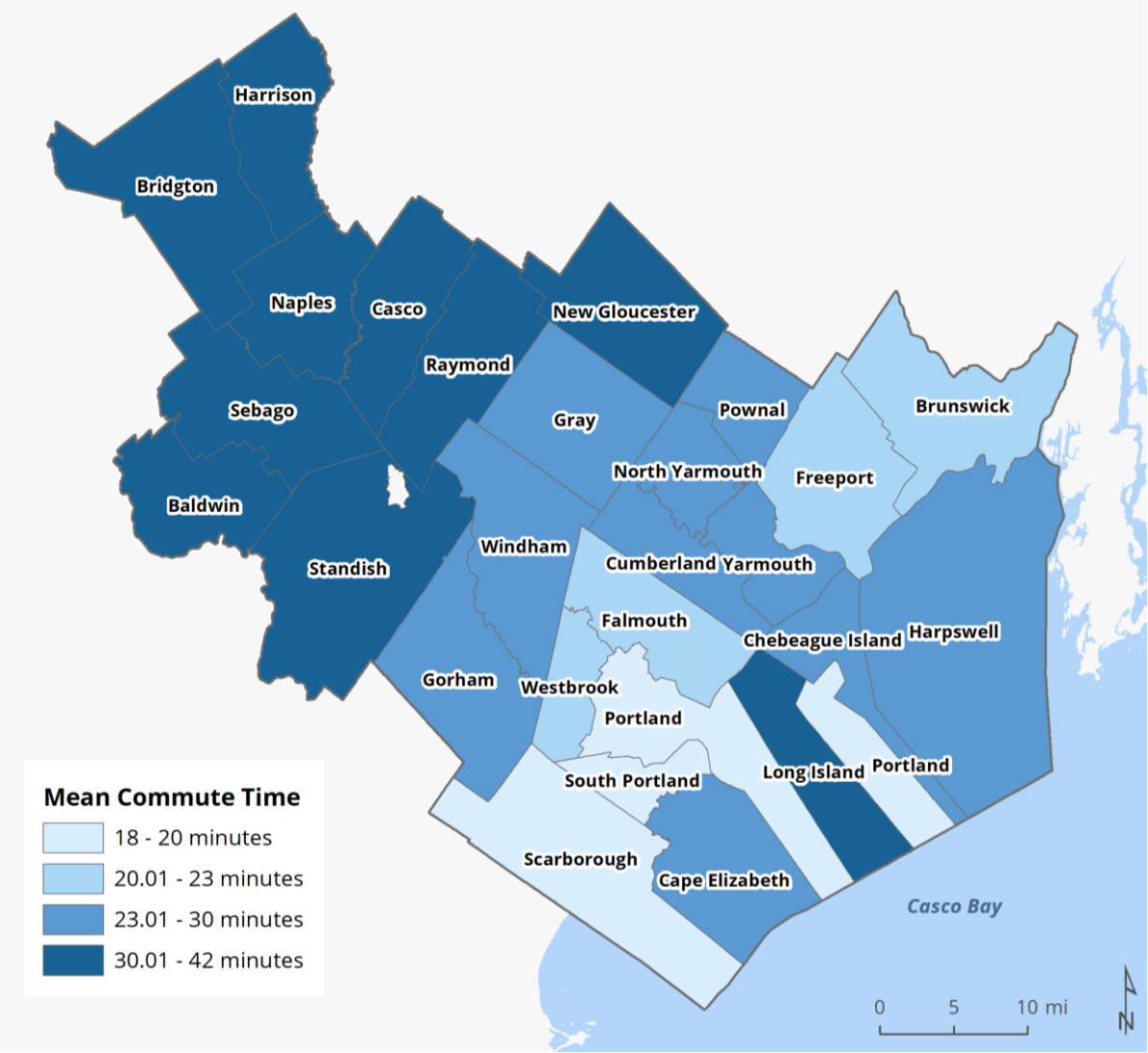
The data illustrate that county residents largely rely on cars to get to work, and, as long as these trends remain, funding alternative modes of transportation can be challenging. The lack of transportation options disproportionately affects those who cannot afford a car. Countywide, 2.5% of workers do not have access to a car, with the highest rates in Portland (6%) and Baldwin (3.4%).

Before the pandemic, in 2019, 7% of county residents worked from home. The percent of workers who worked from home was especially high in Cape Elizabeth (15%), Casco (13%), Harpswell (13%), Yarmouth (12%), and Freeport (11%). Jurisdictions where workers were least likely to work from home include Bridgton (3%), Baldwin (3%), and Westbrook (4%). During the pandemic, far more workers worked from home. Over one in ten workers in Cumberland County worked from home in 2020, a three percentage point increase since 2019. The highest proportion of workers who worked from home lived in Chebeague Island (22%), Casco (18%), Cape Elizabeth (16%), and Cumberland (16%).

Working from home cut down on long commute times for many in Cumberland County. Across the county, mean travel time to work was 23 minutes. As illustrated in Figure V-26, average commute times were highest in the communities in the western portion of the county, particularly Sebago (42 minutes), Naples (39 minutes), and Baldwin (36 minutes). In fact, 20% of workers in Sebago, 17% of workers in Naples, and 12% of workers in Baldwin

had commutes over an hour long. Average commute times were lowest in South Portland (18 minutes), Scarborough (19 minutes), and Portland (20 minutes).

Figure V-26.
Mean Commute Time by Jurisdiction, 2020



Source: 2020 5-year ACS estimates and Root Policy Research.

Overall, 10% of Cumberland County workers commute to a county different from the one in which they live and 2% commute outside the state. Bridgton, which is in close proximity to the state border, had the highest proportion of workers among county jurisdictions who worked out of state (16%).

More than one in five workers residing in New Gloucester, Harpswell, Harrison, Sebago, Baldwin, and Brunswick commute to other counties in Maine for their jobs. Workers

residing in South Portland, Windham, Falmouth, Portland, and Yarmouth are least likely to commute to another county for work.

Transportation costs. According to the Housing and Transportation Affordability Index, county residents spend 22% of their income on transportation. In general, transportation costs appear relatively lower for residents in close proximity to the Greater Portland area. Of transportation costs by municipality provided by the Index, Portland (18%), South Portland (20%), and Westbrook (21%) residents had the lowest transportation costs while Cumberland and Standish had the highest (25% each, respectively).

Residents' overall transportation situation. According to the Pew Research Center, Americans who are lower-income, African American/Black, Hispanic, immigrants, or under the age of 50 are most likely to use public transportation.[17] People experiencing disabilities are also more likely than those without disabilities to rely on public transportation.[18]

The resident survey found that county respondents were fairly satisfied with their transportation situation (74% of respondents indicated they were either entirely or mostly satisfied). However, households of color were more likely to express dissatisfaction with their current transportation situation. Groups with the highest proportion of respondents who were somewhat unsatisfied or not at all satisfied with their transportation choices included:

- Brunswick respondents (52%);
- Hispanic respondents (42%);
- Other Race respondents (38%);
- Precariously housed respondents (34%);
- Asian respondents (33%);
- Households making less than $25,000 (33%);
- Large households[19] (33%);
- Households with a member experiencing a disability (33%); and

[17] https://www.pewresearch.org/fact-tank/2016/04/07/who-relies-on-public-transit-in-the-u-s/

[18] https://www.bts.gov/sites/bts.dot.gov/files/2022-01/travel-patterns-american-adults-disabilities-updated-01-03-22.pdf

[19] "Large households" are considered those with five or more persons residing in a respective household.

- African American respondents (31%).

Stakeholders were also asked to share their perspectives on the transportation system in Cumberland County. Overall, they articulated the need for a more reliable, accessible, and efficient transportation system, both in Portland and throughout the county. Below is a sampling of comments from stakeholders on their experience with the transportation system:

- *"Transportation is a challenge; you can only go where the Metro goes and busses are not reliable. This restricts the market where people can search for housing and pushes people to stay in the metro area where costs are higher."*
- *"Transportation outside the metro area is basically lacking."*
- *"Opportunity to walk to store may not be there for everyone."*
- *"The further you get from urban areas, the less services are available. It's very hard to find transportation and childcare."*
- *"There is no public transit really. It is so minimal and antiquated. It's easy for policy makers to consider what we have quasi feasible to get to work, but it is impossible for someone to get to point a from b in a timely manner. [It feels like] transit is not designed to serve people."*
- *"The immigrant population comes from places with more reliable public transit…the public transit system here leaves them more isolated."*
- *"We need more bus shelters. The climate in Maine makes them necessary. Our transportation system is fractured, and the bus systems do not collaborate with each other. We need a Cumberland County Transit System. Maybe we could have less routes but make them for consistent and often."*
- *"Places like Windham, there is land to build housing but no public transportation to get there. Lots of people building housing for seniors, it's easier to get permits, but they're totally missing the boat on housing for low-income families."*
- *"We need working class housing with transportation. More people would move out further if they could get around in a better public transportation."*

Primary mode of transportation. The resident survey found that nearly 90% of county respondents use a personal vehicle as their primary mode of transportation. This proportion of respondents was relatively similar across the majority of jurisdictions and was the number one mode of transportation used across all jurisdictions and demographic characteristics. The groups with the lowest proportion of those who primarily drive using a personal vehicle included:

- African American respondents (40%);
- Households making less than $25,000 (53%);
- Single parent households (57%); and
- Precariously housed respondents[20] (57%).

The resident survey found that Hispanic and Other Race respondents, low income households (<$25,000), and respondents in Scarborough and Windham were most likely to report that getting to public transit or the bus easily or safely was a challenge.

Access to transportation for people experiencing disabilities. Several stakeholders spoke to the limits on the transportation system, particularly accessibility. One stakeholder noted for people experiencing disabilities, "it is difficult to find a place to move that is within the range of paratransit." Because the paratransit system only serves households within three quarters of a mile of the system, it limits housing options for those who rely on paratransit services. Additionally, one stakeholder felt that the access to paratransit throughout Portland is fair, but "the service is still limited." They added that needing to schedule in advance is another barrier to utilizing it, noting that "accessing community on demand is difficult."

Another stakeholder described that for people with disabilities, the lack of transportation outside of Portland is an impediment to their ability to move around the county. This stakeholder added that if you "…go out 10 miles, away from Portland, there are no sidewalks, no transportation lines, and nothing is accessible to get to. It's extremely difficult for people with disabilities to get around and access to ancillary places is limited." One stakeholder said that more recently, because of the limited nature of the transportation system, the "cost of gas to search for home in more affordable areas [has become] an issue."

Additionally, several stakeholders spoke to the challenges for people experiencing disabilities when it came to using transportation during the winter season. The lack of snow removal on sidewalks is a major barrier for people experiencing disabilities to access transportation. As one stakeholder described, "…just because you have a bus that comes by your house does not mean you can get to it." Another stakeholder recalled seeing people walk in traffic on a bridge because the "street plow comes and covers the sidewalk with slush." Another stakeholder added that "in winter, it's extremely difficult as a

[20] "Precariously housed" includes residents who are currently homeless or living in transitional or temporary/emergency housing, as well as residents who live with friends or family but are not themselves on the lease or property title. These residents may (or may not) make financial contributions to pay housing costs or contribute to the household in exchange for housing (e.g., childcare, healthcare services).

wheelchair user to depend on the clearing of sidewalks. This puts a greater demand on paratransit if sidewalks are not shoveled on fixed routes."

One stakeholder noted that Greater Portland Metro has an "Adopt-a-Stop" program for bus stops because GP Metro does not shovel bus stops. This stakeholder added that "now there are bus shelters, which are mostly shoveled, but this is not the case everywhere." Another stakeholder noted that it's extremely difficult for people with disabilities to move their car during a snowstorm and are at higher risk of getting it towed. They suggested having a location for people with disabilities to keep their car for an extended period of time without the threat of having it towed.

One stakeholder had a broader comment about the frustration experienced by people with disabilities in trying to use the transportation system in greater Portland. They noted that "any friction people experience [using the system] will result in frustration and the result will be that they're less likely to utilize [the system]." Another stakeholder advocated for adding visual and audible technology on buses to make them more accessible.

Transportation in proximity to housing, employment and other services. Another issue stakeholders flagged with the transportation system was the proximity to services and location of housing. One stakeholder added that "even if you can find housing, it may not be close to services or transportation." Another stakeholder added that if housing and transportation is not "co-mingled", it's difficult to access services, such as childcare or job training. One stakeholder noted that in South Portland, most, if not all, services are located in the eastern portion of the city. They felt that "pretty direct policy statements about established neighborhoods" have had an outsized influence on development patterns in the city, which has made it more difficult to co-locate housing and services.

Another stakeholder speaking about the bus system in South Portland articulated that "we don't have the resources to make the bus system work for all." This stakeholder added they do have high frequency bus service but it's not located in great proximity to employment, adding that the "[the system] is so dispersed that people spend too much time on buses to get to jobs. It gets really complicated [for people taking the bus] with two or more jobs."

One stakeholder who lives outside of the Portland area estimated that "99% of [their] community has cars." They noted that even the local food pantry and community center is not on the public transportation line, adding we "haven't developed walkable communities." Another stakeholder noted that the largest employer in their town is located off the highway and therefore most workers drive to it. Demand for the bus route was deemed too low and the bus service was cancelled. The town is currently exploring other public transit options, including an on-demand system.

One stakeholder spoke to the inherent tension between where people want to live, where it's convenient, and where it's a "disadvantage" to live. This stakeholder noted that AFFH

requirements aim to deconcentrate poverty but for a lot of households, these areas are their communities and where services are located. Another stakeholder felt that moving services out of downtown was a veiled way to "push poor people out." They added that "we have to fight it. It's where transit is. They want to put people out in Riverton, but it's more isolated and takes 45-60 minutes to get downtown. Apparently from analyzing census tracts, it looks like a better place to live."

Other access to opportunity barriers. The resident survey also asked respondents to identify what would most improve their neighborhood and health situations. Below is a summary of the most common issues identified by different demographic groups.

Respondents most likely to say their neighborhood needs more sidewalks or needs to improve current sidewalks:

- Scarborough, 50%
- Households with a member experiencing a disability, 50%
- Asian, 47%
- Households making between $50,000-$99,999, 46%

Respondents most likely to say their neighborhood needs better street lighting:

- Households with a member experiencing a disability, 39%
- Windham, 34%
- South Portland, 32%

Respondents most likely to say they want easier ways to exercise:

- Hispanic, 53%
- African American, 45%
- Scarborough, 43%
- Households with a member experiencing a disability, 37%
- Single parents, 37%

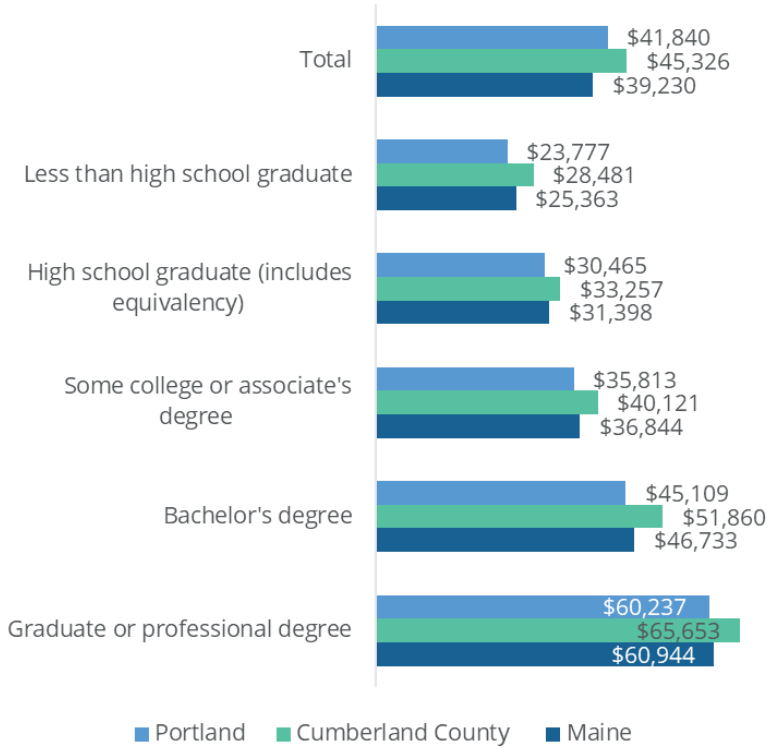
Twenty nine percent of African American respondents articulated a need for more stores in their neighborhoods (grocery, pharmacy, etc.). Additionally, 33% of large households identified *more playgrounds for children,* 29% of Asian respondents identified *make it easier to get health clinics,* and 29% of precariously housed respondents identified *access to healthier foods* as solutions to help improve their health situations.

Access to Opportunity Outcomes

This final subsection summarizes how access to opportunity can affect lifetime outcomes—by sustaining employment, boosting earnings, and attaining homeownership.

Household income and educational status. Gaps in college enrollment have stark financial consequences for students in the long-term. Figure V-27 illustrates median annual earnings by educational attainment. College degrees are especially important in Cumberland County: those with a bachelor's degree in the county earn nearly 56% more than those with a high school diploma. This gap is wider in Cumberland County than in other parts of Maine. The differences between high-school graduate earnings and bachelor's degree earnings are 48% in Portland and nearly 50% statewide.

Figure V-27. Median Annual Earnings by Education, Portland, Cumberland County, and Maine, 2020



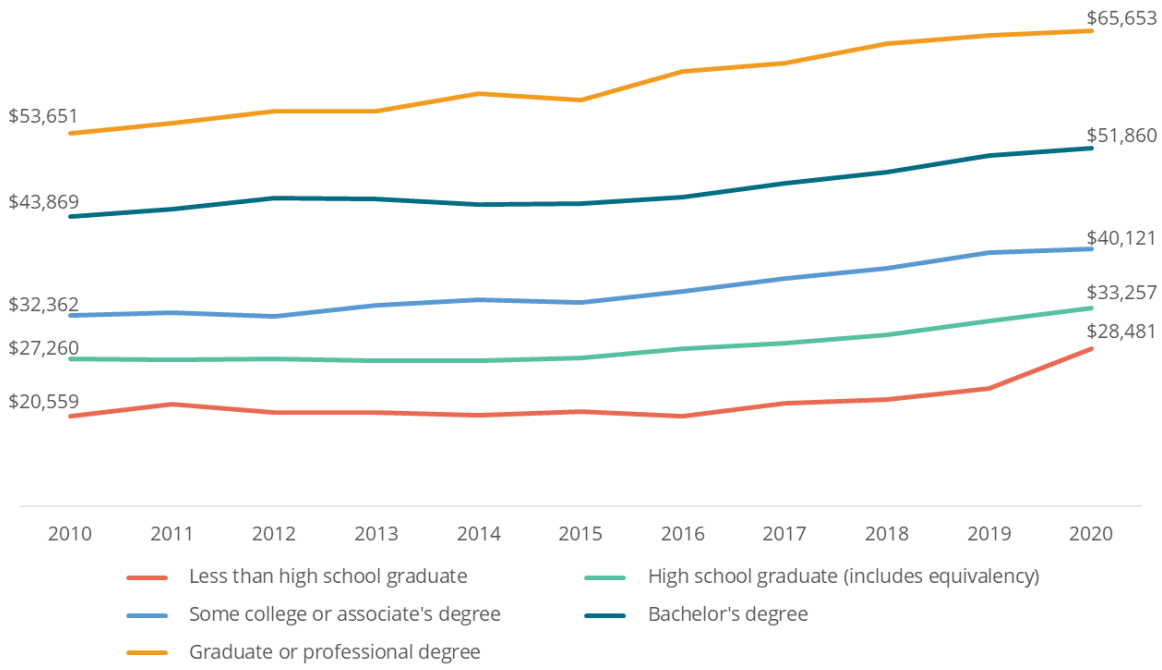
Notes: For population aged 25 and older.

Source:

5-year 2020 ACS estimates and Root Policy Research.

As illustrated in Figure V-28, median earnings for high school graduates increased by 22% over the last decade (from $27,260 to $33,257). Earnings for college graduates also increased by 18% over the same period, but earnings for those with graduate degrees increased by 22%. Setting Cumberland County students up for success means ensuring they have a steady path to post-secondary education.

Figure V-28
Medan Annual Earnings by Education, Cumberland County, 2010-2020



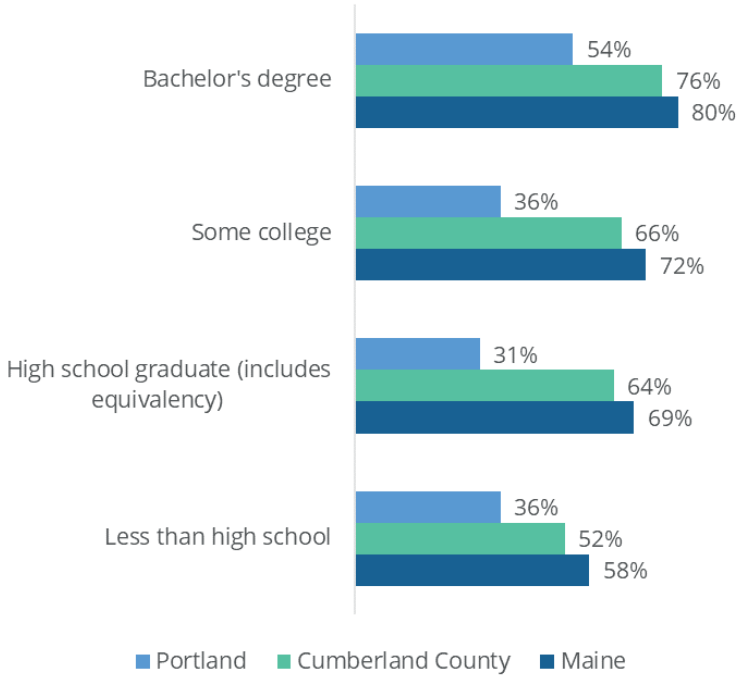
Note: For population aged 25 and older.

Source: 5-year 2020 ACS estimates and Root Policy Research.

Homeownership rates increase with levels of educational attainment, as shown in Figure V-29 below.

- In Cumberland County, as of 2020, 52% of those without a high school diploma own their homes. For the state overall, that rate is 58%. This difference among the county and state is the largest of all educational attainment groups, suggesting that workers with lower levels of educational attainment would find it harder to purchase in the county (relative to other parts of the state).
- In Portland, the homeownership rate is significantly lower for all groups without a college degree in Portland. Additionally, compared to the county and state, Portland residents with a college degree are much less likely to own their homes, suggesting that Portland residents, regardless of educational attainment, have a more difficult time purchasing a home compared to other parts of the county and state.

Figure V-29. Homeownership Rates by Educational Attainment of Householder, Portland, Cumberland County, and Maine, 2020



Source:

5-year 2020 ACS estimates and Root Policy Research.

SECTION VI.

DISPROPORTIONATE HOUSING NEEDS

SECTION VI.
Disproportionate Housing Needs

The primary purpose of a disproportionate housing needs analysis is to identify how **affordable housing opportunities**, including the location of housing, differs for members of protected classes—and to determine if such differences are related to discriminatory actions or effects.

This section examines disproportionate housing needs. It includes data from Cumberland County and, when available, all 27 jurisdictions included in the Cumberland County HOME Consortium. To allow for a robust yet succinct analysis, each jurisdiction is included in their respective apportionment district as determined by the county.

The section covers:

- Housing unit growth, unit type diversity, vacancies, and second home use;
- Housing cost trends and the effects of rising costs on residents, including displacement and eviction and ability to utilize rental assistance;
- Where affordable housing is located and how this affects access to opportunity; and
- Who benefits from housing programs, including publicly supported housing, and how qualification criteria (credit history, criminal behavior, rental history/evictions) affect housing choice.

Geographic area of analysis. This section includes data from Cumberland County and all 27 jurisdictions included in the Cumberland County HOME Consortium that are eligible to receive housing and community development funds from the U.S. Department of Housing and Urban Development.

To allow for a robust yet succinct analysis, each jurisdiction is included in their respective apportionment district as determined by the County.

- District 1 includes Baldwin, Bridgton, Gorham, Scarborough, Sebago, and Standish, located in the western and southern portions of the county. The largest jurisdiction, Scarborough, has a population of 22,135.
- District 2 includes Casco, Falmouth, Gray, Harrison, Naples, New Gloucester, Raymond, and Windham, located in the northern and central portions of the county. The largest jurisdiction, Windham, has a population of 18,434.

- District 3 includes Brunswick, Chebeague Island, Cumberland, Freeport, Harpswell, Long Island, North Yarmouth, Pownal, and Yarmouth, located in the eastern portion of the county. The largest jurisdiction, Brunswick, has a population of 21,756.
- District 4 includes Cape Elizabeth, South Portland, and Westbrook, located in the southern portion of the county. The largest jurisdiction, South Portland, has a population of 26,498.
- District 5 encompasses the city of Portland, which is located in the southern portion of the county. The city has a population of 68,408.

Primary Findings

- Housing production in Cumberland County varied considerably among jurisdictions and districts. Local permit data shows that Portland (District 5) produced the most housing units of any singular jurisdiction in the county between 2010 and 2022, with nearly 5,000 units approved and over 2,000 certificates of occupancy issued over that time period.[1] According to ACS data, District 1 (made up of six jurisdictions) and District 2 (made up of eight jurisdictions) added an estimated 3,600 and 3,400 housing units between 2010 and 2020. The suburban communities of Scarborough and Westbrook each added a little more than 1,100 units over the same time period.

- Of the City of Portland's units approved since 2010, about one quarter are designated to be affordable. Outside of the City of Portland, this newly developed housing was largely market rate and most affordable units are targeted for elderly residents. **Policies that favor affordable elderly housing over affordable family housing work to limit access to quality education for low income families.**

- During 2019, the county experienced a net loss of nearly 1,150 residents, with most residents moving to neighboring counties. **The out-migration of Cumberland County residents may be driven by rising housing costs**. A correlation analysis of median rents and out-migration suggests that rising costs affected migration patterns between 2011 to 2019. Many of the households moving to neighboring counties still commute to Cumberland County for work: 40% of the county's workers in 2019 commuted from another county. Transportation times to and from work are also increasing: commuters' time driving increased by 5% between 2010 and 2019.

- The housing market continues to be very tight, and challenging for low income households. Between 2010 and 2020, **the median rent increased by 37% in**

[1] ACS data estimates for the city of Portland reported low unit growth between 2010-2020, which did not take into account recent permitting and approval activity.

Cumberland County and 43% for the City of Portland—both much higher than the statewide increase of 23%. The **increase in home values has been more tame**, rising 16% in the county and 22% in Portland, compared to 12% in the state.

- **African American/Black households have extremely low homeownership rates**—11% in Portland and 19% in Cumberland County (compared to 25% in Maine). **All other racial and ethnic groups have homeownership rates that are more similar to the White homeownership rate.** To close other racial gaps in ownership, an estimated 164 Asian renters, 51 Native American renters, and 141 Hispanic renters would need to become owners. A much larger number—1,169 African American/Black renters—would need to become owners to close the White/Black homeownership gap.

- **Home loan denial rates were lowest among African American/Black and White Cumberland County applicants**, at 10% and 11% respectively. The very low denial rate among African American/Black applicants is unusual for U.S. cities, and is particularly notable given the extremely low homeownership rate among African American/Black households in the county and city.

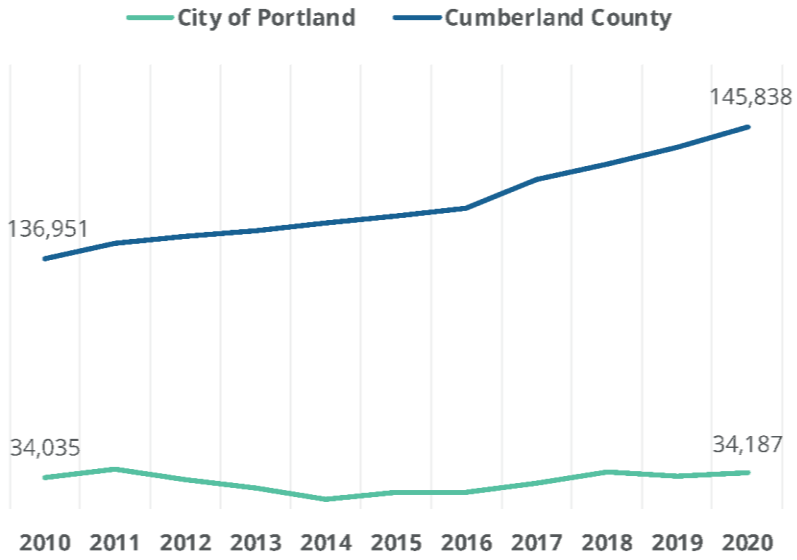
- Geographically (Figure VI-37 maps), denial rates outside of the Portland – South Portland area were mostly driven by White applicants. African American/Black applicants, in particular, have a preference for buying in and near Westbrook, while Asian and Hispanic applicants seek ownership in slightly broader geographic areas. **White applicants appear less likely to be denied in many of the neighborhoods where applicants of color are focusing their homebuying efforts.**

Housing Supply

According to the American Community Survey, between 2010 and 2020, Cumberland County added nearly 9,000 housing units, for an increase of 6%. Housing unit growth in Cumberland County slightly outpaced the state's growth of 5%. As shown in Figure VI-1a, the county's housing stock has grown steadily since 2010, with an uptick in production beginning in 2016. However, these data do not fully capture permit and construction activity in recent years, which has been strong in the city of Portland, due to a lag in the ACS tracking.

Figure VI-1a. Total Occupied and Vacant Housing Stock, Cumberland County and Portland, 2010 to 2020

Source:
2010 and 2020 5-year ACS data and Root Policy Research.



Housing supply in Portland. While 5-year American Community Survey data shows that housing production in Portland increased by less than 1% over the decade, local City data2 (Figure VI-1b) shows a marked increase in housing supply, particularly in the last few years. The difference is due to the lag in tracking from the Census: Five-year ACS data do not adequately capture the boost in units approved by the Planning Board and receiving Certificates of Occupancy.

Since 2010, the City of Portland's Planning Board has approved 4,535 housing units through site plan review, with nearly a quarter of those units designated as affordable (1,079 units). Of these, 2,285 have a Certificate of Occupancy.

With this activity, housing unit growth between 2010 and 2020 in Portland exceeds 7%.

[2] Local housing data tends to be timelier and more reflective of current conditions relative to national data, as well as have more recent and detailed data on housing production and the different mix of housing types being produced (or not produced). More information can be found at https://localhousingsolutions.org/analyze/using-local-housing-data/.

Figure VI-1b.
Housing Permit Data, City of Portland, 2010-2022

	2010-2014	2015-2019	2020-2022	Total
Units Approved by Planning Board	**566**	**2,386**	**1,583**	**4,535**
Market Rate Units	385	1,909	1,162	3,456
Affordable Units	181	477	421	1,079
Units With Certificate of Occupancy	**566**	**1,650**	**69**	**2,285**
Market Rate Units	385	1,300	52	1,737
Affordable Units	181	350	17	548

Note: Data in figure are current as of March 16, 2023.

Source: City of Portland Housing and Community Development Department.

Variance by jurisdiction. Housing unit growth varied considerably by jurisdiction, with a handful of cities and towns responsible for more than half of the county's total growth, according to the ACS. By jurisdiction and District,[3]

- The largest percentage increases in housing production occurred in Casco (with an increase in housing units of 29%), the tourist area of Chebeague Island (24%), Bridgton (22%), and Naples (22%).

- Four jurisdictions showed a decline in total housing units: Long Island (a 20% decline), Pownal (-8%), Brunswick (-5%), and New Gloucester (-1%). Brunswick lost the most units overall between 2010 and 2020 (455 units), followed by Long Island (100 units) and Pownal (54 units).

- The suburban communities of Scarborough and Westbrook each added a little more than 1,100 units. These two areas alone accounted for 26% of the ACS's measured housing production in the county between 2010 and 2020. By comparison, these two cities represent 13% of the county's housing stock.

- Between 2010 and 2020, Portland produced more housing than measured by the ACS in any other community in the county, with certificates of occupancy issued to nearly 2,300 units, the vast majority in a multi-family setting. Over the same time period, Portland issued certificates of occupancy for over 500 affordable units.

[3] Unit counts are based on 5-year American Community Survey (ACS) estimates, which was the most recent data source available for small jurisdictions. The 5-year ACS was used for all jurisdictions to maintain consistency.

Figures VI-2 through VI-6 show housing unit estimates for 2010 and 2020, the percent change in units, and the percent of the stock that is single family detached homes.

Unit type. Single family homes make up 66% of Cumberland County's housing stock overall. Attached homes—including du/tri/fourplexes and townhomes—make up another 17%. Small (5-19 unit) multifamily units make up 6.8%, about the same as larger multifamily units (6.4%) and mobile homes comprise 4% of the county's housing stock.

Variance by jurisdiction. Housing unit composition ranges widely among Districts and jurisdictions:

- In rural jurisdictions, single family detached homes dominate the housing stock, typically comprising 85% or more of housing units. The exceptions are in Casco, New Gloucester, Brunswick (home of Bowdoin college), Freeport, and Yarmouth where single family homes make up less than 80% of total housing units.
- The suburban communities of Scarborough and Westbrook—with the fastest growth in housing units—differ widely in their housing stock composition. Scarborough's housing stock is 75% single family detached while Westbrook's is 49%. South Portland's stock is 59% single family detached.
- Per the ACS, in Portland, single family homes make up the minority—37%—of all housing unit types.

Figure VI-2. Total Housing Stock, by Jurisdiction in District 1, 2010 and 2020

Source:
2020 ACS 5-year estimates.

	2010 Housing Stock	2020 Housing Stock	Percent Change	Percent Single-Family Home
District 1	24,148	27,539	14%	81%
Baldwin	660	712	8%	82%
Bridgton	3,917	4,781	22%	82%
Gorham	5,470	6,234	14%	79%
Scarborough	8,406	9,598	14%	75%
Sebago	1,340	1,511	13%	85%
Standish	4,355	4,703	8%	89%
Cumberland County	136,951	145,838	6%	66%

Figure VI-3. Total Housing Stock, by Jurisdiction in District 2, 2010 and 2020

Source:
2020 ACS 5-year estimates.

	2010 Housing Stock	2020 Housing Stock	Percent Change	Percent Single-Family Home
District 2	27,843	31,466	13%	84%
Casco	2,521	3,240	29%	71%
Falmouth	4,611	5,081	10%	82%
Gray	3,752	4,377	17%	81%
Harrison	1,910	2,128	11%	89%
Naples	2,896	3,521	22%	80%
New Gloucester	2,261	2,238	-1%	77%
Raymond	2,839	3,006	6%	97%
Windham	7,053	7,875	12%	88%
Cumberland County	136,951	145,838	6%	66%

Figure VI-4. Total Housing Stock, by Jurisdiction in District 3, 2010 and 2020

Source:
2020 ACS 5-year estimates.

	2010 Housing Stock	2020 Housing Stock	Percent Change	Percent Single-Family Home
District 3	24,619	25,154	2%	72%
Brunswick	9,451	8,996	-5%	54%
Chebeague Island	472	584	24%	98%
Cumberland	2,855	2,999	5%	82%
Freeport	3,773	4,165	10%	73%
Harpswell	4,213	4,383	4%	89%
Long Island	493	393	-20%	94%
North Yarmouth	1,367	1,522	11%	92%
Pownal	655	601	-8%	88%
Yarmouth	1,340	1,511	13%	68%
Cumberland County	136,951	145,838	6%	66%

Figure VI-5. Total Housing Stock, by Jurisdiction in District 4, 2010 and 2020

Source:
2020 ACS 5-year estimates.

	2010 Housing Stock	2020 Housing Stock	Percent Change	Percent Single-Family Home
District 4	23,449	24,960	6%	60%
Cape Elizabeth	4,027	4,063	1%	90%
South Portland	11,549	11,869	3%	59%
Westbrook	7,873	9,028	15%	49%
Cumberland County	136,951	145,838	6%	66%

Figure VI-6. Total Housing Stock, by Jurisdiction in District 5, 2010 and 2020

	2010 Housing Stock	2020 Housing Stock	Percent Change	Percent Single-Family Home
District 5 - Portland	34,035	36,320	7%	37%
Cumberland County	136,951	145,838	6%	66%

Source:
City of Portland Housing and Community Development Department and 2020 ACS 5-year estimates.

Second homes and in-migration. Cumberland County has an estimated 145,838 total housing units. Of those, 15,216, or 10% are being used for seasonal or recreational use, a slight increase from 2010. By comparison, units that are for rent or for sale make up 2% of total housing units—an incredibly low vacancy rate. A vacancy rate of at least 5% is needed to ensure a housing market that can adequately respond to household demand.

Units that are vacant because of seasonal, recreational, or vacation use account for 68% *of all vacant units*. The next most common purpose for vacancy was "other"—meaning that the reason for vacancy is unknown. Units for rent made up 9% of all vacant units. Units for sale made up 4% of all vacant units.

As shown by the figure below, the county's proportion of seasonal, recreational, or vacation use units had been on a consistently upward trend until 2020, when the number of units declined—perhaps due to a conversion of some units into permanent occupancy (by retirees, remote workers, etc.).

Figure VI-7. Housing Units Vacant for Seasonal or Recreational Use, Cumberland County, 2010 to 2020

Source:
5-year ACS data and Root Policy Research.

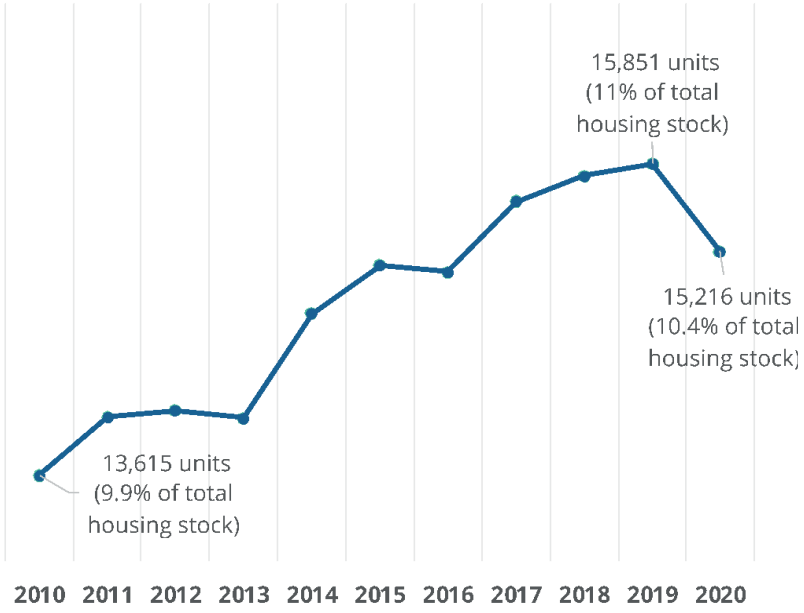
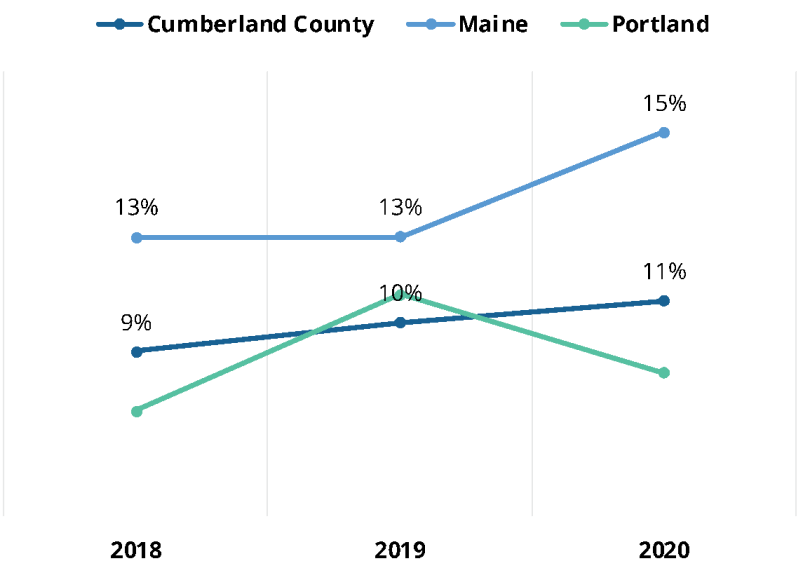


Figure VI-8 shows recent trends in home loans that were made for second homes as captured in the Home Mortgage Disclosure Act (HMDA) data. These data underestimate second home acquisition trends, as they exclude purchases made in cash. Still, the data are useful to track a subset of acquisition trends.

In both the state and Cumberland County, mortgage loans for second homeownership have increased since 2018, albeit slightly.

Figure VI-8. Mortgage Loans for Second Homes, Cumberland County and Maine, 2018 to 2020

Source:
HMDA and Root Policy Research.



A handful of jurisdictions—mostly those with resort areas—are responsible for the bulk of the county's units in seasonal and recreational use. Portland, by contrast, has relatively few seasonal and recreational use units: the city's seasonal and recreational use units comprise less than 10% of the county's seasonal and recreational use units—compared to 23% of all of the county's housing units.

Variance by jurisdiction. By jurisdiction and District,

- Five jurisdictions have 40% or higher of their entire housing stock dedicated to seasonal rentals: Bridgton (40%), Sebago (41%), Naples (41%), Chebeague Island (50%), and Long Island (65%).
- Jurisdictions with the lowest proportion of their housing units as seasonal or recreational include Gorham (0%), Falmouth (3%), Brunswick (3%), Cumberland (0%), North Yarmouth (0%), Pownal (1%), Yarmouth (2%), South Portland (1%), Westbrook (0%), and Portland (4%).

Figure VI-9.
Reason for Vacancies, by Jurisdiction in District 1, 2020

	Total Housing Units	Vacant Units		Seasonal/Recreational Vacancies	
		Number	% of Total	Number	% of Total
District 1	27,539	5,649	21%	4,365	16%
Baldwin	712	172	24%	115	16%
Bridgton	4,781	2,302	48%	1,911	40%
Gorham	6,234	176	3%	-	0%
Scarborough	9,598	1,136	12%	795	8%
Sebago	1,511	711	47%	619	41%
Standish	4,703	1,152	24%	925	20%
Cumberland County	145,838	22,454	15%	15,216	10%

Source: 2020 5-year ACS data and Root Policy Research.

Figure VI-10.
Reason for Vacancies, by Jurisdiction in District 2, 2020

	Total Housing Units	Vacant Units		Seasonal/Recreational Vacancies	
		Number	% of Total	Number	% of Total
District 2	31,466	6,810	22%	5,692	18%
Casco	3,240	1,327	41%	1,189	37%
Falmouth	5,081	295	6%	160	3%
Gray	4,377	720	16%	622	14%
Harrison	2,128	727	34%	655	31%
Naples	3,521	1,560	44%	1,428	41%
New Gloucester	2,238	197	9%	88	4%
Raymond	3,006	1,098	37%	993	33%
Windham	7,875	886	11%	557	7%
Cumberland County	145,838	22,454	15%	15,216	10%

Source: 2020 5-year ACS data and Root Policy Research.

Figure VI-11.
Reason for Vacancies, by Jurisdiction in District 3, 2020

	Total Housing Units	Vacant Units		Seasonal/Recreational Vacancies	
		Number	% of Total	Number	% of Total
District 3	27,113	4,472	16%	2,769	10%
Brunswick	8,996	701	8%	300	3%
Chebeague Island	584	308	53%	291	50%
Cumberland	2,999	79	3%	-	0%
Freeport	4,165	750	18%	364	9%
Harpswell	4,383	2,001	46%	1,469	34%
Long Island	393	276	70%	254	65%
North Yarmouth	1,522	95	6%	-	0%
Pownal	601	39	6%	9	1%
Yarmouth	3,470	223	6%	82	2%
Cumberland County	145,838	22,454	15%	15,216	10%

Source: 2020 5-year ACS data and Root Policy Research.

Figure VI-12.
Reason for Vacancies, by Jurisdiction in District 4, 2020

	Total Housing Units	Vacant Units		Seasonal/Recreational Vacancies	
		Number	% of Total	Number	% of Total
District 4	24,960	1,578	6%	346	1%
Cape Elizabeth	4,063	309	8%	166	4%
South Portland	11,869	627	5%	146	1%
Westbrook	9,028	642	7%	34	0%
Cumberland County	145,838	22,454	15%	15,216	10%

Source: 2020 5-year ACS data and Root Policy Research.

Figure VI-13.
Reason for Vacancies, by Jurisdiction in District 5, 2020

	Total Housing Units	Vacant Units		Seasonal/Recreational Vacancies	
		Number	% of Total	Number	% of Total
District 5 - Portland	34,187	3,391	10%	1,498	4%
Cumberland County	145,838	22,454	15%	15,216	10%

Source: 2020 5-year ACS data and Root Policy Research.

Housing Costs

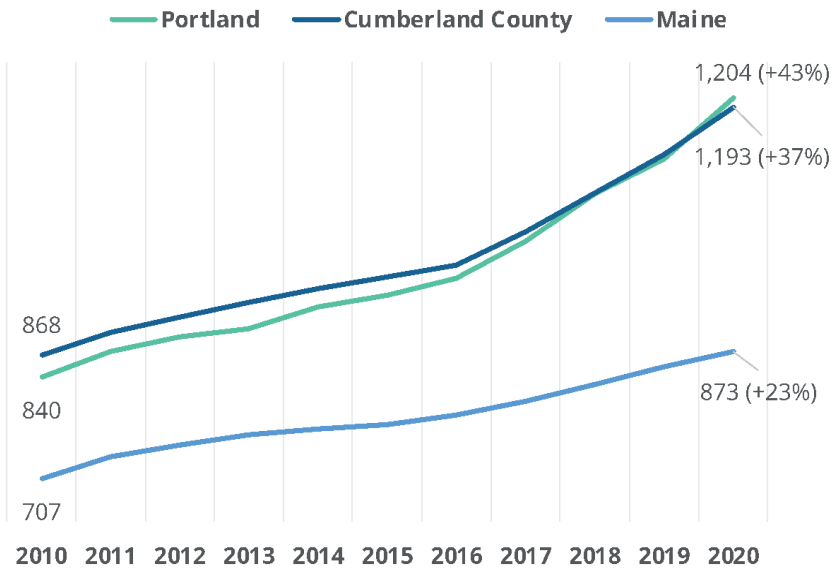
Rent costs. In 2010, the median rent in Cumberland County was $868 per month, and the statewide median was $707 per month. By 2020, Cumberland County's median rent had grown to $1,193—a 37% increase. Rents statewide increased to $873—a 23% increase.

The faster increase in the county's rent widened the price differential between the county and the state. As of 2020, the median rent in the county was 37% higher than the statewide rent.

The median rent in the City of Portland was $840 per month in 2010, slightly less than the county median. By 2020, the City's median surpassed that of the county, reaching $1,204 per month. This increase in median rents of 43% was higher than the county's and nearly twice that of the state.

Figure VI-14. Median Rent, Portland, Cumberland County, and Maine, 2010 to 2020

Source:
5-year ACS data and Root Policy Research.

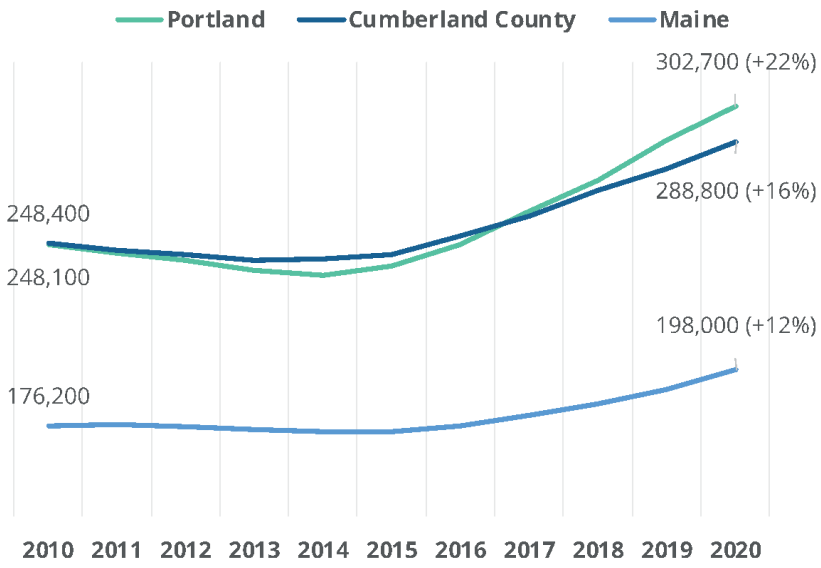


Home values. Growth in home values in Cumberland County outpaced the state overall, though less drastically than rent increases. The median home value rose 16% in the county between 2010 and 2020 (from $248,400 to $288,800), compared to 12% for the state overall.

The rise in the county's and state's home values was less than half of the increase in median rent between 2010 and 2020 (rents increased by 37% for the county and 23% for the state). Portland's home values increased from $248,100 in 2010 to $302,700 in 2020—a 22% increase. This was much higher than the county increase and, like the increase in rents, nearly twice that of the state increase.

Figure VI-15. Median Home Values, Portland, Cumberland County, and Maine, 2010 to 2020

Source:
5-year ACS data and Root Policy Research.



Variance by jurisdiction. The jurisdictions with the most relevant changes in gross rent between 2010 and 2020 were:

- Long Island's rent increased the most, by 126% (from $725 to $1,639).
- The next largest increase was in Naples and Freeport at 83% and 61%, respectively.
- Nine jurisdictions experienced increases above the 37% increase in Cumberland County.
- A number of jurisdictions experienced much smaller increases in median rent over the decade with Harrison (1%), Harpswell (2%), and Cumberland (4%) all seeing minor but positive growth.
- Three jurisdictions had gross rent values that declined during the period: Cape Elizabeth (-2%), Baldwin (-18%), and Casco (-18%). Notably, all three of the jurisdictions with declining rents had positive housing price increases, with Cape Elizabeth's median home value increasing 29% between 2010 and 2020.

The jurisdictions with the most relevant changes in self-reported median home values between 2010 and 2020 were:

- Chebeague Island's home values experienced a very strong increase of 151%, from $175,000 to $439,800;
- The next largest increases were in Pownal (30%) and Cape Elizabeth (29%);
- Ten jurisdictions experienced increases above the 16% increase in Cumberland County;
- Three jurisdictions had median home values that declined during the period: Sebago (-11%), Naples (-19%), and Raymond (-2%); and

- Uniquely, Naples experienced the second highest rental increases (+83%), while the home values declined the most (-19%), suggesting a shift from homeowners to renters.

Figure VI-16.
Median Rent and Home Values, by Jurisdictions in District 1, 2020

	Median Rent		Median Home Value	
	Median Rent in 2020	% Change from 2010	Median Home Value in 2020	% Change from 2010
District 1				
Baldwin	$ 913	-18%	$ 187,100	13%
Bridgton	$ 806	24%	$ 177,800	4%
Gorham	$ 1,184	46%	$ 287,100	18%
Scarborough	$ 1,399	28%	$ 376,100	18%
Sebago	$ 881	19%	$ 173,900	-11%
Standish	$ 975	10%	$ 235,000	10%
Cumberland County	$ 1,193	37%	$ 288,800	16%

Source: 2020 5-year ACS data and Root Policy Research.

Figure VI-17.
Median Rent and Home Values, by Jurisdictions in District 2, 2020

	Median Rent		Median Home Value	
	Median Rent in 2020	% Change from 2010	Median Home Value in 2020	% Change from 2010
District 2				
Casco	$ 780	-18%	$ 210,000	6%
Falmouth	$ 1,581	49%	$ 463,000	20%
Gray	$ 1,140	28%	$ 258,100	22%
Harrison	$ 889	1%	$ 177,200	8%
Naples	$ 1,506	83%	$ 201,400	-19%
New Gloucester	$ 999	36%	$ 253,500	8%
Raymond	$ 1,189	24%	$ 263,600	-2%
Windham	$ 1,144	23%	$ 255,100	11%
Cumberland County	$ 1,193	37%	$ 288,800	16%

Source: 2020 5-year ACS data and Root Policy Research.

Figure VI-18.
Median Rent and Home Values, by Jurisdictions in District 3, 2020

	Median Rent		Median Home Value	
	Median Rent in 2020	% Change from 2010	Median Home Value in 2020	% Change from 2010
District 3				
Brunswick	$ 1,082	39%	$ 255,000	19%
Chebeague Island	$ 1,625	n/a	$ 439,800	151%
Cumberland	$ 1,200	4%	$ 377,800	7%
Freeport	$ 1,358	61%	$ 330,500	9%
Harpswell	$ 1,089	2%	$ 388,100	8%
Long Island	$ 1,639	126%	$ 364,000	9%
North Yarmouth	$ 1,233	21%	$ 358,600	4%
Pownal	$ 1,146	16%	$ 312,500	30%
Yarmouth	$ 1,367	46%	$ 386,500	7%
Cumberland County	$ 1,193	37%	$ 288,800	16%

Source: 2020 5-year ACS data and Root Policy Research.

Figure VI-19.
Median Rent and Home Values, by Jurisdictions in District 4, 2020

	Median Rent		Median Home Value	
	Median Rent in 2020	% Change from 2010	Median Home Value in 2020	% Change from 2010
District 4				
Cape Elizabeth	$ 1,151	-2%	$ 469,600	29%
South Portland	$ 1,346	50%	$ 276,100	22%
Westbrook	$ 1,076	29%	$ 240,800	12%
Cumberland County	$ 1,193	37%	$ 288,800	16%

Source: 2020 5-year ACS data and Root Policy Research.

Figure VI-20.
Median Rent and Home Values, by Jurisdictions in District 5, 2020

	Median Rent		Median Home Value	
	Median Rent in 2020	% Change from 2010	Median Home Value in 2020	% Change from 2010
District 5 - Portland	$ 1,204	43%	$ 302,700	22%
Cumberland County	$ 1,193	37%	$ 288,800	16%

Source: 2020 5-year ACS data and Root Policy Research.

In-migration and the Effect on Housing Costs

Regional migration patterns. In 2019, Cumberland County had negative net migration of -1,145, meaning more people left the county than moved into the county. Most individuals who left Cumberland County in 2019 moved to another county in Maine, mostly neighboring counties, like York (-714) and Androscoggin (-537) Counties, followed by Penobscot County (-289). Among those *moving into Cumberland County* from other Maine counties, most moved from neighboring Oxford County (148), followed by Aroostook (128) and Hancock (108) Counties. Figure VI-21 shows the counties into which Cumberland County residents migrated (negative numbers), and the counties from which new Cumberland County residents came (positive numbers).

Figure VI-21. Cumberland County In- and Out-migration, 2019

Source: 2019 5-year ACS estimates and Root Policy Research.

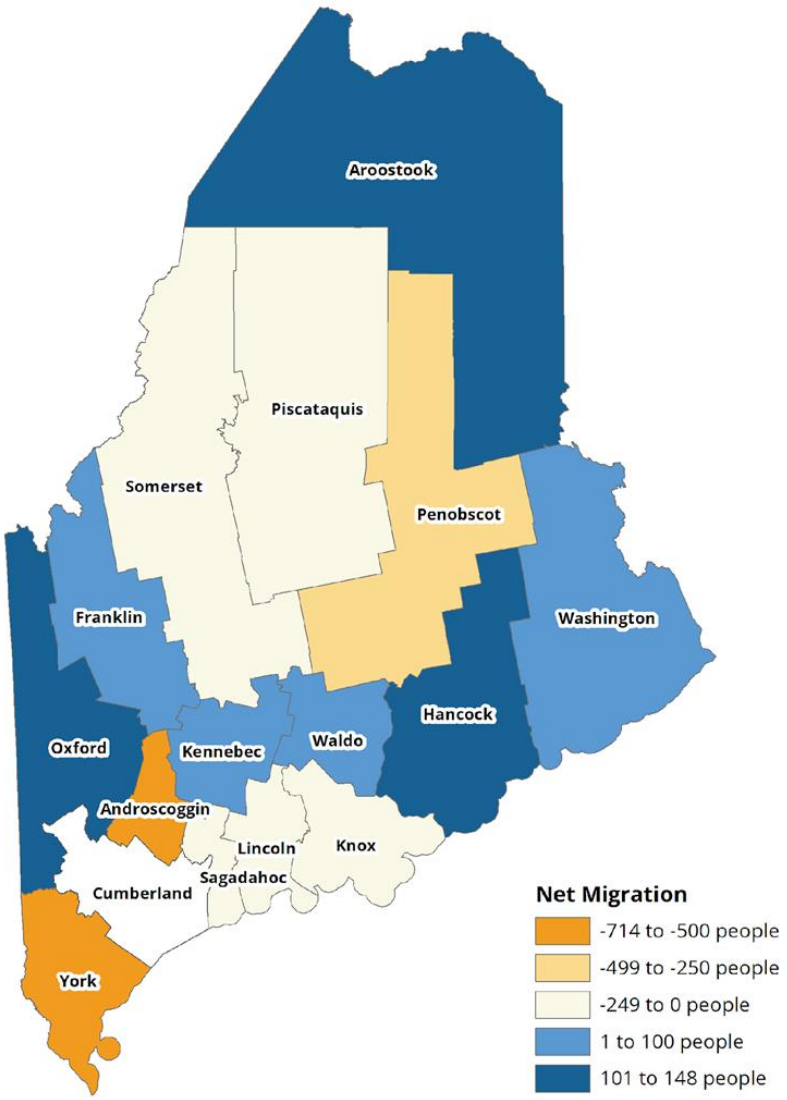
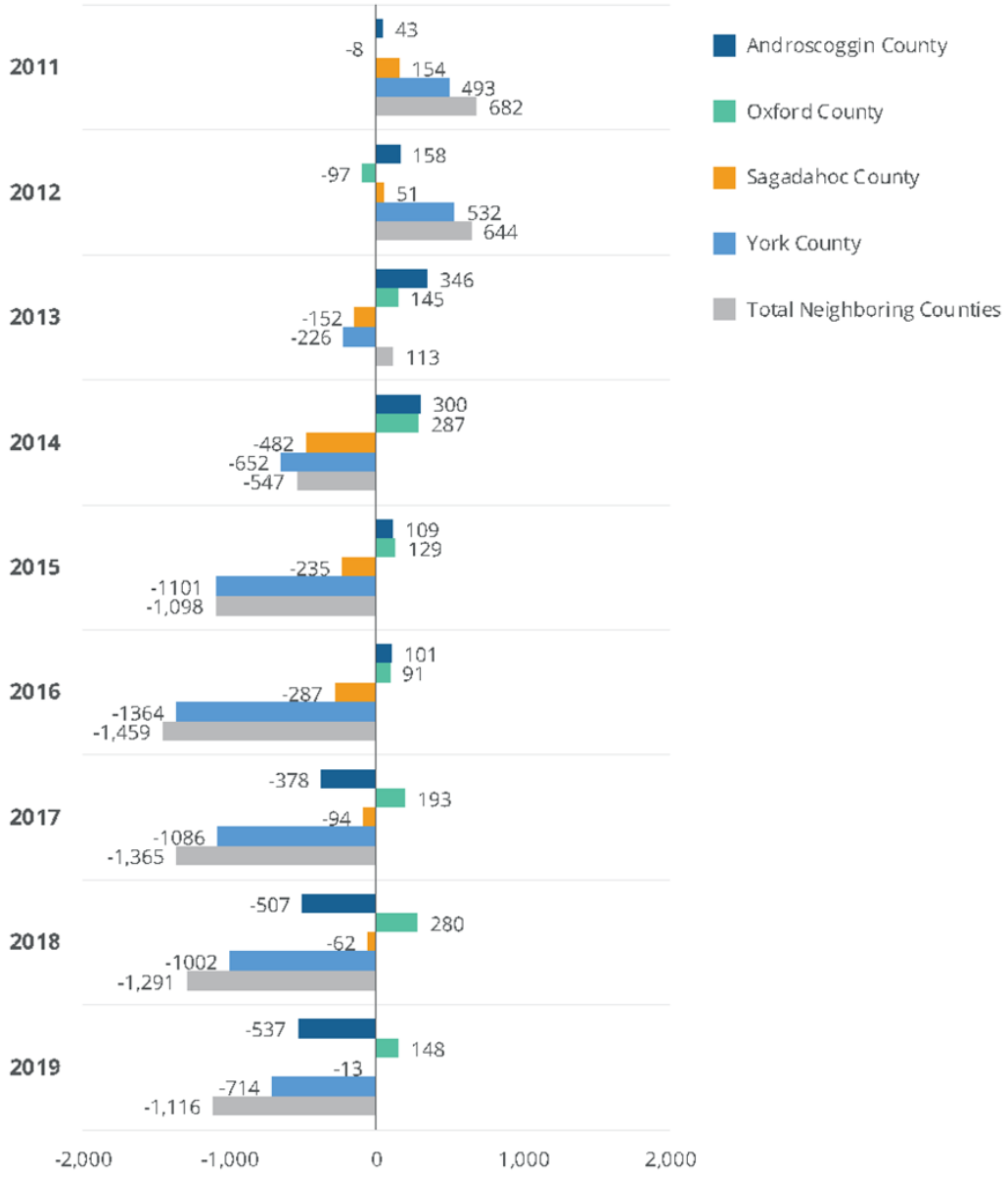


Figure VI-22 illustrates the trends in net migration into and out of Cumberland County from neighboring counties. There has been increasing overall net out-migration from Cumberland to neighboring counties, largely driven by individuals moving from Cumberland to York and Androscoggin counties. On net in 2019, Cumberland County lost 1,116 residents to neighboring counties. This is a 264% decrease from 2011, when Cumberland County gained 682 residents from these neighboring counties, on net.

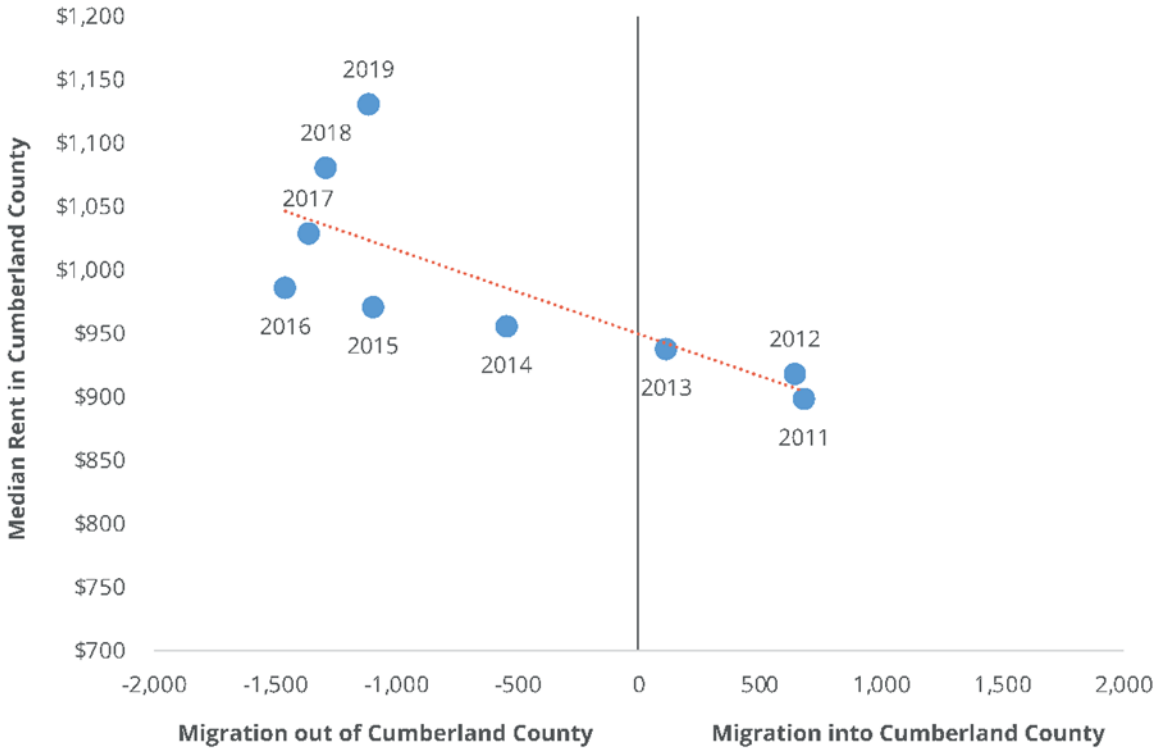
Figure VI-22.
Net Migration in Cumberland County to/from Neighboring Counties, 2011 to 2019



Source: 2019 5-year ACS estimates and Root Policy Research.

Effect of housing costs. The net out-migration of Cumberland County residents to neighboring counties may be driven by rising housing costs. Statistical correlation measures can help determine the relationship between migration and housing costs. Figure VI-23 plots the relationship between median gross rent and the number of net out-migrants to neighboring counties annually from 2011 to 2019. This relationship has a statistically significant correlation coefficient of -0.75, meaning that as rent increases, the county loses more residents to neighboring counties.[4] However, it is important to note that these are merely correlations and do not provide causal evidence. In other words, these data do not show that rent increases cause out-migration, simply that the two are associated.

Figure VI-23.
Correlation between Median Rent and Migration out of Cumberland County, 2011-2019



Source: 2019 5-year ACS estimates and Root Policy Research.

Many of the households moving to neighboring counties still commute to Cumberland County for work: 40% of the county's workers in 2019 commuted from another county.

[4] Statistically significant at the 0.01% level according to Pearson's correlation test.

This means transportation times are also increasing: time spent traveling to work has increased by 5% since 2010, from 21.9 minutes to 23.1 minutes on average.

Interstate migration. In 2019, there were -1,055 net migrants leaving Cumberland County for states other than Maine. Individuals leaving Cumberland County for another state in 2019 were most likely to go to Florida (-540), New Hampshire (-222), North Carolina (-150), and Washington (-158). Those moving into Cumberland County from another state in 2019 were most likely to be coming from Massachusetts (390), Connecticut (334), Michigan (175), and New York (148).

Disproportionate Housing Needs

In housing market studies, housing needs are typically measured by:

- Cost burden (defined below);
- The cost of housing (rents, purchase prices), typically relative to household income;
- Challenges managing rising housing costs, including displacement and eviction; and
- Homeownership attainment.

Disproportionate needs are evident when the above indicators differ by protected class. This section examines those differences.

Cost burden. Households vary considerably in their ability to manage rising housing costs and cost increases can be particularly difficult for households with stagnant incomes, job losses, and other large expenses such as childcare and health care. One way to examine how well households can manage rising costs is through trends in cost burden.

Cost burden exists when households pay more than 30% of their gross household income in housing costs. Housing costs include the rent or mortgage payment, utilities, renter or homeowner insurance, and property taxes. When households are severely cost burdened—paying 50% and more of their incomes in housing costs—they may have trouble keeping up with medications/health care, affording food, and may be at risk of eviction, foreclosure, and homelessness.

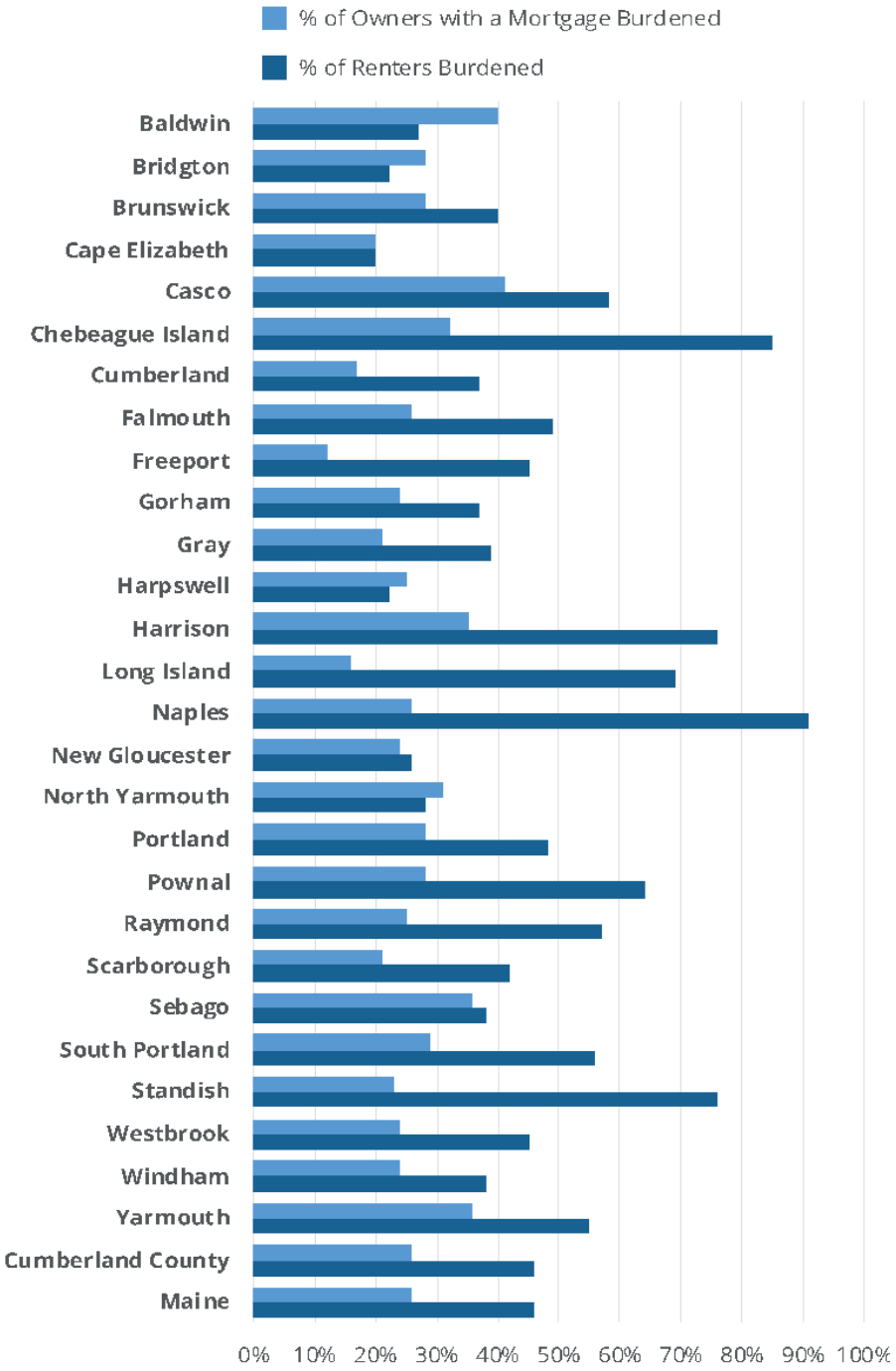
Households paying more than 30% for housing are "cost burdened"

Households paying more than 50% for housing are "severely cost burdened"

Disparities in cost burden. As demonstrated in Figure VI-24, cost burden varies significantly by tenure and among jurisdictions. Renters experience cost burden at much higher levels than do owners. In some jurisdictions—namely Harrison, Long Island, Naples, and Standish—three quarters to nearly all renters are cost burdened. Both renter and owner burden are lowest in Cape Elizabeth.

Figure VI-24. Cost Burden by Jurisdiction and compared to Maine, 2020

Source:
5-year ACS data and Root Policy Research.

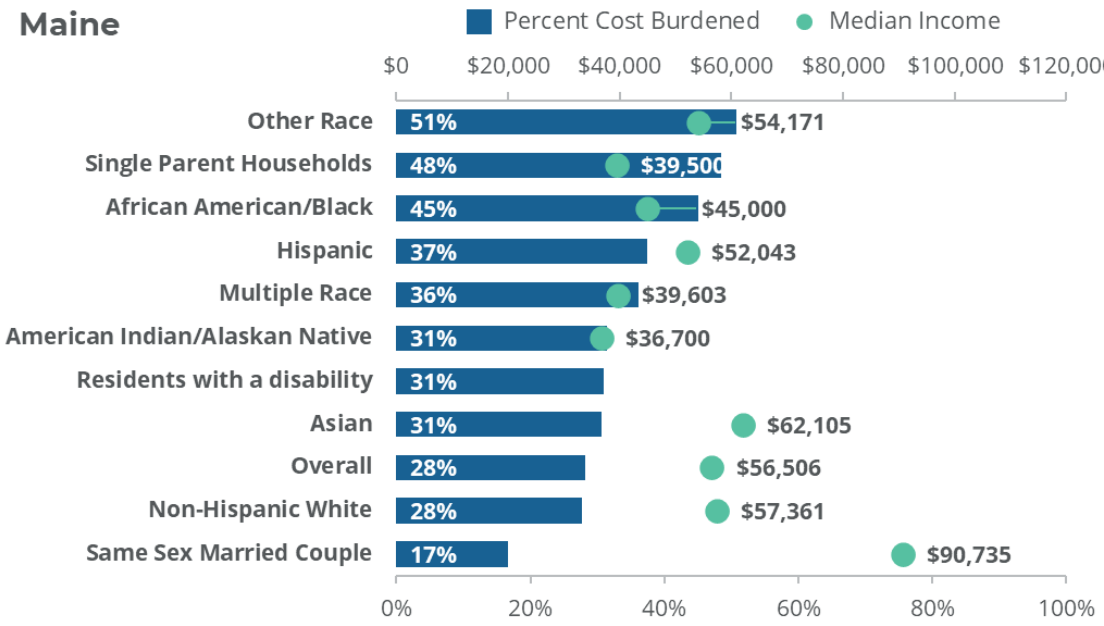


Higher levels of cost burden among renters has a disproportionate impact on resident groups who are more likely to rent, including African American/Black residents, single parents, and non-elderly residents with a disability.

Figure VI-25 shows difference in cost burden by household characteristics and median income. The relationship between cost burden and household income is not as linear as would be expected.

In Maine, some household types with the lowest median incomes are more likely than households overall to be burdened, namely single parent households and multiple race households. But Other Race, African American/Black, and Hispanic households have moderate income levels and some of the highest rates of burden. In Greater Portland (Figure VI-26), Multiple Race and Other households face very high rates of burden while earning moderate incomes. This could suggest that discrimination in the housing market is limiting their housing choices, forcing them into disproportionately higher priced units.

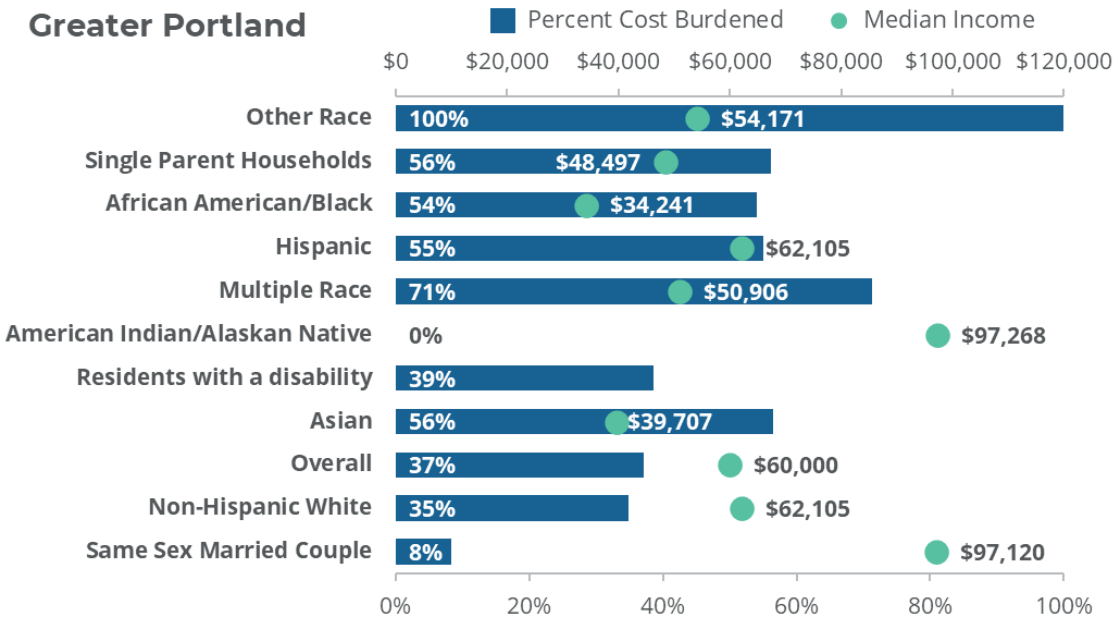
Figure VI-25.
Cost Burden and Median Household Income by Household Characteristic, Maine 2019



Note: Greater Portland uses data for PUMA 23 01000, for maps see: https://www2.census.gov/geo/maps/dc10map/PUMA_RefMap/st23_me/puma2301000/DC10PUMA2301000_001.pdf

Source: IPUMS, 2019 5-year ACS, and Root Policy Research.

Figure VI-26.
Cost Burden and Median Household Income by Household Characteristic, Greater Portland, 2019



Note: Greater Portland uses data for PUMA 23 01000, for maps see:
https://www2.census.gov/geo/maps/dc10map/PUMA_RefMap/st23_me/puma2301000/DC10PUMA2301000_001.pdf

Source: IPUMS, 2019 5-year ACS, and Root Policy Research.

Managing the rising cost of housing. As housing affordability has become a growing concern in many communities, the gap between housing costs and wages has been more frequently studied. In most communities in the U.S., housing costs have risen at a faster rate than household incomes, requiring households to dedicate more of their monthly income to housing costs. This becomes a public policy concern for many reasons:

- Households become increasingly cost burdened and are at risk of eviction and homelessness;
- Households have less disposable income to spend on local goods and services, which has a negative impact on local sales tax revenue;
- Households have less disposable income to spend on larger goods (vehicles, electronics, household appliances), which negatively impacts the U.S. economy; and
- Most importantly, households are less likely to invest in education, which has long term consequences for furthering economic growth and development.

On the positive side, homeowners who have occupied their homes for a significant period of time can benefit economically from rising home prices, assuming they can afford to move. Longer term, however, if wages remain stagnant, they may have difficulty selling their homes at their desired price due to a smaller supply of eligible buyers.

Displacement. The impact of rising housing costs can affect households differently, and this is evident in the Portland region in displacement data gathered through the resident survey conducted for this study.

Overall, 19% of survey respondents experienced displacement in the past five years. By resident type:

- Single parent reported the highest rate of displacement among all groups (41%).
- Among respondents by race/ethnicity, Other Race and African American respondents reported the highest rates of displacement (31% and 26%, respectively).

Eviction. According to 2016 data from the Princeton University Eviction Lab, Cumberland County's eviction rate was 1.33%, which was lower than the statewide and national eviction rate (both at 2.3%). Cumberland County also had a lower eviction rate than neighboring counties, including York (2.3%), Oxford (2.4%), Androscoggin (4%), and Sagadahoc (4%) counties. However, according to April 2022 Census Pulse data,

- 43% of Maine renters reported a "very likely" chance of eviction or foreclosure;
- 73% said it was at least "somewhat likely" they would be forced to leave their home; and
- 81% of parenting households believe it is at least "somewhat likely" they will have to leave their current home.

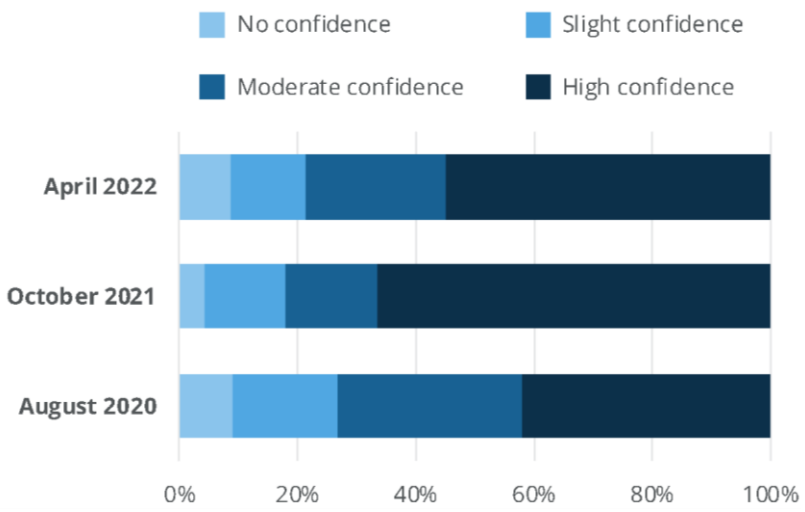
The resident survey conducted to support this study found similar concerns about being evicted regardless of race and ethnicity.

Pandemic effect. COVID has significantly affected the ability to pay rent for many Americans. The Census Bureau's "Pulse Survey," which was fielded during the pandemic, provides monthly confidence ratings for multiple cost of living standards. Data are available for Maine residents overall.

- In April 2022, the share of renter households in Maine who indicated that they had only slight confidence or no confidence in their ability to pay next month's rent was 20%, down from 25% earlier in the pandemic.
- The rate of no or slight confidence was worse among renter households with children (30%).

Figure VI-27. Confidence in Ability to Pay next month's Rent, Maine, 2020 - 2022

Source:
Census PULSE data and Root Policy Research.



Attaining homeownership. This section illustrates differences in homeownership rates by race and ethnicity for Cumberland County. It also investigates differences in homeownership opportunities, namely mortgage denial rates and high-cost loan rates. The section begins with an overview of ownership trends—and barriers to ownership and wealth-building—in the U.S. overall.

For the majority of households in the U.S., owning a home is the single most important factor in wealth-building. Homeownership is also thought to have broader public benefits, which has justified decades of public subsidization. For nearly 100 years, the federal government has subsidized ownership through the mortgage interest tax deduction and the secondary mortgage market.[5]

Yet these incentives for ownership have been in place far longer than the existence of fair lending and fair housing protections, meaning that the benefits of federal subsidies for ownership have not been equally realized by all protected classes. This explains some of the reason for ownership disparities today, in addition to the now-illegal practices of redlining, steering, blockbusting, unfair lending, and discriminatory pricing.[6] As shown in

[5] Despite the many public and private interventions to expand ownership, the overall U.S. rate has been stubbornly stagnant. In 2015, 63.7 percent of households were owners, compared to 63.9 in 1990. Contrary to what many U.S. residents believe, the U.S. does not lead developed countries in homeownership. Instead, the U.S.' rate of ownership is similar to that of the United Kingdom (63.5%) and lower than Canada's (67.0%).

[6] "Steering" refers to the practice of showing home- and apartment-seekers homes only in neighborhoods with residents of similar races and ethnicities; it is now illegal for real estate agents to engage in steering. "Blockbusting," which is also illegal, refers to the practice of real estate agents and builders convincing homeowners to sell their homes below market because of the fear that minorities could be moving into the neighborhood, and then reselling those homes to minorities at inflated prices. "Discriminatory pricing" means intentionally charging certain protected classes more for housing than others and is often a product of steering, blockbusting, subprime lending, and other illegal practices.

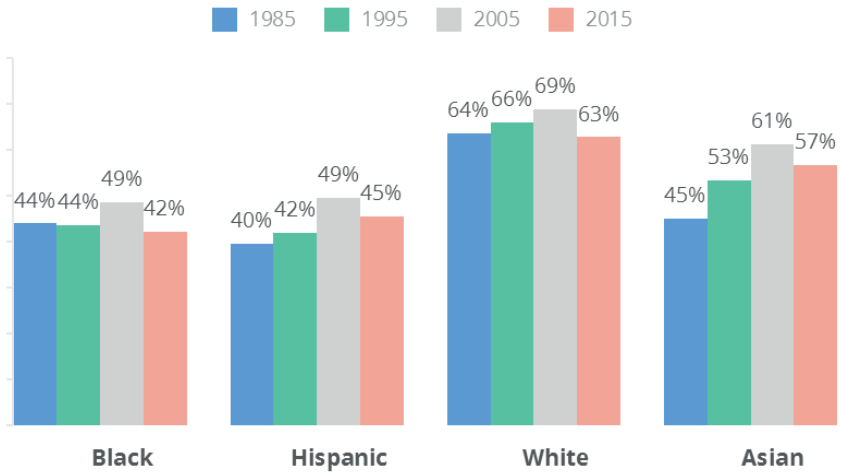
the following figure, national homeownership rates of Black and Hispanic households are far lower than the rates of Asian and Non-Hispanic White households.

Nationwide, difference in homeownership rates contribute to the racial wealth gap.[7] According to a recent analysis of national ownership trends, African American homeownership has fallen during past 30 years, while Hispanic and, especially, Asian rates have increased.[8] As of 2015, African American households with a college degree were less likely to own a home than White households *without a high school degree.* [9]

Figure VI-28 shows trends in ownership by race and ethnicity in the U.S. Only Asian and Hispanic households have seen rates increase since 1985 and both increases have been significant, especially for Asian households.

Figure VI-28. U.S. Homeownership Trends by Race and Ethnicity, 1985 to 2015

Source:
Homeownership and the American Dream, Journal of Economic Perspectives, Winter 2018



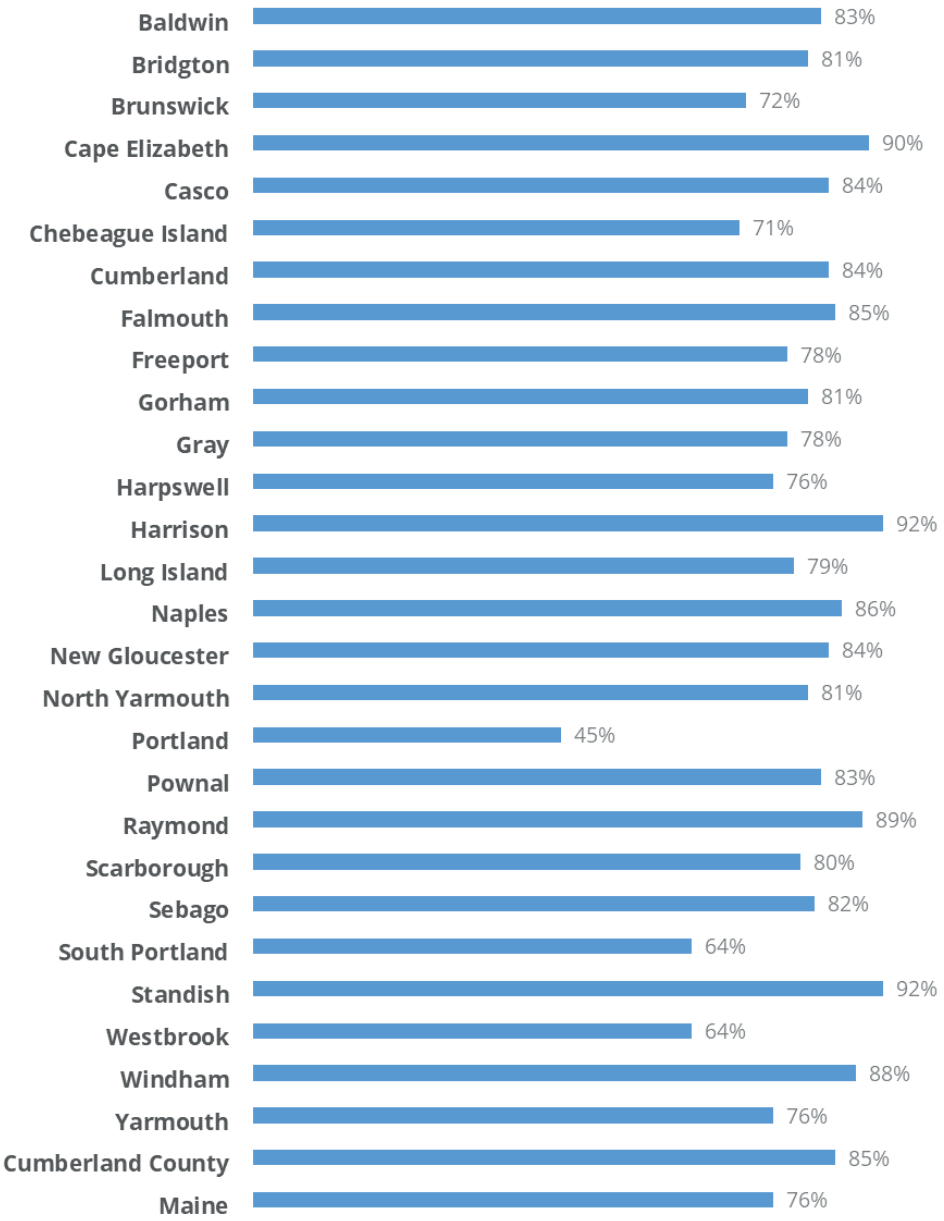
The homeownership rate in Cumberland County (70%) is slightly lower than the state overall (73%). By jurisdiction, Portland has the lowest rate at 45%, followed by South Portland and Westbrook, both at 64%. All other jurisdictions, except for Brunswick (72%) and Chebeague Island (71%) have homeownership rates higher than the state's overall. Harrison and Standish have the highest rates at 92%, followed by Cape Elizabeth at 90%.

[7] Hamilton, Darrick, and William A. Darity. "The political economy of education, financial literacy, and the racial wealth gap." (2017): 59-76.

[8] White ownership has declined slightly, by .8 percent.

[9] https://www.urban.org/sites/default/files/publication/96221/homeownership_and_the_american_dream_0.pdf

Figure VI-29.
Homeownership Rate by Jurisdiction and Compared to Maine, 2020



Source: 2020 5-year ACS estimates.

Figure VI-30 shows ownership by age for Portland and Cumberland County compared to Maine (this level of detail is not available for smaller jurisdictions). Householders under age 35 have the lowest homeownership rates, with a minority owning their homes; homeownership among this age cohort is particularly low for Portland. In Maine and Cumberland County, rates are relatively high for all other age groups except for the oldest households. Portland's homeownership rate is much lower across age groups. In all

jurisdictions, 85-year-olds are more likely to be homeowners than those under 35 years old.

Figure VI-30. Homeownership Rates by Age of Householder, Portland, Cumberland County, and Maine, 2020

Source: 5-year ACS and Root Policy Research

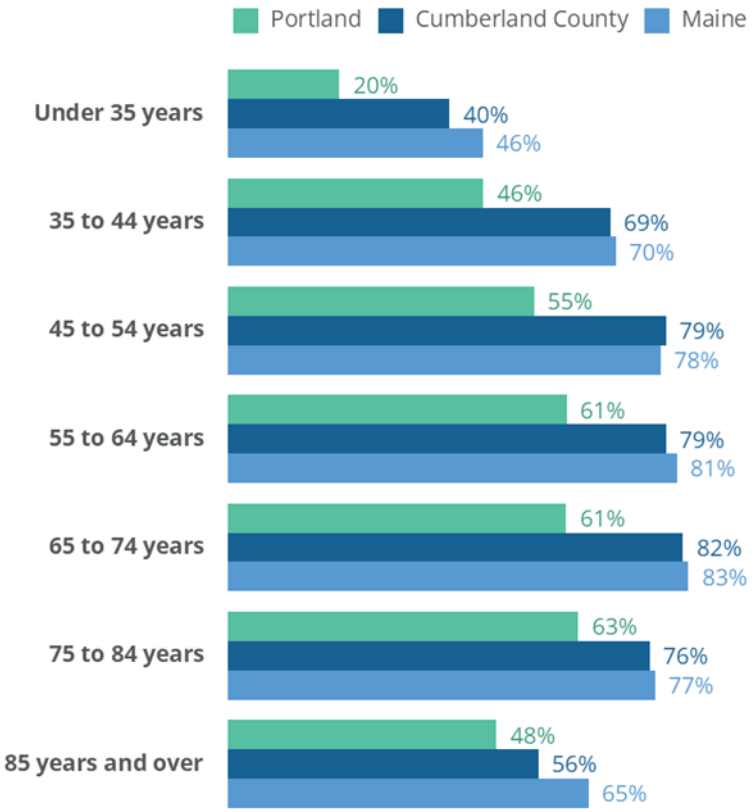


Figure VI-31 shows ownership by race and ethnicity for Portland and Cumberland County compared to Maine (again, this level of detail is not available for smaller jurisdictions).

- White households have the highest homeownership rate in the state (74%) and in Cumberland County (72%).
- African American/Black households have extremely low rates of ownership in Portland and Cumberland County: About one in 10 African American/Black households are owners in Portland. One in five are owners in Cumberland County, and one in four are owners in the state overall. Portland's African American/Black homeownership rate is nearly half of that in Cumberland County.
- Native American homeownership rates are much higher in Cumberland County than in the state overall (61% v. 51%).

Several factors are likely driving the low rate of ownership in Portland for African American/Black households. Portland's younger population in relation to the County and the State contributes to its lower homeownership rates overall (Figure VI-30), as does its lower overall income relative to the county (Figure IV-18e). Additionally, while the Black or African American population makes up 10% of the city's population, 45% of the African American or Black population in the city are foreign-born. In addition to being younger and

having lower incomes compared to the non-immigrant population, the immigrant population faces distinct challenges to homeownership, including unfamiliarity with the banking system, language barriers, and credit history length. Moreover, for Portland residents who practice Islam, Islamic law does not allow taking on interest-bearing loans, which makes buying a home with a traditional mortgage infeasible.

Figure VI-31. Homeownership Rates by Race/Ethnicity, Portland, Cumberland County, and Maine, 2020

Source:
2020 5-year ACS and Root Policy Research.

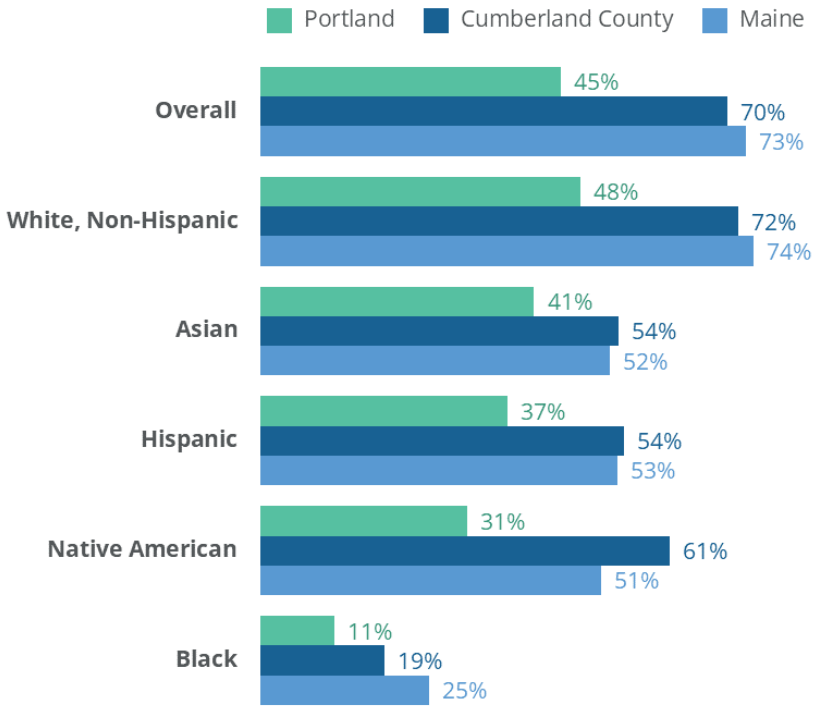


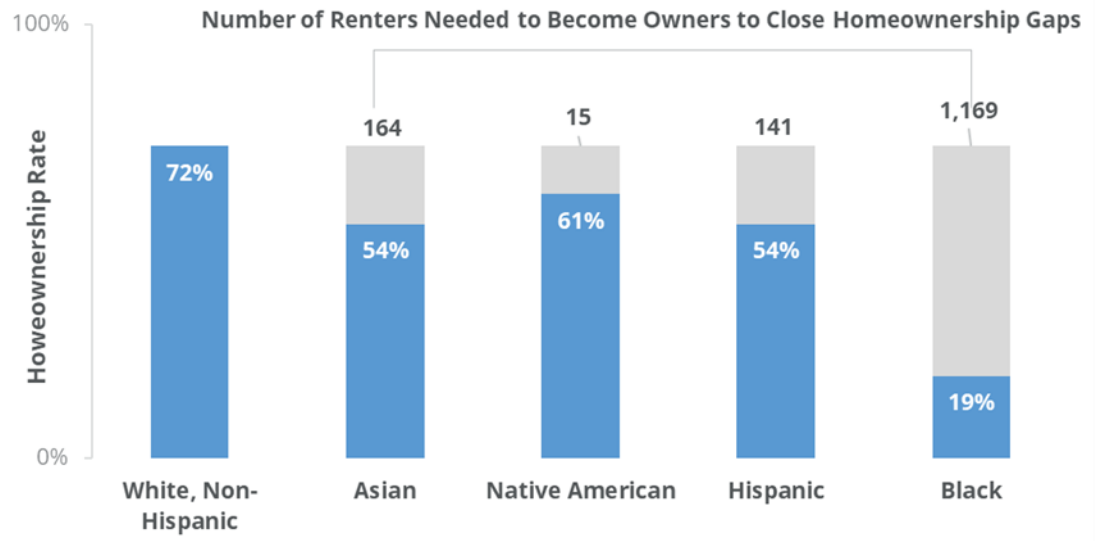
Figure VI-32 shows the number of non-White households who would need to shift from renting to owning a home to close the racial home ownership gap. For Cumberland County,

- Asian (164), Native American (51), and Hispanic (141) households would need moderate increases in ownership to close the gap in their ownership rates relative to White households.
- A much larger number—1,169 African American/Black renters—would need to become owners to close the White/Black homeownership gap.

For Portland,

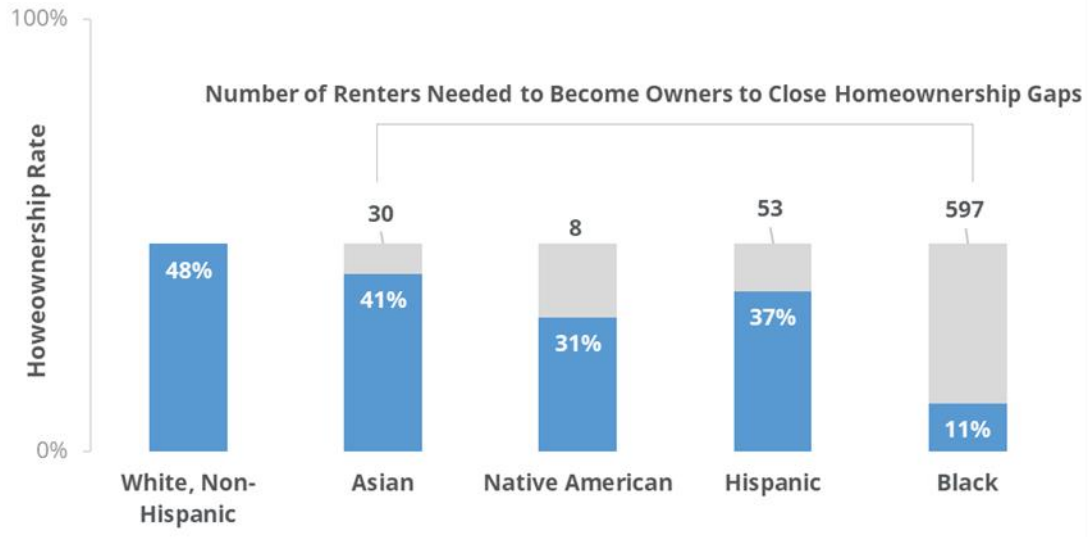
- Asian (30), Native American (8), and Hispanic (53) households would need minimal increases in ownership to close the gap in their ownership rates relative to White households—all fairly low numbers.
- A much larger number—597 African American/Black renters—would need to become owners to close the White/Black homeownership gap.

Figure VI-32a.
Closing the Gaps between White Homeownership Rates and Homeownership Rates of People of Color, Cumberland County, 2019



Source: 2019 5-year ACS data and Root Policy Research.

Figure VI-32b.
Closing the Gaps between White Homeownership Rates and Homeownership Rates of People of Color, Portland, 2019



Source: 2019 5-year ACS data and Root Policy Research.

Access to mortgage loans. Two federal laws regulate fairness in lending. The FFHA prevents discrimination in residential real estate transactions, including mortgage loans.[10] The Equal Credit Opportunity Act (ECOA), which was enacted in 1974, forbids discrimination in all credit transactions and covers the protected classes of race, color, religion, national origin, sex, marital status (not covered by the FFHA; the FFHA uses familial status), age, and income from public assistance (also not covered by the FFHA).

Most households seeking mortgages are included in Federal Home Mortgage Disclosure Act (HMDA) data. These data are used to examine differences in mortgage loan denial rates and high-priced loans—a critical factor in accessing homeownership for all but wealthy households.

During 2020, 21,135 individuals or households applied for some type of mortgage loan in Cumberland County; of these 3,688 were for properties in Portland.

- 12% of mortgage loan applications were denied in Cumberland County in 2020, down from 20% in 2018. In Portland, trends were similar with 11% of mortgage loan applications denied in 2020, down from 20% in 2018.
- Home improvement loans were much more likely to be denied, with a denial rate of 29% in Cumberland County and in Portland.
- Home purchase and refinances were most likely to be approved. In Cumberland County, the denial rate for home purchase loans was 9%, and 10% for refinances. Denial rates were similar in Portland, where the denial rate for home purchase loans was 8%, and 10% for refinances. These rates are also similar to the U.S. overall (9.3% for home purchases and 13.2% for refinances).[11]

[10] Mortgage lending is covered in the FFHA through the prohibition of discrimination in "residential real estate transactions," which includes making loans for home purchases.

[11] Table 4 cfpb_2020-mortgage-market-activity-trends_report_2021-08.pdf (consumerfinance.gov)

Figure VI-33. Home Loan Denial Rates by Loan Type, Cumberland County and Maine, 2020

Source:
HMDA and Root Policy Research.

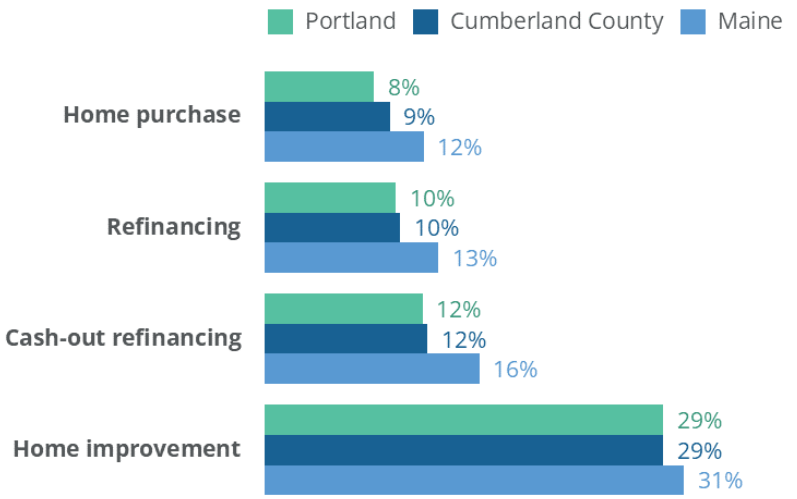


Figure VI-34 shows denial rates by race and ethnicity.

- Home loan denial rates were lowest among African American/Black and White Cumberland County applicants, at 10% and 11% respectively. The very low denial rate among African American/Black applicants is unusual for U.S. cities, and is particularly notable given the extremely low homeownership rate among African American/Black households in the county and city. This outcome is likely partially explained by the very low unemployment rates of African American/Black residents in Cumberland County (1.4% unemployment, compared to 5.3% in the county overall). [12]
- In Portland, African American/Black applicants have a higher denial rate (16%) compared to the County, although the number of loan applications is small. White applicants had the lowest denial rate of 11% followed by Hispanic applicants at 15%.[13]
- Denial rates were highest among Native Americans in Cumberland County: their loan applications were denied at a rate of 32%. This is also notable given the relatively high rates of ownership among Native Americans in the county. In Portland, denial rates were highest among Asian applicants (25%), although the number of Asian applicants is too small to discern meaningful trends.

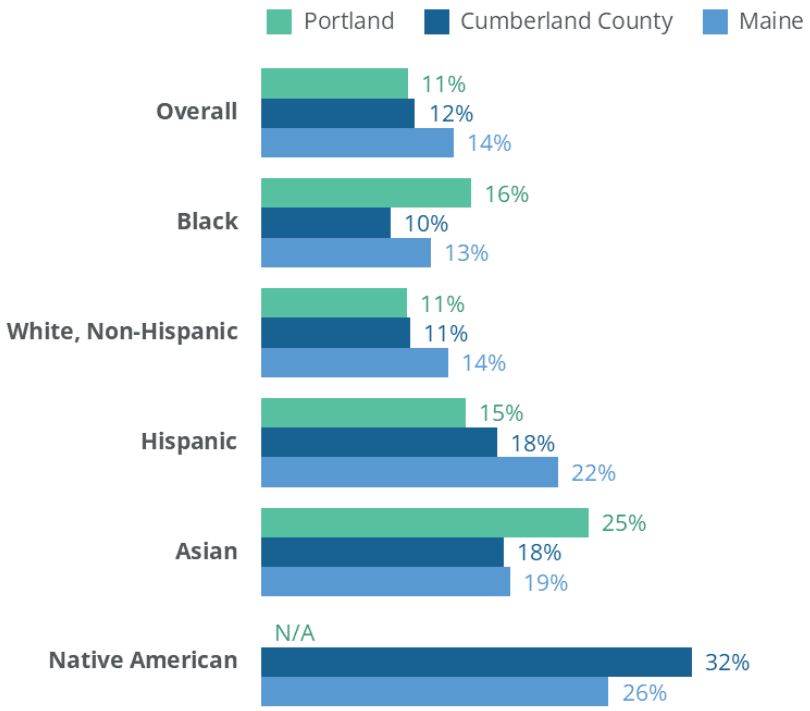
Denial rates were also calculated for applicants and co-applicants of the same gender/sex. That denial rate was 10%, lower than the overall rate and the same rate as Black borrowers.

[12] It is important to note that the number of African American/Black applicants for loans is very low, totaling 175 in 2020 and 96 in 2018 in all of Cumberland County.

[13] The number of Hispanic applicants for loans is also very low, totaling 197 in 2020 in all of Cumberland County.

Figure VI-34 Home Loan Denial Rates by Race/Ethnicity, Portland, Cumberland County and Maine, 2020

Source:
HMDA and Root Policy Research.



The figure below shows trends in mortgage loan denials by race and ethnicity for Portland and Cumberland County. The denial rate for home purchases in Cumberland County went from 39% in 2018 to 10% in 2020, in comparison the denial rate for home purchases in the U.S. increased slightly from 17% in 2018 to 18% in 2020.[14] Portland exhibits similar trends.

Denials declined significantly for all racial and ethnic groups in Cumberland County, with the largest drop for African American/Black households, whose denial rates were among the highest of any group in 2018. Portland showed similar trends except for Asian and Native American applicants, whose denial rates increased.

Although the number of African American/Black applicants is small in Cumberland County, it has been growing, going from 96 in 2018 to 175 in 2020. The growth was largely driven by applications for home purchases, which increased from 57 in 2018 to 113 in 2020, while the number of denied home purchase applications decreased from 22 to 11—meaning that the decline is denial rates has been driven by a decline in the denial rate of home purchases loans—a good step toward decreasing homeownership gaps. Furthermore, this was not driven by an influx of higher income applicants, as the income distribution of applicants has not changed meaningfully since 2018.[15]

[14] https://files.consumerfinance.gov/f/documents/cfpb_2020-mortgage-market-activity-trends_report_2021-08.pdf

[15] In 2018 26% of applicants had income above 120% AMI compared to 28% in 2020.

Figure VI-35a. Home Loan Denial Trends by Race/ Ethnicity, Cumberland County, 2018 - 2020

Source:
HMDA and Root Policy Research.

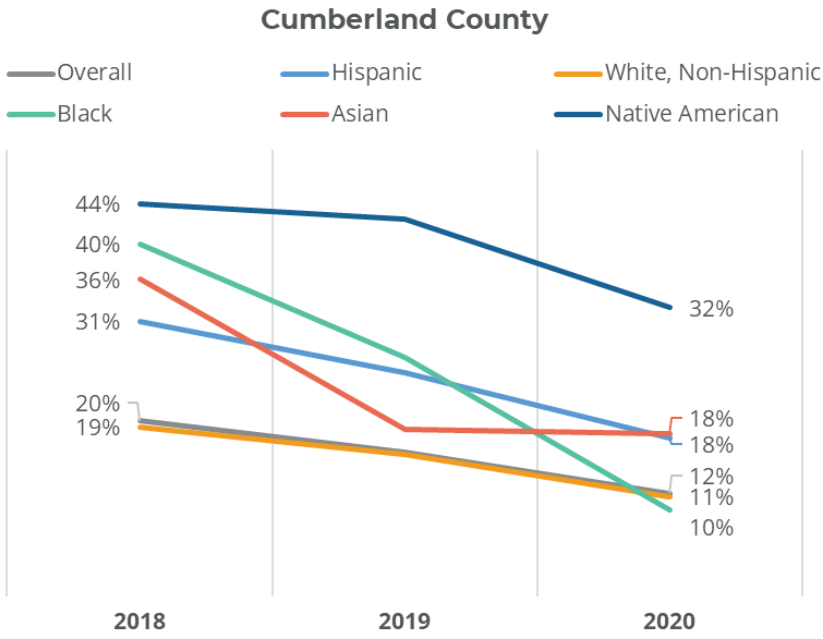
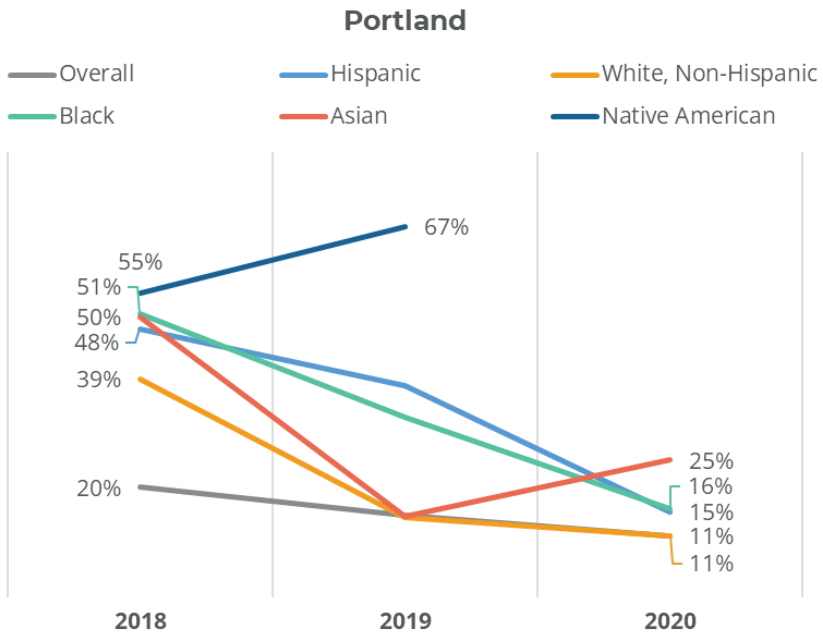


Figure VI-35b. Home Loan Denial Trends by Race/ Ethnicity, Portland, 2018 - 2020

Source:
HMDA and Root Policy Research.

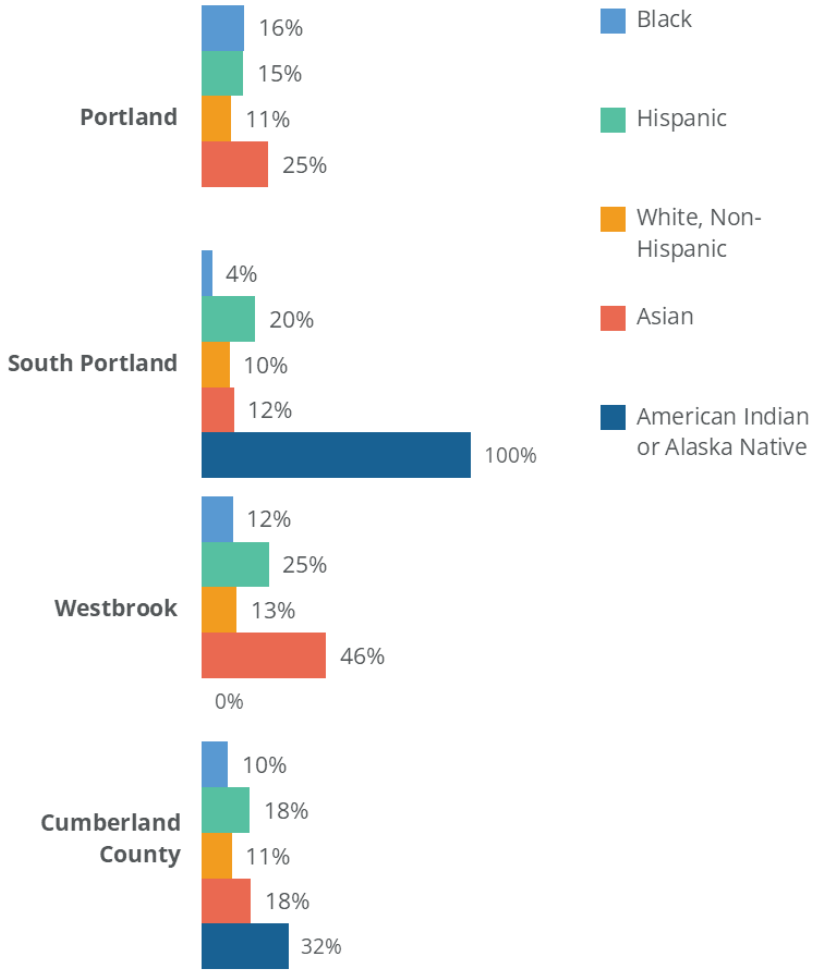


Denial rates for the largest jurisdictions, focusing on Districts 4 and 5, are shown in Figure VI-36.

- South Portland had the lowest denial rate for African American/Black applicants, at 4%. All jurisdictions have very low denial rates for African American/Black applicants.
- South Portland had relatively high denial rates for Hispanic applicants (20%) and Native American applicants (all were denied loans).

- There is the most consistency in denial rates across jurisdictions for White applicants.
- Westbrook's denial rate for Hispanic applicants and especially Asian applicants is relatively high.

Figure VI-36. Denial Rates by Race/Ethnicity, Larger Jurisdictions and Cumberland County, 2020



Notes:

Does not include loans for multifamily properties or non-owner occupants. Race categories are mutually exclusive.

Denial Rate is the number of denied loan applications divided by the total number of applications, excluding withdrawn applications and application files closed for incompleteness.

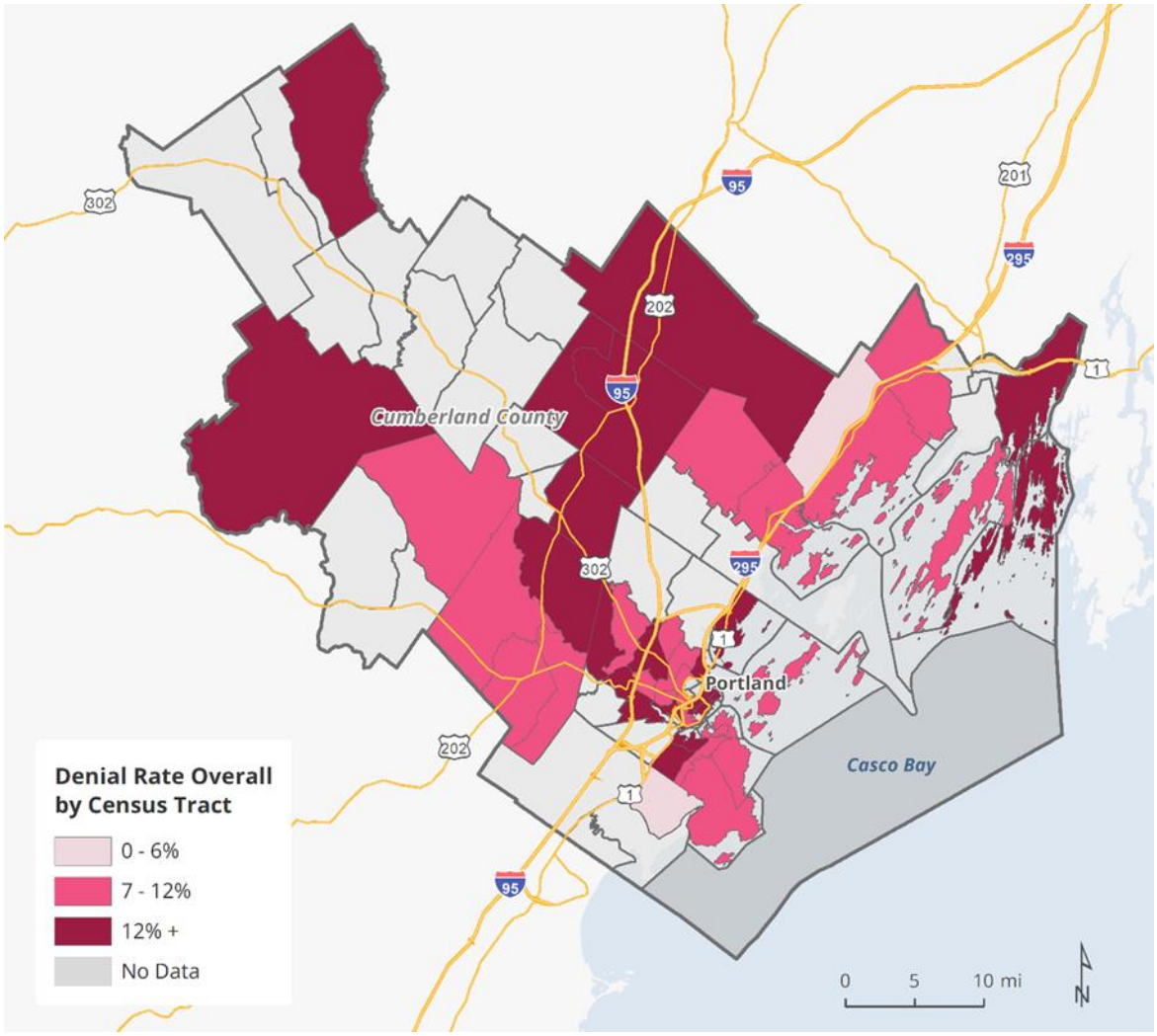
Source:

FFIEC HMDA Raw Data, 2020 and Root Policy Research.

The following maps show denial rates by Census tract—overall and by races and ethnicities for which there was enough lending activity by Census tract. For all but non-Hispanic, White applicants, the volume of applications was too small to draw strong conclusions, except for a handful of Census tracts in the metro Portland area.

The maps show that denial rates outside of the Portland – South Portland area were mostly driven by White applicants. African American/Black applicants, in particular, have a preference for buying in and near Westbrook, while Asian and Hispanic applicants seek ownership in slightly broader geographic areas. White applicants appear less likely to be denied in many of the neighborhoods where applicants of color are focusing their homebuying efforts.

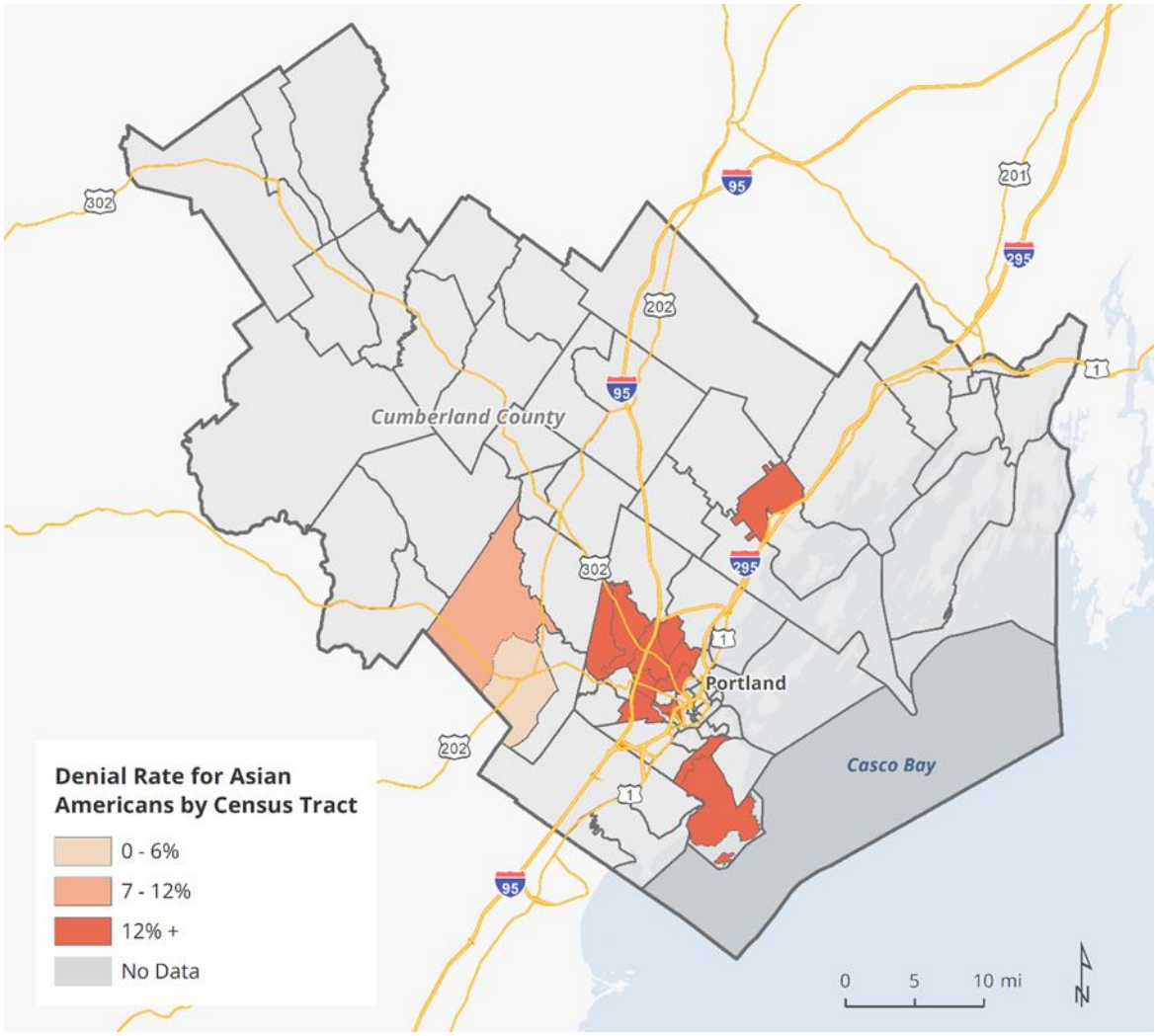
Figure VI-37a.
Denial Rate Overall for Cumberland County by Census Tract, 2020



Note: Does not include loans for multifamily properties or non-owner occupants. Denial Rate is the number of denied loan applications divided by the total number of applications, excluding withdrawn applications and application files closed for incompleteness.

Source: FFIEC HMDA Raw Data, 2017 and Root Policy Research.

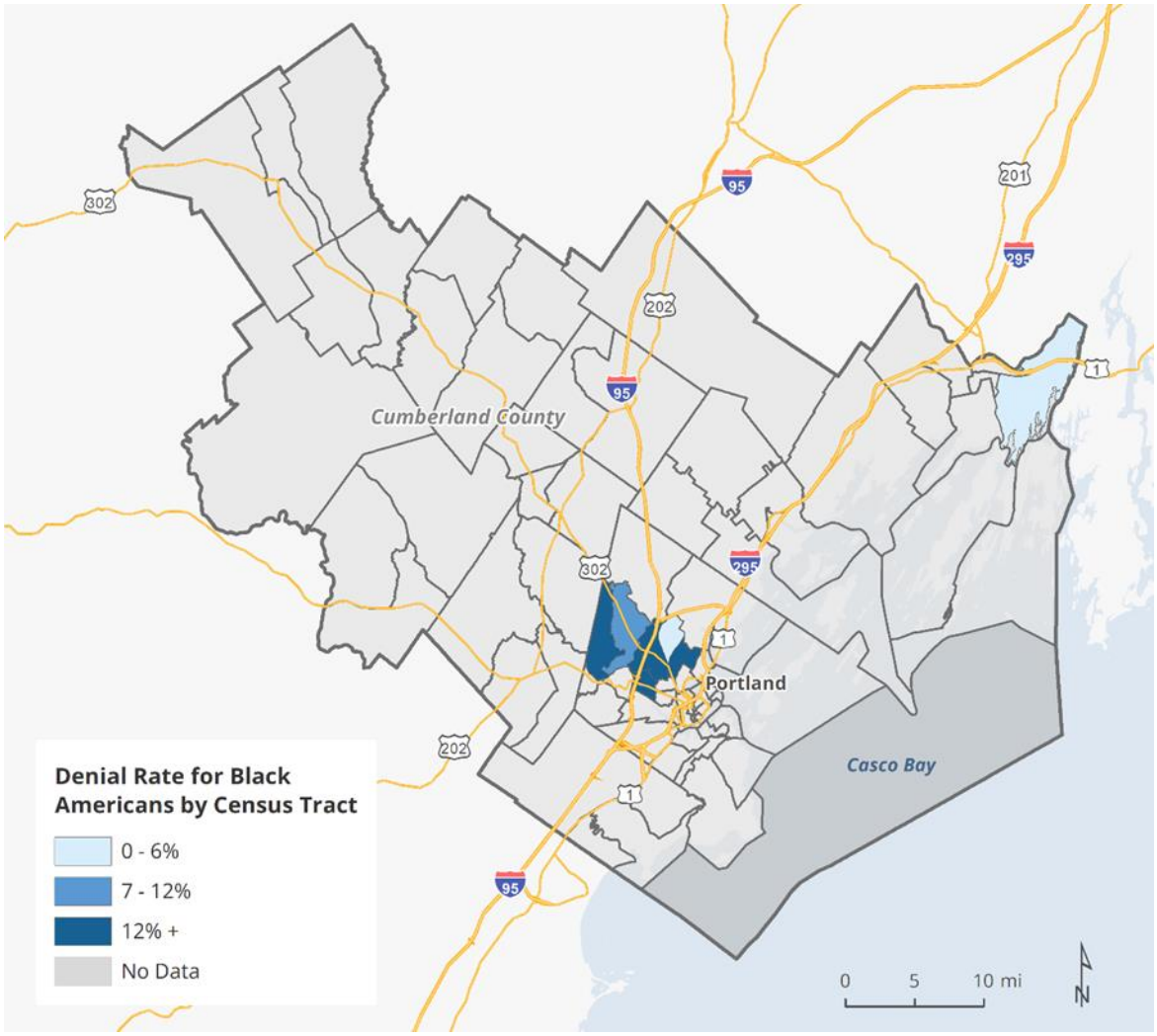
Figure VI-37b.
Denial Rate for Asian Americans by Census Tract, 2020



Note: Does not include loans for multifamily properties or non-owner occupants. Denial Rate is the number of denied loan applications divided by the total number of applications, excluding withdrawn applications and application files closed for incompleteness.

Source: FFIEC HMDA Raw Data, 2017 and Root Policy Research.

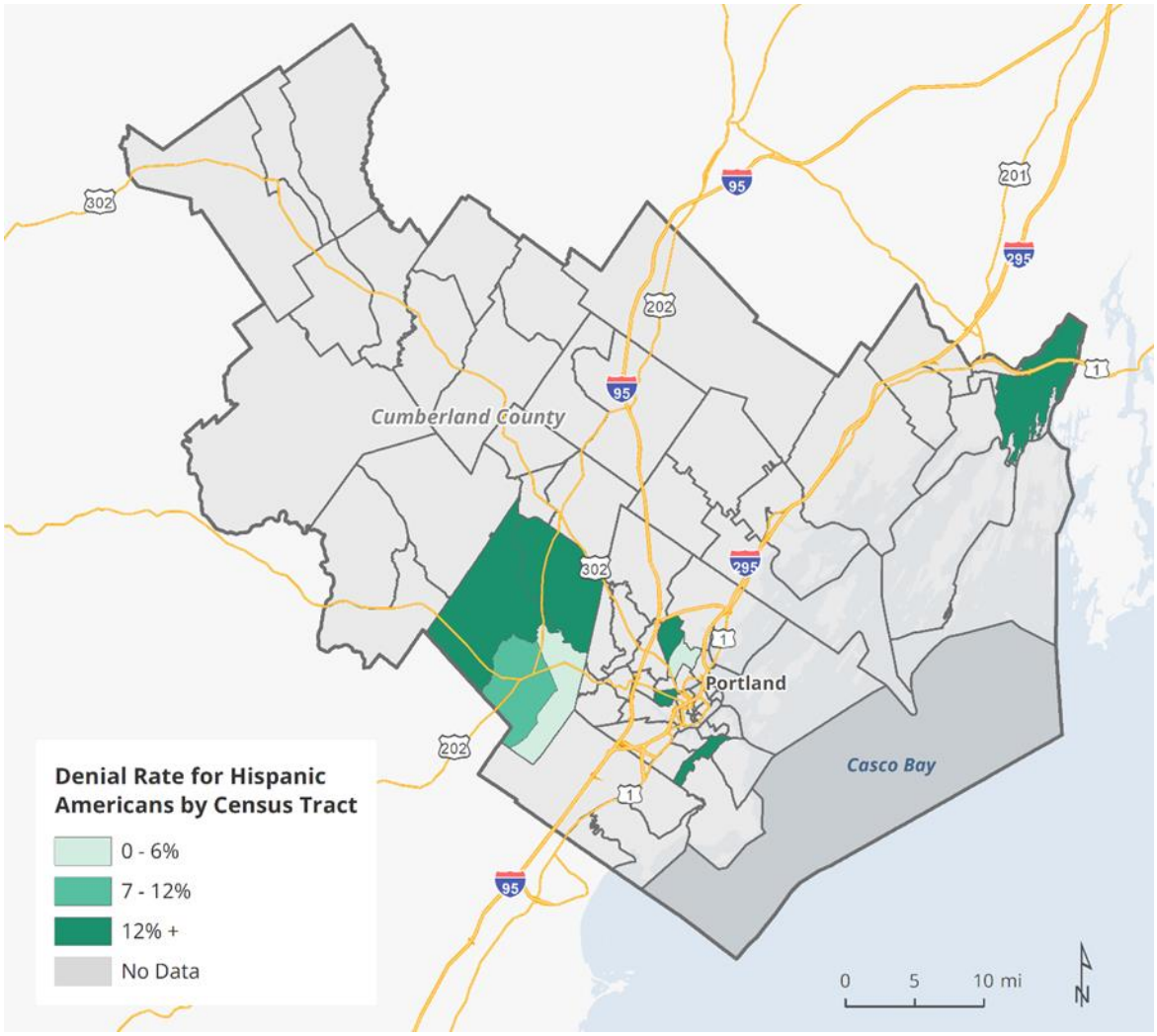
Figure VI-37c.
Denial Rate for Black Americans by Census Tract, 2020



Note: Does not include loans for multifamily properties or non-owner occupants. Denial Rate is the number of denied loan applications divided by the total number of applications, excluding withdrawn applications and application files closed for incompleteness.

Source: FFIEC HMDA Raw Data, 2017 and Root Policy Research.

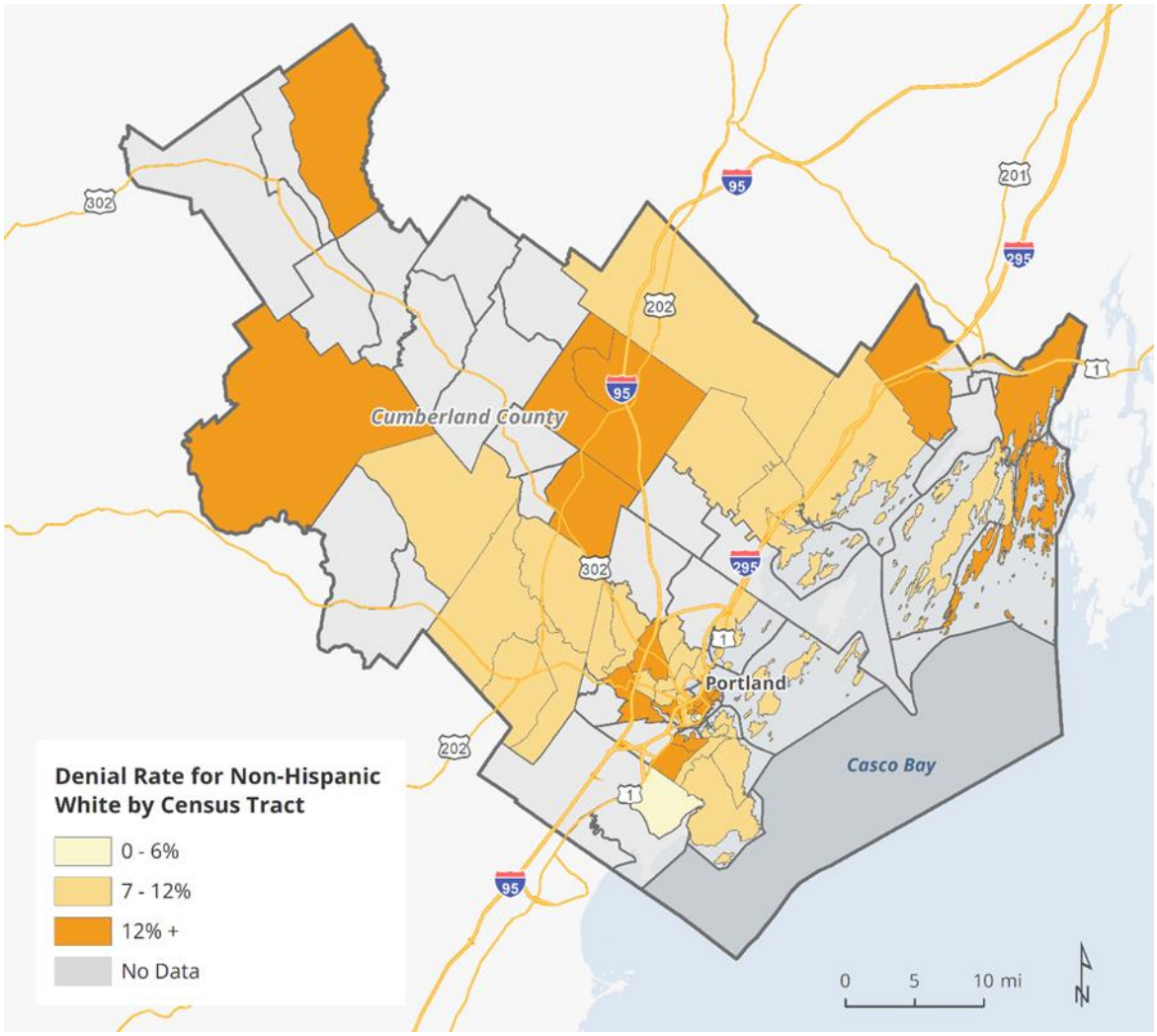
Figure VI-37d.
Denial Rate for Hispanic Americans by Census Tract, 2020



Note: Does not include loans for multifamily properties or non-owner occupants. Denial Rate is the number of denied loan applications divided by the total number of applications, excluding withdrawn applications and application files closed for incompleteness.

Source: FFIEC HMDA Raw Data, 2017 and Root Policy Research.

Figure VI-37e.
Denial Rate for Non-Hispanic Whites by Census Tract, 2020



Note: Does not include loans for multifamily properties or non-owner occupants. Denial Rate is the number of denied loan applications divided by the total number of applications, excluding withdrawn applications and application files closed for incompleteness.

Source: FFIEC HMDA Raw Data, 2017 and Root Policy Research.

There are many reasons why denial rates may be higher for certain racial and ethnic groups. First, some racial and ethnic groups are very small, so the pool of potential borrowers is limited and may skew towards lower income households, since households of color typically have lower incomes. An analysis of differences in denials by race, ethnicity, and income can provide additional insight into the factors behind the denials.

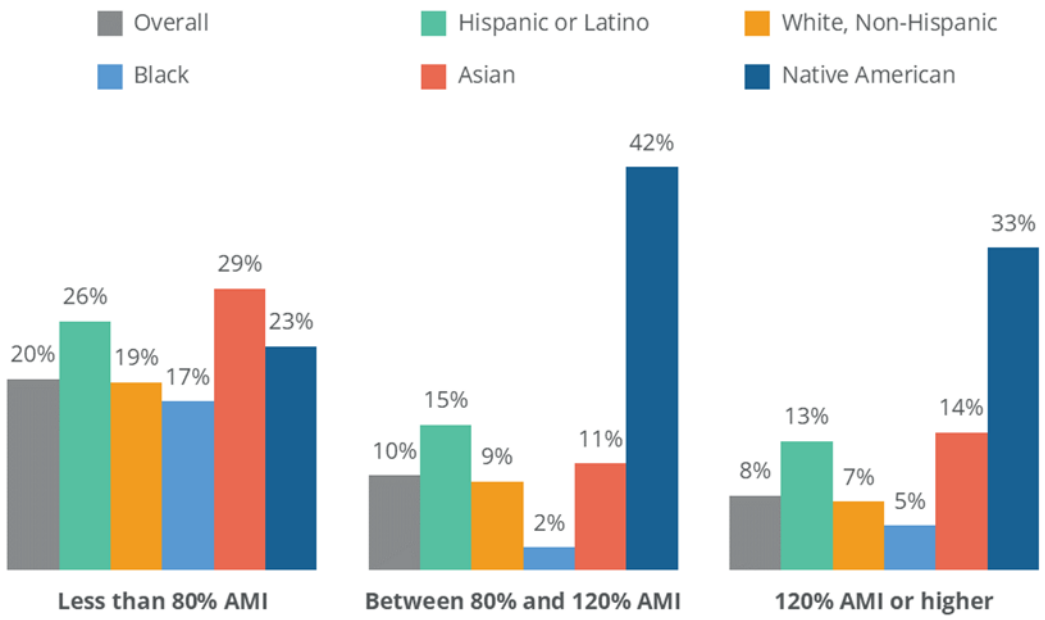
Figure VI-38 examines differences in loan denial rates by income range. Loan applicants were grouped into one of three income ranges:

- Applicants earning less than 80 percent of the HUD Median Family Income (MFI) at the time—or less than $68,800;
- Applicants earning between 80 and 120 percent MFI—$68,800 and $103,200; and
- Applicants earning greater than 120 percent MFI—$103,200 and more.

The figure demonstrates that in Cumberland County:

- All non-Native American applicant cohorts saw a decline in denials as their incomes met or exceeded 80% AMI;
- Native American application denial rates persist and even increase at higher income levels; and
- African American/Black applicants experienced the lowest rejection rates across all income groups—a very positive finding.

Figure VI-38a.
Home Loan Denial Rates by Race/Ethnicity and Income, Cumberland County, 2020



Note: All home loan types included (i.e., home purchase, refinance, etc.)

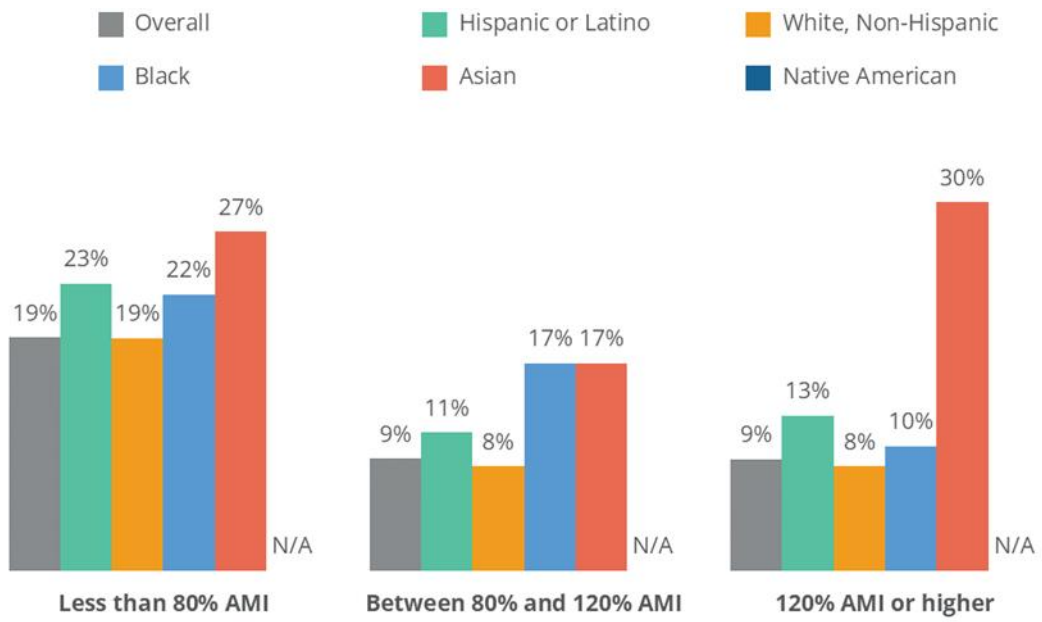
Source: HMDA and Root Policy Research.

The figure demonstrates that in Portland:

- All applicant cohorts, except Asian applicants, experience decline in denials as their incomes increase.

- Asian application denial rates are the highest among households with income above 120% AMI, although the number of Asian applicants is too small to discern meaningful trends.
- White applicants experienced the lowest denial rates across all income groups.

Figure VI-38b.
Home Loan Denial Rates by Race/Ethnicity and Income, Portland, 2020



Note: All home loan types included (i.e., home purchase, refinance, etc.)

Source: HMDA and Root Policy Research.

Figure VI-39 shows the reasons for loan denials by race and ethnicity. High debt-to-income ratio was the primary reason for denials across racial groups—especially for African American/Black and Asian applicants. Credit history was the second most common reason. Insufficient cash for downpayment and closing costs was a minimal factor for denial across racial and ethnic groups.

These data suggest that personal finance improvement programs are as important—if not more so—than downpayment assistance programs.

Figure VI-39.
Loan Denial Reasons by Race/Ethnicity, Cumberland County, 2020

Reason for Denial	Percent of all Reasons by Race/Ethnicity				
	White, Non-Hispanic	Hispanic	Black	Native American	Asian
Debt-to-income ratio	35%	36%	60%	33%	46%
Credit history	20%	20%	20%	22%	11%
Collateral	14%	8%	0%	22%	9%
Other	11%	12%	0%	0%	15%
Credit application incomplete	14%	16%	7%	11%	13%
Unverifiable information	3%	4%	0%	11%	2%
Employment history	2%	4%	7%	0%	2%
Insufficient cash (downpayment, closing costs, etc.)	1%	0%	7%	0%	2%
Mortgage insurance denied	0%	0%	0%	0%	0%
Total	**100%**	**100%**	**100%**	**100%**	**100%**

Source: HMDA and Root Policy Research.

High-priced loans. While subprime lending has decreased dramatically since 2006, before the Great Recession, analysis of differences in "high priced" loans can be used to identify where additional scrutiny is warranted, and how public education and outreach efforts should be targeted. For the purpose of this section, we define loans as "high priced" if the APR exceeded the average prime offer rate (APOR) for loans of a similar type by at least 1.5 percentage points for first-lien loans.

Figure VI-40 shows the high price loan by race and ethnicity and as a share of all Cumberland County loans originated; Figure VI-41 shows trends in high priced loans.

- Black applicants were most likely to receive a high priced loan in Cumberland County in 2020 at 6% of all loans.
- Native Americans were the least likely to receive high priced loans (none received high priced loans).
- Overall, 3% of the mortgage loans originated in Cumberland County in 2020 carried high interest rates.
- In Portland, 3% of the mortgage loans originated carried high interest rates. This share was also 3% for White borrowers, higher than for minority applicants (0%).
- The share of loans that were high priced in Portland, Cumberland County, and Maine was much lower in 2020 than in 2018 and 2019.

Figure VI-40. High-priced Loans by Race, Portland, Cumberland County, 2020

Source:
HMDA and Root Policy Research.

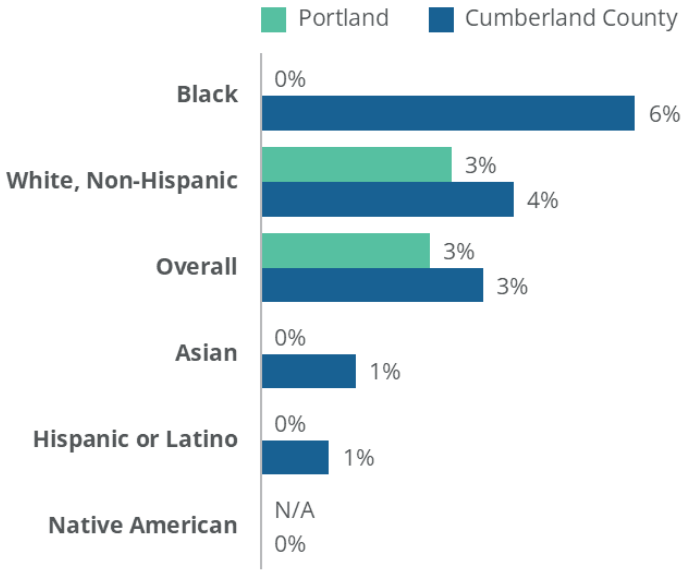
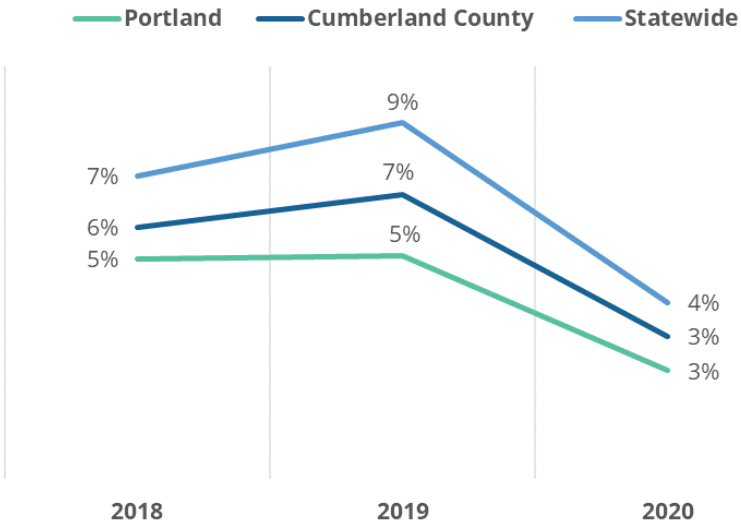


Figure VI-41. Share of High-priced Loans, Portland, Cumberland County and Maine, 2018 to 2020

Source:
HMDA and Root Policy Research.



Bias in credit decisions. Bias is thought to be a human condition that, in theory, could be eliminated by giving the responsibility for the credit decision to a truly objective party, such as a computer. However, a recent study, conducted by researchers at UC Berkeley, found discrimination inherent in the algorithms computers use to determine mortgage pricing.

The study found that, nationally, Latinx and African American borrowers paid between 5.6 and 8.6 basis points more for mortgage loans made between 2008 and 2015 regardless of the type (computer or human) of lender. This is equivalent to 11 to 17 percent of lender

profit on the average loan, meaning that lenders earn significantly more from loans made to Latinx and African American homebuyers.[16]

There was little difference in the rate charged by computer or human, suggesting that the higher rate charged to minority borrowers is a factor of other variables. In refinances, the minority interest rate differential was much lower, between one and three basis points. This led the research team to speculate that timing (urgency of getting a loan to buy a home once found) and frequency of comparison shopping could explain the interest rate differences.

Of equal importance was the finding that face-to-face mortgage transactions led to higher rejection rates for Latinx and African American borrowers: humans rejected loans to these borrowers four percent more often than a computer did. In fact, computer rejections did not discriminate on the basis of race and ethnicity at all.

Alternative financial products. Households who are rejected from traditional lending products—or who are unaware of or distrust traditional lenders—use alternative financial products, many of which carry very high interest rates and inhibit financial stability and wealth-building.

A cornerstone of the Federal Deposit Insurance Corporation's (FDIC) economic inclusion (https://www.economicinclusion.gov/whatis/) project is a study of what the FDIC has identified as unbanked and underbanked households. "Unbanked" households are those in which no one in the household has a checking or savings account. "Underbanked" households are those who have an account in an insured institution but also use services that are likely to charge high or very high rates. These services include checking cashing institutions, payday loans, "tax refund anticipation" loans, rent-to-own services, pawn shop loans, and/or auto title loans.

Improving the rate of banked households is important for several reasons:

- Households who use financial institutions covered by the FDIC benefit from government insurance on their deposits;
- Households who use regulated banks are less likely to face discriminatory or predatory practices and pay lower rates than non-regulated lenders; and
- Financial institutions may offer cash management services (overdraft protection, financial planning) or classes that help stabilize household finances and lower the risk of loan default and missing or being late on rent or mortgage payments.

[16] The time period covered in that study includes the period when subprime loans were common; subprime loans are a much smaller part of the market today. Several lawsuits and challenges have demonstrated that minority borrowers received subprime loans that were not risk-justified.

The FDIC studies the prevalence of unbanked and underbanked households every two years. The latest survey (2019) found that:

- 5.4% of U.S. households are "unbanked," which is the lowest rate since the study began in 2009. The unbanked rate fell by a full percentage point between 2017 and 2019.
- Nearly 20% of U.S. households—18.7%—are "underbanked." This rate also fell between 2015 and 2017, by a remarkable 1.2 percentage points. This variable was not included in 2019.
- The State of Maine has an unbanked rate of 2.3%, much lower than the U.S. overall. This rate declined from 2017, where it was 4%, and from 2009, when it was 2.6%.
- The Portland-South Portland region has a very low unbanked rate of 1.6%.

Publicly Supported Housing

This section examines the role that publicly supported housing plays in facilitating housing choice in Cumberland County and Portland. It begins with a summary of the benefits of publicly supported housing and the importance of location. It then examines the distribution and targeting of publicly assisted housing, and ends with a review of public housing authority policies and procedures.

A growing body of recent research has bolstered the evidence that where affordable and mixed-income housing is developed has a long-term impact on the households that occupy that housing. It also demonstrates the public benefits of housing stability. Most of these studies have examined the effects on children. For example:

- A study by researchers at Johns Hopkins University found that when assisted housing is located in higher quality neighborhoods, children have better economic outcomes. The study also concluded that because low income African American children are more likely than low income white children to live in assisted housing, the location of assisted housing in poor quality neighborhoods has a disproportionate impact on African American children's long-term economic growth.
- Dr. Raj Chetty's well known Equality of Opportunity research found positive economic returns for adults who had moved out of high poverty neighborhoods when they were children. The gains were larger the earlier children moved.
- A companion study by Dr. Chetty examining social mobility isolated the neighborhood factors that led to positive economic mobility for children. Children with the largest upward economic mobility were raised in neighborhoods with lower levels of segregation, lower levels of income inequality, higher quality schools, and greater community involvement ("social capital").

This research is counter to years of housing policies and programs that focused on building large multifamily complexes to house persons living in poverty, often placing these developments in the least desirable neighborhoods in urban areas.

Neighborhood opposition. Neighborhood resistance to publicly subsidized housing—especially housing that is viewed as raising public service costs (education, transportation)—often restricts where subsidized housing is located. Homeowners' concerns typically range from increased traffic, on-street parking, neighborhood crime, and effects on property values. While concerns about potential negative spillovers from higher density and multifamily housing nuisances are valid, there is not enough strong empirical evidence to validate such concerns.

In Cumberland County, affordable housing opposition is commonly framed as concerns about density or about the impacts on schools.

- In late 2021, a developer of 46 units of proposed affordable housing in Cape Elizabeth halted the process due to the risk of a public referendum reversing the zoning changes needed for it to move forward;
- To counter such opposition, some communities (Baldwin, Cumberland, and Windham) will only exempt elderly housing from their growth limits—not family housing. Policies like these have a clear and disparate impact on families.

Characteristics of occupants of publicly subsidized housing. Figure VI-42 shows the racial and ethnic distribution of publicly supported housing beneficiaries. The table, which is derived from HUD data, shows the racial and ethnic distribution for the HOME Consortia overall, which this document covers.

- Relative to the racial and ethnic distribution of the county overall, public housing is less likely to be occupied by non-Hispanic White residents and more likely to be occupied by African American/Black residents and Asian residents.
- Other multifamily housing—which is mostly comprised of senior housing—is nearly entirely occupied by non-Hispanic White residents.
- Project-based Section 8 developments, and Section 8 vouchers, align most closely with the overall racial and ethnic distribution of the county.

These occupancy characteristics are an important consideration in future affordable housing planning. Planning and policies that favor one type of housing or subsidy over another could have a disparate impact on one or more racial or ethnic groups. For example, favoring senior affordable complexes over family complexes may adversely impact persons of color, who are much less likely to reside in senior complexes (identified as "other multifamily" in the table below).

Figure VI-42. Racial and Ethnic Distribution of Beneficiaries of Publicly Supported Housing, HOME Consortia, 2017

	HOME Consortia			
	White	Black	Hispanic	Asian
Type of Assistance				
Public Housing	71%	18%	2%	9%
Project-based Section 8	88%	9%	1%	1%
Other multifamily	98%	0%	1%	0%
Section 8 vouchers	82%	13%	2%	2%

Source:
HUD AFFH data and mapping tool.

Location of publicly supported housing. The following figure shows the number of publicly supported units in Cumberland County, the types of households those units target (if known), and the distribution by bedrooms. The examination of units by targeted and population and bedroom size helps identify where inequities exist in community access, often due to bias against families with children or persons with disabilities. In general, affordable elderly developments have less community resistance.

Overall, the county has approximately 8,500 units that are affordable due to federal, state, and local subsidies. Of those units designated for specific household groups, 37% are family units, 37% are elderly-only units, 24% are for elderly or persons with disabilities, and 2% are persons with disabilities only,

By bedroom size, 65% of all units are one bedroom, 25% are two bedrooms, and 11% are three bedrooms. Family designated units appropriately have a larger share of units with multiple bedrooms.

Figure VI-43.
Publicly Supported Housing, by Targeting and Bedrooms, Cumberland County, 2022

d Targeting	No.	%	% 1 bed	% 2 bed	% 3 bed
Elderly or Disabled	1,395	24%	83%	15%	1%
Elderly only	2,194	37%	91%	9%	0%
Disabled only	128	2%	88%	12%	0%
Family	2,170	37%	31%	43%	26%
Unknown/Untargeted	2,620				
All Units	**8,507**		**65%**	**25%**	**11%**

Note: Includes LIHTC, Project-based Section 8, HUD insurance/loan guarantees, federal block grants.

Source: National Preservation Database.

Figure VI-44 shows the distribution of publicly supported units among jurisdictions. Jurisdictions with 0 units do not have any units listed in the publicly supported housing database. It's important to note that the database does not capture "naturally occurring affordable housing"—or NOAH—which are market rate units that are affordable without public subsidies. Many of these communities may have NOAH units that accommodate lower income families and households. NOAH, however, does not carry public subsidies that ensure longer term occupancy, making lower income families occupying NOAH typically more vulnerable to displacement.

Portland contains 58% of all of the county's publicly supported units; this compares to 23% of the county's overall population that lives in Portland. Westbrook also has a larger share of publicly supported units than its share of the county population (15% of units v. 7% population), while South Portland's is similar.

Family units are most prevalent in Bridgton, Freeport, Portland, South Portland, and Westbrook.

Figure VI-44.
Publicly Supported Housing, by Jurisdiction and Targeting, 2022

Jurisdiction	Publicly Supported Units		County Population	Unit Targeting	
	No.	% of All Units	Share of Population	% Elderly or Disabled	% Family
Baldwin	0	0%	1%	N/A	N/A
Bridgton	126	1%	2%	35%	65%
Brunswick	315	4%	7%	89%	11%
Cape Elizabeth	0	0%	3%	N/A	N/A
Casco	0	0%	1%	N/A	N/A
Chebeague Island	0	0%	0%	N/A	N/A
Cumberland	38	0%	3%	100%	0%
Falmouth	145	2%	4%	75%	25%
Freeport	178	2%	3%	54%	46%
Gorham	136	2%	6%	100%	0%
Gray	31	0%	3%	100%	0%
Harpswell	0	0%	2%	N/A	N/A
Harrison	0	0%	1%	N/A	N/A
Long Island	0	0%	0%	N/A	N/A
Naples	20	0%	1%	100%	0%
New Glouchester	0	0%	2%	N/A	N/A
North Yarmouth	0	0%	1%	N/A	N/A
Portland	4,893	58%	23%	61%	39%
Pownal	0	0%	1%	N/A	N/A
Raymond	24	0%	1%	100%	0%
Scarborough	92	1%	7%	100%	0%
Sebago	0	0%	1%	N/A	N/A
South Portland	879	10%	9%	55%	45%
Standish	62	1%	3%	100%	0%
Westbrook	1,311	15%	7%	41%	59%
Windham	200	2%	6%	100%	0%
Yarmouth	57	1%	3%	100%	0%
Total Units	8,507	100%	100%		

Note: Includes LIHTC, Project-based Section 8, HUD insurance/loan guarantees, federal block grants.

Source: National Preservation Database.

The analysis in Section IV that compares the shares of low incomes households with households overall (Figures IV-23a through IV-23e) showed that Portland and Westbrook have proportionately higher shares of low income families. The exercise above indicates that this is at least partially due to the presence of publicly supported housing for families.

Figure VI-45 takes this exercise a step further by comparing the distribution of family-designated publicly supported units to "quality seats" in the jurisdictions' school districts. For this exercise, "quality seats" are defined as the number of students who meet or exceed state proficiency standards on English language tests.

There is a significant mismatch between where quality seats are located and where publicly supported housing designated for families are located. This exercise reveals that many jurisdictions are limiting access to quality education for low income families through their lack of publicly subsidized housing for families.

Figure VI-45. Publicly Subsidized Family Units v. School Quality Seats

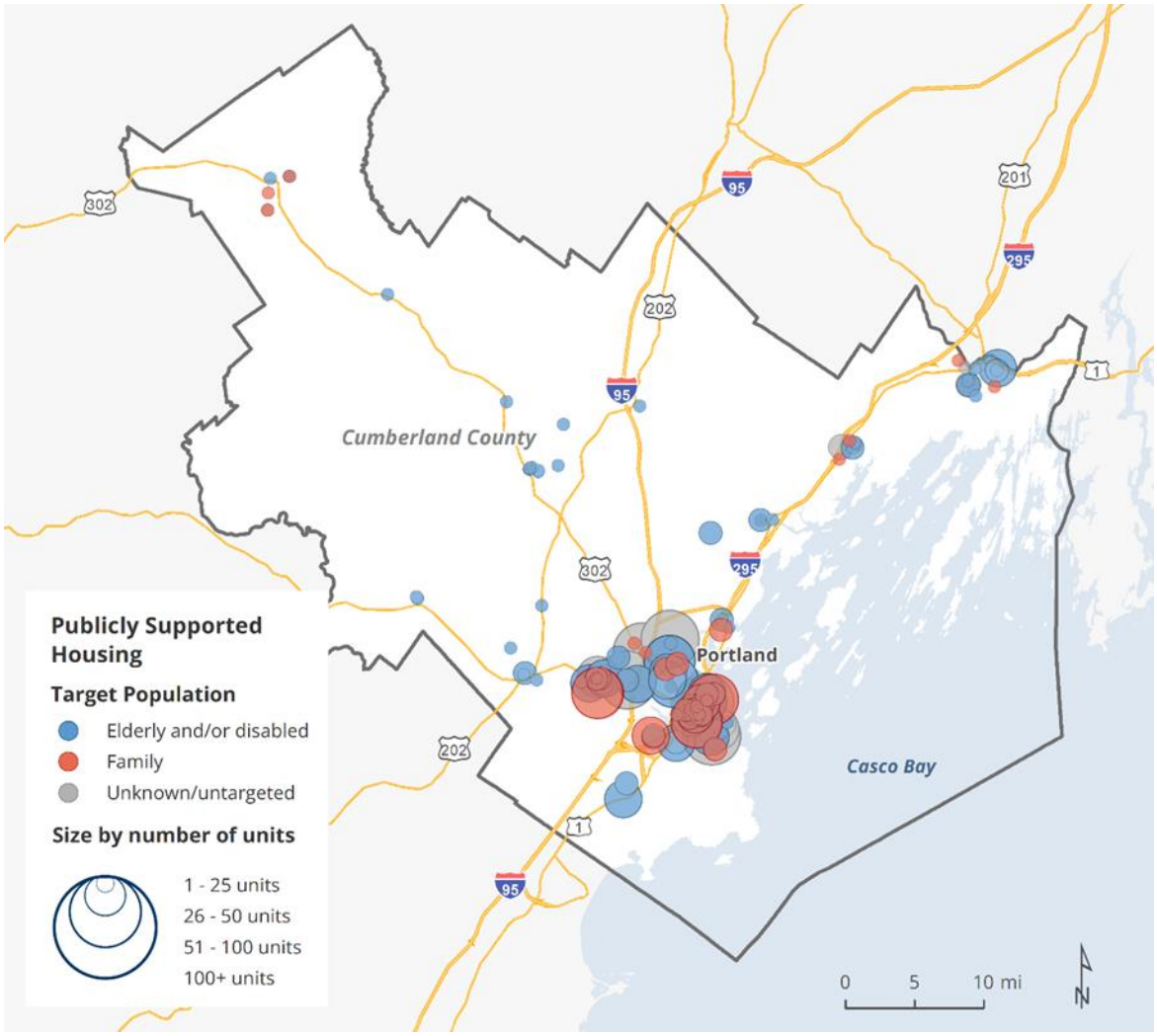
Note:
Quality seats are defined as the number of students that meet or exceed state proficiency in English language tests.

Source:
National Preservation Database and Root Policy Research.

Jurisdiction School District	Distribution of Quality Seats	Distribution of Publicly Supported Family Units
Bridgton, Casco, Naples	3%	3%
Brunswick	5%	1%
Cape Elizabeth	4%	0%
Cumberland	6%	0%
Falmouth	6%	2%
Freeport, Pownal	5%	3%
Gorham	7%	0%
Harpswell	5%	0%
Harrison	5%	0%
New Glouchester	4%	0%
Portland	14%	60%
Scarborough	9%	0%
South Portland	6%	9%
Standish	6%	0%
Westbrook	4%	22%
Windham	7%	0%
Yarmouth	5%	0%
Total	100%	100%

Figure VI-46 shows the location of publicly subsidized housing captured in the National Preservation Database geographically. This distribution is strikingly concentrated in the Portland-South Portland area—particularly family housing and developments with 100 units and more.

Figure VI-46.
Publicly Supported Housing



Source: National Preservation Database.

It is important to note that a significant barrier to an equitable distribution of affordable housing in high opportunity areas is lack of supportive services. The very limited amount of funding available for supportive services within housing—except for housing that serves persons who are homeless—incentivizes housing providers who serve the lowest income residents and residents experiencing or at-risk of homelessness to locate developments in urban areas where services are readily available—usually the city core.

Public Housing Policies and Procedures

The final section of this chapter reviews the policies of the public housing authorities (PHAs) that operate in the region.

Portland Housing Authority. The Portland Housing Authority owns and manages about 65% of the public housing in the HOME Consortia based on HUD data. According to the Housing Authority's most recent community impact analysis, the organization provides housing to more than 6,000 individuals and, through the Housing Choice Voucher program, provides rental assistance to approximately 1,800 households.

Public housing and other multifamily housing owned and operated by the Housing Authority serves families and elderly equally, with about 600 units each. The properties are a mix of "plexes," small multifamily structures, and moderately sized multifamily complexes—the largest with 200 units.

As shown in the map in Figure VI-46 above, the vast majority of the county's units are located within the city core, and the Portland Housing Authority serves many of the lowest income residents though its public and multifamily housing located in this area. The areas with the highest concentrations of public housing are also those with higher rates of poverty (Figures IV-24 and IV-25), including the East End and East Bayside areas and one Census tract in central Westbrook. In these neighborhoods, between one-quarter and one-third of residents live below the poverty line. That said, poverty, even in higher poverty neighborhoods, is generally low compared to other larger metro areas. The location of public housing and deeply affordable units in areas with relatively high poverty is related to the history of public housing development in the U.S., which led to significant concentrations of low income tenants, as well as the lack of deeply affordable housing for families in the broader county.

In its 2022 Draft Annual Plan, the Portland Housing Authority discusses how it will Affirmatively Further Fair Housing (AFFH). Those efforts include:

- **Advertising and outreach**—in addition to posting the availability of vouchers and public housing through newspapers of general circulation, the housing authority uses news media, public service announcements, human service agencies, and service and employment support organizations.
- **Informing and educating**—the Housing Authority commits to providing clients with Equal Housing Opportunity materials and information on resource if they feel they have faced discrimination at intake and briefings and meetings. This is done through providing HUD discrimination forms and referrals to Pine Tree Legal Assistance, the Maine Equal Justice Project, Main Disability Rights, and the Maine Human Rights Commission.

- **Partnerships**— the Housing Authority lists Pine Tree Legal Assistance and similar advocacy organizations as those with which the Housing Authority has working relations to respond to tenants concerns and needs.
- **Accessibility accommodations**—the Housing Authority commits to providing equal access to programs and services for persons with disabilities. The offices have physical accessibility accommodations, and the Housing Authority works with Pine Tree Society, a language line, and refugee services to provide other accommodations. The Housing Authority also affords program administrators the opportunity to meet offsite with tenants who require such accommodations.
- **Staff training**—Staff are trained on how to respond to reasonable accommodation requests, LEP and requests for interpretation services, domestic violence and the Violence Against Women's Act, and fair housing.

The Plan also details how the Housing Authority has updated its Admissions and Occupancy Policy to be current, including clarifying that the Fair Housing Act protects against discrimination on the basis of sexual orientation and gender identity (covered under the sex protected class); ensuring that persons with disabilities are provided with accessible units when they become available and are not occupying such a unit; ensuring that tenants have fair access to remote hearings (accessibility features, advance training if needed); and clarifying that for language access accommodations, if interpreters are chosen by families they are not minors.

A review of the current policies and procedures found no fair housing concerns. The Housing Authority's webpage could be strengthened by providing a resource for non-English readers and speakers who need assistance completing an application for housing; currently, those are only available in English in a downloadable format.

South Portland Housing Authority. The South Portland Housing Authority (SPHA) is the next largest in the region. It owns and/or manages more than 600 units of scattered site housing in the City of South Portland. Of those, 346 are public housing units available to elderly, persons with disabilities, and families. An additional development of 42 units also serves a broad set of household types. The remaining complexes are age-or disability-restricted. SPHA also administers around 400 Housing Choice Vouchers.

SPHA's website should better accommodate non-English readers or speakers; none of the pages contained a Translate feature. The links to access reasonable accommodations forms were broken when the website was visited.

Other Housing Authorities. Additional housing authorities operating in the county include:

- **Brunswick Housing Authority**—this housing authority manages five properties with a total of 215 units, three of which are senior housing, The Housing Authority also

administers the Housing Choice Voucher program in Brunswick, Harpswell, West Bath, Bath, Bowdoin, Bowdoinham, Durham, Freeport, and Topsham. The Brunswick Housing Authority's website has a Helpful Links & Resources section, including fair housing resources, on the home page. It would be helpful if that page provided a "Translate" feature for non-English readers.

- **Westbrook Housing**—this housing authority manages 12 properties with a total of 688 units. Of these, 93% are senior housing developments. The Housing Authority also administers 1,011 vouchers, 29% of which are project based. Westbrook Housing has strong goals to improve the accessibility and quality of its aging public housing stock, primarily through conversion through the Rental Assistance Demonstration (RAD) program. The Housing Authority aims to make 20% of their new units accessible and the balance adaptable. The Housing Authority will relocate those with accommodation needs to accessible units when they become available. Westbrook Housing is also prioritizing housing for families with larger bedroom sizes to better meet market needs.

  Westbrook Housing's website is easy to navigate and very client-friendly. It could be strengthened with a "Translate" button on the home page and providing a resource for non-English readers and speakers who need assistance completing an application for housing; currently, those are only available in English in a downloadable format.

The resident survey and stakeholder focus groups provided additional information on the unique challenges faced by low income residents who seek or occupy publicly assisted housing.

Challenges faced by voucher holders.

- The most striking finding in the resident survey analysis was that nearly all voucher holders expressed difficulty finding a landlord that accepts a voucher: 90% of voucher holders represented by the survey find a landlord that accepts a housing voucher to be "difficult" or "very difficult."
- Voucher holders represented by the survey also reported that landlords continue to refuse to rent to voucher holders, despite the state's law that includes residents receiving public assistance as a protected class: 68% of respondents identified "landlords have a policy of not renting to voucher holders" as the main barrier to voucher utilization.
- 44% of voucher holders represented in the resident survey said they need more time to find a unit before the voucher expires.
- Another 44% of voucher holders said they have trouble finding information about which landlords will accept Section 8.
- These challenges were similar across races and ethnicities.

- Stakeholders working in publicly assisted housing reiterated these concerns, lamenting the squeeze on housing inventory caused by conversion of properties to short term rentals. There is no market incentive for landlords to serve low income renters. Some will entertain renting to 51-80% AMI renters; landlords are less apt to rent to <50% AMI renters.

Challenges faced by persons with disabilities.

- Residents with disabilities responding to the resident survey said that their greatest accessibility need is for onsite services to help with mental health challenges (29% expressed this need). This was followed by accessibility improvements to bathrooms (26%) and service or emotional support animal allowed (19%). As discussed above, the region's public housing authorities have policies in place to move persons with disabilities into accessible units and must accommodate service animals; as such, these are likely mostly private sector challenges.
- Onsite mental health care provision is an unmet area of need by both public and private sector housing providers. This need was also identified by stakeholders, particularly the need to expand, strengthen, and ensure the quality of recovery centers specializing in treatment from substance abuse challenges. The past dismantling of the supportive services structure, coupled with a growth in opioid drug use, exacerbated service gaps.

Challenges faced by low income renters in general.

- Lack of rental housing inventory for voucher holders is a major challenge. The very limited inventory marginalizes access to housing for low income households, particularly African American/Black households and refugees, who are more likely to rely on vouchers to meet rent.
- Community resistance to any type of new development—including by planning commissioners—is the largest barrier to addressing housing needs. Many residents do not appreciate the needs of people who are not like them, and they continue to push the model of preservation of single family detached homes. This occurs even if comprehensive plans have laid out a different, more efficient and cost effective, vision of growth.
- The lack of a limit on applications accepted by landlords creates a strain on low income people who often must apply for units many times before they find one that will accept a voucher. Landlords are financially incentivized to accept applications from applicants that aren't interested in without such a cap.

SECTION VII.

FAIR HOUSING ENVIRONMENT

SECTION VII.
Fair Housing Environment

This section examines the fair housing environment in Cumberland County. The contents of the section include:

- A review of state fair housing laws and enforcement;
- An analysis of fair housing complaints, as well as charges or letters of findings from HUD and legal cases, to assess trends in fair housing violations; and
- An overview of fair housing resources.

Federal and State Fair Housing Laws and Enforcement

The Federal Fair Housing Fact (FHA), passed in 1968 and amended in 1988, prohibits discrimination in housing on the basis of race, color, national origin, religion, sex, familial status, and disability.[1]

The protection based on sex was recently interpreted to include gender identification and sexual orientation, as a result of the June 2020 U.S. Supreme Court decision in the *Bostock v. Clayton County* case. In response to the Bostock case, and Executive Order 13988, HUD announced that it would administer and enforce the Fair Housing Act to prohibit discrimination on the basis of sexual orientation and gender identity.

The FHA covers most types of housing transactions including rental housing, home sales, mortgage and home improvement lending, as well as policies and practices that determine the placement of residential housing (e.g., land use and zoning regulations).

Excluded from the FHA are owner-occupied buildings with no more than four units, single family housing units sold or rented without the use of a real estate agent or broker, housing operated by organizations and private clubs that limit occupancy to members, and housing for older persons.[2]

State and local laws. States or local governments may enact fair housing laws that extend protection to other groups—or are more limited in nature. Similar to the State of

[1] For the purposes of this report, the acronym FHA refers to both the Fair Housing Act of 1968 and the amendments from 1988.

[2] "How Much Do We Know? Public Awareness of the Nation's Fair Housing Laws", The U.S. Department of Housing and Urban Development, Office of Policy and Research, April 2002.

Maine's anti-discrimination law (discussed below), the City of South Portland passed a housing security ordinance that goes beyond the protections of the federal Fair Housing Act, prohibiting discrimination on the basis of race, color, religion, sex, sexual orientation, familial status, ancestry, national origin, age, physical or mental disability, and receipt of public assistance.[3]

States with laws that have the same or exceed the protections in the federal FHA are deemed "substantially equivalent." Thirty-seven states in the U.S. have substantially equivalent fair housing laws, which enables HUD to refer complaints of housing discrimination to state agencies for investigation. HUD reimburses state agencies for this work. An advantage of state-level investigation is that residents have a local resource for fair housing investigation; many state agencies maintain regional offices.

The Maine Human Rights Act is the state's anti-discrimination law. Per the Human Rights Commission, the Act "prohibits discrimination on the basis of protected class in employment, housing, places of public accommodation, education, and extension of credit."[4] For housing, the Act prohibits discrimination on the basis of race, color, ancestry, sex, sexual orientation (which includes gender identity and expression), physical or mental disability, religion, familial status, and receipt of public assistance.

The State of Maine is a substantially equivalent state. The state's fair housing law exceeds the protections in the federal FHA. Similar to the federal FHA, the Maine Human Rights Act covers most housing, with the exception of non-commercial rental housing owned and operated by a religious group, a two-unit dwelling where the owner occupies one of the units, and owner-occupied single-family homes with no more than four rooms rented.

Neighboring states, with the exception of New Hampshire, exceed FHA in their protections:

- Connecticut has broader protections than the FHA. In addition to the coverage provided under the FHA, Connecticut offers additional protections of ancestry, marital status, age (except minors), sexual orientation, gender identity or expression, legal source of income, and veteran status.

- Rhode Island also has broader protections than the FHA, which include age (18 years or older), marital status, status as victim of domestic abuse, housing status[5], military status, and lawful source of income.

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[3] https://www.southportland.org/files/5216/5470/6762/CH_12_Housing.pdf

[4] https://www.maine.gov/mhrc/about

[5] The Rhode Island Commission for Human Rights defines "housing status" as the status of having or not having a fixed or regular residence, including the status of living on the streets or in a homeless shelter or similar temporary residence.

- Vermont offers additional protections of marital status, age, sexual orientation, gender identity, receipt of public assistance, and victims of abuse.
- Massachusetts offers protections for ancestry, age, sexual harassment, sexual orientation, marital status, veteran status, and public assistance.

Fair housing inquiry and complaint process. Cumberland County residents who feel that they might have experienced a violation of the FHA can contact one or more of the following organizations:

- HUD's Office of Fair Housing and Opportunity (FHEO)—to file a complaint based on federal FHA protections;
- Maine State Housing Authority (MaineHousing)—to inquire about fair housing rights and receive assistance with filing complaints;
- Maine Human Rights Commission (MHRC)—to file a complaint based on state fair housing protections.
- Pine Tree Legal Assistance—to receive help with evictions, foreclosures, and fair housing discrimination.

Cumberland County does not enforce fair housing law and would refer complaints to the appropriate service provider. Tenants or those wishing to pursue a complaint would be referred to Pine Tree Legal Assistance or the Maine Human Rights Commission and/or to HUD's toll-free Fair Housing line, while providers would be referred to either a HUD/FHEO specialist or to the housing hotline to determine an appropriate referral.

Cumberland County also maintains a page on its website dedicated to fair housing, https://www.cumberlandcounty.org/182/Fair-Housing.

Complaints filed with HUD. Housing discrimination complaints may be filed online at HUD Form903 Complaint. Residents may also call HUD toll free at 1-800-669-9777 (FHEO in Washington D.C.), 1-800-877-8339 (TDD line for hearing impaired), or 1-800-827-5005 (TTY: 617-565-5453) (Boston Fair Housing Regional Office, which serves Cumberland County residents).

According to HUD, when a complaint is received, HUD will notify the person who filed the complaint along with the alleged violator and allow that person to submit a response. The complaint will then be investigated to determine whether there has been a violation of the FHA.

A complaint may be resolved in a number of ways. First, HUD is required to try to reach an agreement between the two parties involved. A conciliation agreement must protect the filer of the complaint and public interest. If an agreement is signed, HUD will take no further action unless the agreement has been breached.

If during the investigative, review, and legal process HUD finds that discrimination has occurred, the case will be heard in an administrative hearing within 120 days, unless either party prefers the case to be heard in federal district court.

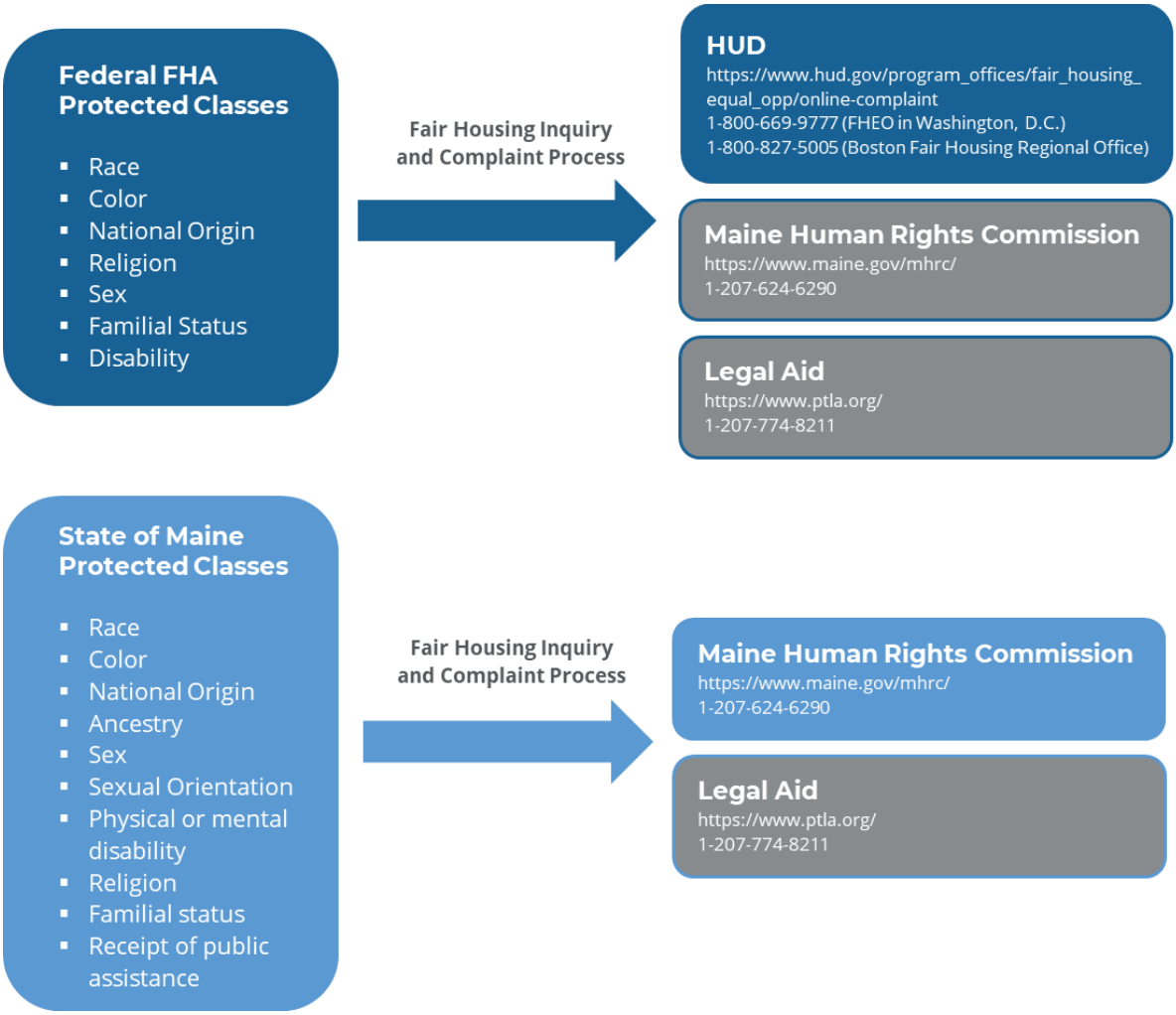
Complaints filed with the State of Maine. The Maine Human Rights Commission enforces the State of Maine's employment and housing anti-discrimination laws. Complaints can be filed online (https://www.maine.gov/mhrc/file), by phone, and through regular mail or email. MHRC is a Fair Housing Assistance Program Recipient, which means HUD has determined it administers fair housing laws that are substantially equivalent to the Fair Housing Act. MHRC receives funding from HUD to administer these laws. The Maine Housing Rights Commission is the only designated substantially equivalent agency in the state of Maine.

MHRC provides a comprehensive resource on its website for complainants once their complaint has been filed with the Commission. Additionally, for complainants who want to settle or avoid litigation costs, MHRC's Third Party Neutral Mediation Program provides effective mediation services at a below market rate fee. More information on the program can be found online (https://www.maine.gov/mhrc/programs-resources/mediation).

Complaints filed with local organizations. Pine Street Legal Assistance is a nonprofit legal firm assisting low income Mainers with a variety of legal matters. Housing services include assistance with evictions, homeowners rights, homelessness services, foreclosures, mobile home contracts, property taxes, tenant rights, and fair housing. The types of cases accepted are based on local capacity and program priorities, which are based on funding. More information is available online at https://www.ptla.org/.

Figure VII-1 summarizes fair housing protections and enforcement of fair housing laws.

Figure VII-1.
Fair Housing Protections and Fair Housing Inquiry and Complaint Taking Organizations, Federal FHA and State of Maine



Source: Root Policy Research

Fair Housing Complaint Trends

Between January 2017 and December 2021, 68 fair housing complaints[6] were filed by Cumberland County residents. The City of Portland accounted for over half of all fair housing complaints between 2017-2021, followed by South Portland, Brunswick, and Scarborough (Figure VII-2). These cities and towns account for 70 percent of all fair housing complaints.

Figure VII-2. Number and Percentage of Fair Housing Complaints by City/Town, Cumberland County, January 2017 to December 2021

Note:

No complaints were filed for Baldwin, Cape Elizabeth, Chebeague Island, Gorham, Gray, Harpswell, Harrison, Long Island, New Gloucester, North Yarmouth, Pownal, Raymond, Sebago, and Windham.

Source:

U.S. Department of HUD Complaint Responsive Records, 2017 – 2021.

City/Town	Number of Complaints	Percentage of Complaints
Portland	35	51%
South Portland	8	12%
Brunswick	7	10%
Scarborough	5	7%
Westbrook	3	4%
Freeport	2	3%
Yarmouth	2	3%
Bridgton	1	1%
Casco	1	1%
Cumberland	1	1%
Falmouth	1	1%
Naples	1	1%
Standish	1	1%
Cumberland County	**68**	**100%**

Basis of complaints. Figure VII-3 shows the percent of complaints by basis.[7] Over one third of all fair housing complaints were based on disability (34%). This is significantly lower than the national average (55%).[8] Retaliation and race represented the next greatest proportions (17% and 15%, respectively) in Cumberland County.

In the 2010 Analysis of Impediments for Cumberland County, no data on HUD-filed fair housing complaints is provided. However, the AI does include data on housing-related

[6] While 68 fair housing complaints were filed between January 2017 and December 2021, multiple complaints included more than one reason (e.g. base) for their complaint. As a result, in several of the figures below, the number of responses is 123.

[7] Complaints may have more than one basis.

[8] National Fair Housing Alliance, 2021 Fair Housing Trends Report

discrimination cases filed with the Maine Human Rights Commission (MHRC) from July 2004 to June 2009. Forty eight cases were filed during that time period, with the greatest share filed on the basis of disability (50%). Source of income and race represented the next greatest proportions (19% and 8%, respectively).

Additionally, Cumberland County and York County completed a joint Analysis of Impediments to Fair Housing (AI) report in 2013 as part of the work for Sustain Southern Maine, a project aimed at stimulating more integrated regional planning to guide state, metropolitan, and local investments in land use, transportation and housing. Using MHRC data from 2010 and 2012, fair housing complaints made on the basis of disability made up a third or more of complaints. For those cases settled by MHRC between 2010-2012, "the most frequent complaints were about disability, race/religion/national origin, and family status."[9]

Figure VII-3. Basis of Filed HUD Complaints by Year, Cumberland County, January 2017 to December 2021

Note:
HUD uses "sex" to refer to gender discrimination. n=123.

Source:
U.S. Department of HUD Complaint Responsive Records, 2017 – 2021.

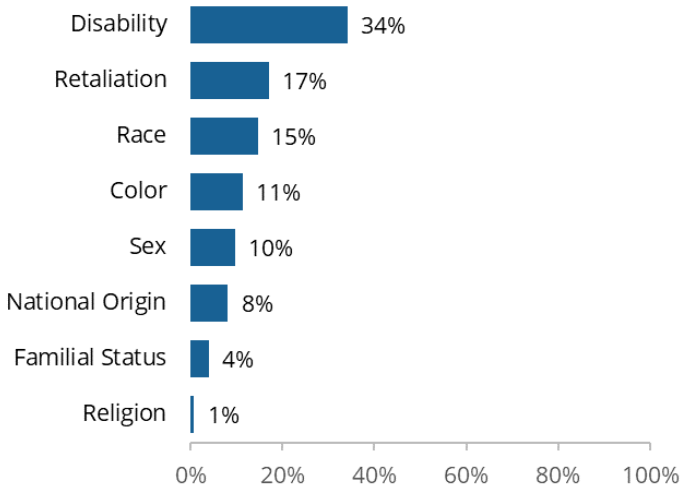


Figure VII-4a shows the basis of complaints by year. Complaints based on disability accounted for over 40% of all complaints in three out of the five years. The next greatest proportion of complaints, those based on retaliation, peaked in 2018 at 25% of total complaints. Complaints on the basis of race and color increased each year between 2017 and 2020 (peaking at 23% and 19% in 2020). In 2021, the proportion of complaints dropped to 10% and 6% of all complaints, respectively.

[9] 2013 York and Cumberland County Regional Analysis of Impediments to Fair Housing, page 55.

Figure VII-4a.
Percent and Basis of Filed HUD Complaints by Year, Cumberland County, January 2017 to December 2021

	2017	2018	2019	2020	2021	All Years
Disability	45%	33%	40%	16%	42%	34%
Retaliation	18%	25%	7%	16%	16%	17%
Race	9%	13%	20%	23%	10%	15%
Color	5%	13%	13%	19%	6%	11%
Sex	5%	8%	7%	13%	13%	10%
National Origin	9%	4%	13%	10%	6%	8%
Familial Status	5%	4%	0%	3%	6%	4%
Religion	5%	0%	0%	0%	0%	1%

Note: n=123. HUD uses "sex" to refer to gender discrimination.

Source: U.S. Department of HUD Complaint Responsive Records, 2017 – 2021.

Figure VII-4b presents the number of complaints by type by year.

Figure VII-4b.
Number and Basis of Filed HUD Complaints by Year, Cumberland County, January 2017 to December 2021

	2017	2018	2019	2020	2021	All Years
Disability	10	8	6	5	13	42
Retaliation	4	6	1	5	5	21
Race	2	3	3	7	3	18
Color	1	3	2	6	2	14
Sex	1	2	1	4	4	12
National Origin	2	1	2	3	2	10
Familial Status	1	1	0	1	2	5
Religion	1	0	0	0	0	1

Note: n=123.

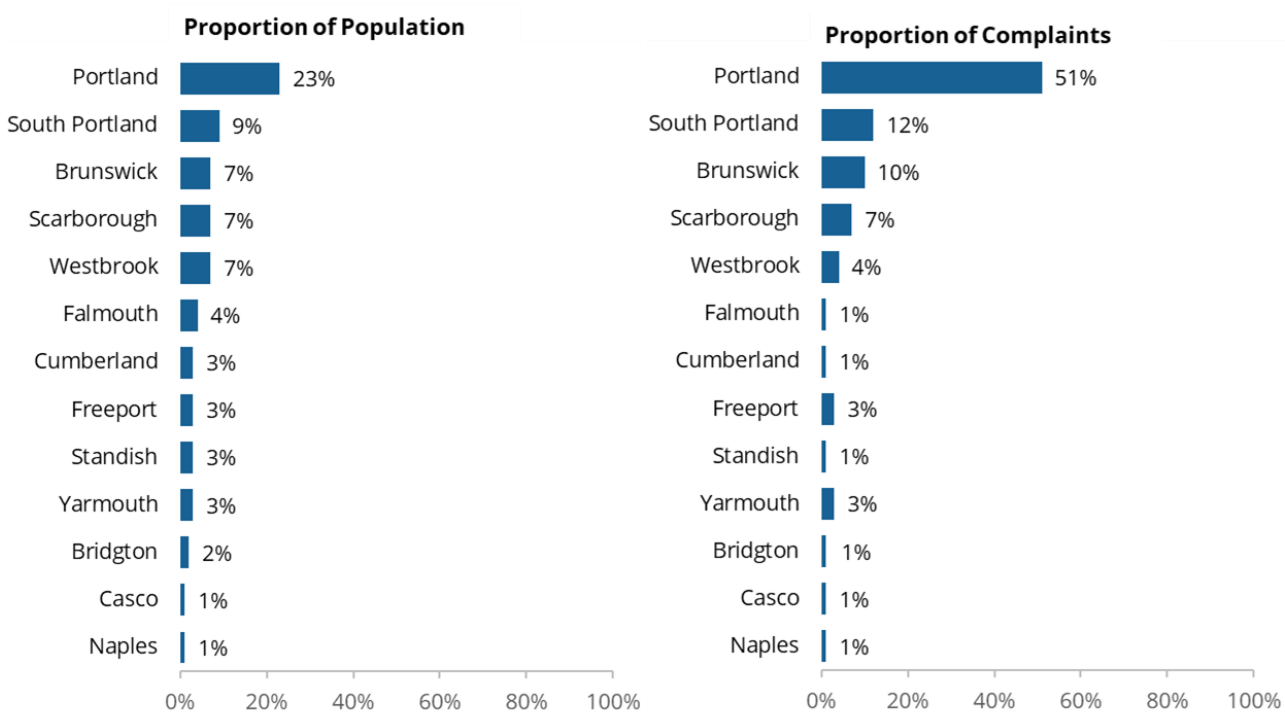
Source: U.S. Department of HUD Complaint Responsive Records, 2017 – 2021

Geographic distribution. Figure VII-5 compares the proportion of population and complaints by county. Portland is vastly overrepresented in the proportion of fair housing complaints relative to their share of the county population, accounting for more than half of all complaints while only accounting for 23% of the population.

South Portland and Brunswick are also overrepresented when comparing the proportion of complaints to population, although not as significantly as Portland (9% and 7% of the population, 12% and 10% of complaints, respectively).

Westbrook and Falmouth are most underrepresented when compared to their share of complaints (7% and 4% of the population, 4% and 1% of complaints, respectively).

Figure VII-5.
Proportion of Population and Complaints by Jurisdiction, Cumberland County, January 2017 to December 2021



Note: No complaints were filed for Baldwin, Cape Elizabeth, Chebeague Island, Fry Island, Gorham, Gray, Harpswell, Harrison, Long Island, New Gloucester, North Yarmouth, Pownal, Raymond, Sebago, and Windham.

Source: U.S. Department of HUD Complaint Responsive Records, 2016 – 2020; 2015-2019 ACS 5-Year Estimates.

Geographic variance in complaints by type. Complaints on the basis of disability account for the majority of complaints for most towns or cities in Cumberland County (Figure VII-6). Of the ten towns or cities with a fair housing complaint between 2017 and 2021, each one had at least one complaint filed on the basis of disability. For the towns/cities with the most complaints overall, including Portland, South Portland, and Scarborough, at least 60% of their complaints were on the basis of disability. Of the seven complaints filed in Brunswick, nearly half were on the basis of disability (43%).

Figure VII-6. Disability Based Complaint Proportion, Cumberland County, January 2017 to December 2021

Note:

Total Complaints include the numbers of multiple complaints per case.

Source:

U.S. Department of HUD Complaint Responsive Records, 2017 – 2021.

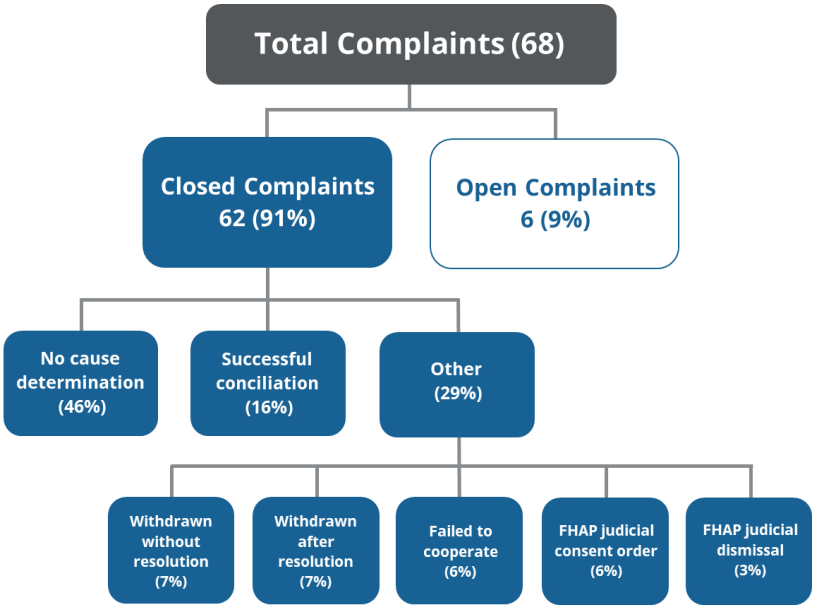
City/Town	Disability Based Complaints	Total Complaints	Percent
Portland	23	35	66%
South Portland	5	8	63%
Brunswick	3	7	43%
Scarborough	3	5	60%
Westbrook	2	3	67%
Freeport	2	2	100%
Yarmouth	1	2	50%
Casco	1	1	100%
Falmouth	1	1	100%
Standish	1	1	100%
Cumberland County	**42**	**123**	**34%**

Issues by complaints. For each complaint filed with HUD, the complainant is allowed to assign specific issues that describe the alleged fair housing violation. Of the 68 cases filed with HUD between 2017-2021, 232 specific issues were identified. The most common issues identified by complainants included discriminatory terms, conditions, privileges, or services and facilities (17% of all issues identified), other discriminatory acts (16%), failure to make a reasonable accommodation (13%), discrimination in terms, conditions, privileges relating to a rental (13%), and discriminatory acts under Section 818 (coercion, etc.) (11%).

Resolution of complaints. Figure VII-8 shows the resolution of closed complaints between 2017 and 2021. Of the 68 complaints during this time period, 91% have been closed and 9% remain open.

Pertaining to closed complaints, nearly half (46%) were closed due to no cause determination, which occurs when HUD investigators determine a lack of substantial evidence of a fair housing violation. Sixteen percent were successfully conciliated and closed, which occurs when the complainant and defendant agree on how to address the cause of the complaint. The remaining 29% of complaints were closed for a variety of reasons.

Figure VII-7. Resolution of Closed Complaints, Cumberland County, January 2017 to December 2021



Note:

Successful conciliation is a combination of: negotiated conciliation before determination of cause, successful conciliation agreement after cause finding, conciliation prior to cause finding, and successful mediation during or after investigation.

Source:

US Department of HUD Complaint Responsive Records, 2017 – 2021.

Hate crimes. The incidence of hate crimes and the prevalence of hate crime groups can be an indicator of discrimination concerns even though they do not directly link to housing discrimination. Designating a crime to be a hate crime is the responsibility of local agencies. If a local agency determines that a crime is based on race, religion, sexual orientation, ethnicity, national origin, or disability, the crime is included in the data. Note that the crimes included in the data represent only the crime, not convictions.

Hate crimes in Cumberland County. The Southern Poverty Law Center is a nonprofit organization dedicated to civil rights, fighting hate and seeking justice for the most vulnerable. As part of this mission, the law center monitors hate crime incidents and hate-based organizations. The county and characterization of hate crime groups by the Southern Poverty Law Center was compiled using hate group publications and websites, citizen and law enforcement reports, field sources, and news reports.

Nationally, the SPLC tracked 733 hate groups across the U.S. in 2021; four hate groups were located in Maine. In 2017, there were three hate groups located in Maine and 954 hate groups nationally.

Fair housing environment – stakeholder perspectives. As further detailed in Section II, a survey was disseminated to ask residents about their perspective on housing discrimination in Cumberland County.

Overall, 16% of survey respondents reported experiencing discrimination when looking for housing in Cumberland County. Residents of color, along with low income precariously housed respondents, were most likely to say they experienced housing discrimination.

Nearly 80% of respondents said that discrimination had taken place in the last five years. These responses are evidence that most potential fair housing violations that occur in the county go unreported.

Based on responses from residents, a lack of awareness about fair housing resources, education, and enforcement appears to be pervasive throughout the county. Just over half of survey respondents reported they did not address their incident of housing discrimination because they weren't sure what to do. Nearly a quarter of respondents also did nothing in fear of retribution (being evicted or harassed).

Stakeholders described that new Mainers, people experiencing disabilities, and families with children are more likely to experience housing discrimination; however, many articulated that the discrimination they face is hard to prove and difficult to document. Stakeholders identified instances of discrimination based on national origin, pointing out that landlords routinely ignore maintenance and repair requests from immigrants. One stakeholder felt there "is a lot of discrimination [that occurs]…some landlords do not want to rent to new Mainers."

Stakeholders also noted instances of discrimination based on source of income. While source of income is not protected under the federal Fair Housing Act, receipt of public assistance is protected under the Maine Human Rights Act. Overall, stakeholders felt that fewer landlords are willing to accept both Section 8 and GA vouchers. One stakeholder noted that "unhoused people [with vouchers], particularly minorities, got rejected all the time." One stakeholder also pointed to economic discrimination faced by low income Mainers, articulating that requests for first and last month's rent, security deposits, and other administrative fees are major barriers to accessing housing. They added that households who struggle the most financially are those that are left with the fewest choices because the housing market is more likely to shut them out.

Fair Housing Legal Review

As part of this fair housing analysis, fair housing legal cases were reviewed to assess trends in Maine legal challenges and outcomes.

The cases described below come from the United States Department of Justice (DOJ) Housing and Civil Enforcement Cases Database.[10] Since 2010, there have only been two fair housing legal cases in the state of Maine filed by the United States DOJ, one occurring in Cumberland County. No fair housing lawsuits have been filed by HUD regarding properties in Cumberland County since 2012.

Hand in Hand/Mano en Mano v. Town of Millbridge, Maine (National origin and familial status)

[10] https://www.justice.gov/crt/housing-cases-summary-page

In 2009, the Town of Millbridge adopted a moratorium that stopped the development of a housing project for farmworkers and their families due to resident opposition. The plaintiff, Hand in Hand/Mano en Mano, a nonprofit that provides services to Hispanic residents in Washington County, alleged discrimination on the basis of national origin and familial status. The U.S. Department of Justice submitted an amicus brief in late 2009 to assist the Court in assessing the plaintiff's motion for a preliminary injunction but the case was settled in 2010 prior to the Court's ruling.

United States v. Ferrante (Sexual harassment)

In January 2013, the United States filed a complaint and consent order in United States v. Ferrante. Referred by Pine Tree Legal Assistance, the complaint alleged that Rudy Ferrante sexually harassed female tenants in Portland, in violation of the Fair Housing Act. The court entered an amended consent order in April of 2013, which imposed a $15,000 civil penalty against Ferrante, required him to undertake fair housing training, instructed him to refrain from further discriminatory acts, and required him to provide a copy of the order to his employers.

Zammuto v. Brann, Maine Human Rights Commission (Disability, retaliation)

In 2015, the Maine Human Rights Commission (MHRC) ruled in favor of a tenant who alleged that her landlords had attempted to evict her for having a service dog and then retaliated against her for filing a fair housing complaint with MHRC.[11] Refusing to make a reasonable accommodation for a person experiencing a physical or mental disability is a violation of the Maine Human Rights Act, which includes refusing to allow a tenant the use of a service animal. The commission unanimously ruled in favor of both the discrimination and retaliation claims, which triggered a 90-day conciliation period where the parties could attempt to settle the case without going to court. The incidents took place in Norridgewock, Maine (Somerset County) and the complainant was represented by Pine Tree Legal Assistance.

[11] https://www.pressherald.com/2015/01/26/rights-panel-upholds-findings-of-discrimination-retaliation/

Fair Housing Resources

Several different organizations throughout Maine provide fair housing education and outreach and access to fair housing resources.

Fair housing education. The Maine State Housing Authority (MaineHousing) provides general information on fair housing, as well as resources related to disability rights, limited English proficiency, how to file a fair housing complaint, and advocacy groups and legal resources. MaineHousing also offers a free Fair Housing training program on its website (https://www.mainehousing.org/fair-housing-training). Recently, in 2019, MaineHousing also hosted a listening session for its partners to hear about housing discrimination issues occurring throughout the state and what could be done to address those issues.

The Maine Housing Rights Commission also routinely hosts fair housing workshops to help educate the public about fair housing law and to prevent discrimination in housing. Recently, MHRC hosted two fair housing trainings in April 2022 related to reasonable accommodations and assistance animals.

Pine Tree Legal Assistance provides comprehensive resources related to fair housing in a variety of different languages (http://www.ptla.org/fair-housing).

Cumberland County also maintains a page on its website dedicated to fair housing, https://www.cumberlandcounty.org/182/Fair-Housing. While the webpage does provide general information on fair housing and local resources, it could include a more robust overview of how to pursue a complaint, summaries of the Fair Housing Act and Maine's Human Rights Act, and a link to the county's most recent Analysis of Impediments to Fair Housing Report.

SECTION VIII.

ZONING AND LAND USE ANALYSIS

SECTION VIII.
Zoning and Land Use Analysis

This section builds upon the Disproportionate Housing Needs section by examining the link between housing choice and zoning and land use regulations. It begins with background on how zoning and land use decisions influence housing choice; summarizes the zoning and land use findings from previous AIs; examines how the participating jurisdictions' current zoning and land use regulations and decisions affect housing choice; and concludes with findings.

This section does not prescribe a "right way" to zone. Instead, it reviews the jurisdictions zoning regulations against best practices, and assesses if the jurisdictions' regulations could restrict housing choice. It also acknowledges that jurisdictions have varying contexts and different opportunities and constraints related to building a variety of housing types.

Why Zoning Matters

As housing affordability challenges have grown into what many are calling a national housing crisis, zoning and land use regulations have received more attention for their role in creating barriers to housing choice and failing to respond to housing market needs.

Discriminatory aspects of early zoning. Zoning, in its very early form, was inherently, and often blatantly, discriminatory—the most direct example being race-based zoning codes. In 1917, the U.S. Supreme Court made racial zoning illegal by overturning a racial zoning ordinance in Louisville, Kentucky *(Buchanan v. Warley)* on the grounds that it violated "freedom of contract" protections in the U.S. constitution. Many cities ignored the Supreme Court's decision and continued racial zoning practices or found other legally permissible ways to regulate neighborhood composition.

Another early practice that facilitated segregated communities was zoning based on use. This was called "Euclidean" zoning, named for Euclid, Ohio, the community that introduced this zoning. Euclidean zoning, which remains common today, divides land into 'zones' differentiated by use and form with, among other goals, the objective of protecting occupants of some zones, historically lower-density single-family zones, from uses believed to compromise health and safety. In 1926, the U.S. Supreme Court found that Euclid's zoning ordinance was allowed as part of the jurisdiction's police power—and, through the decision, promulgated the belief that segregating single family detached homes was necessary to "increase the safety and security of home life…prevent street accidents,

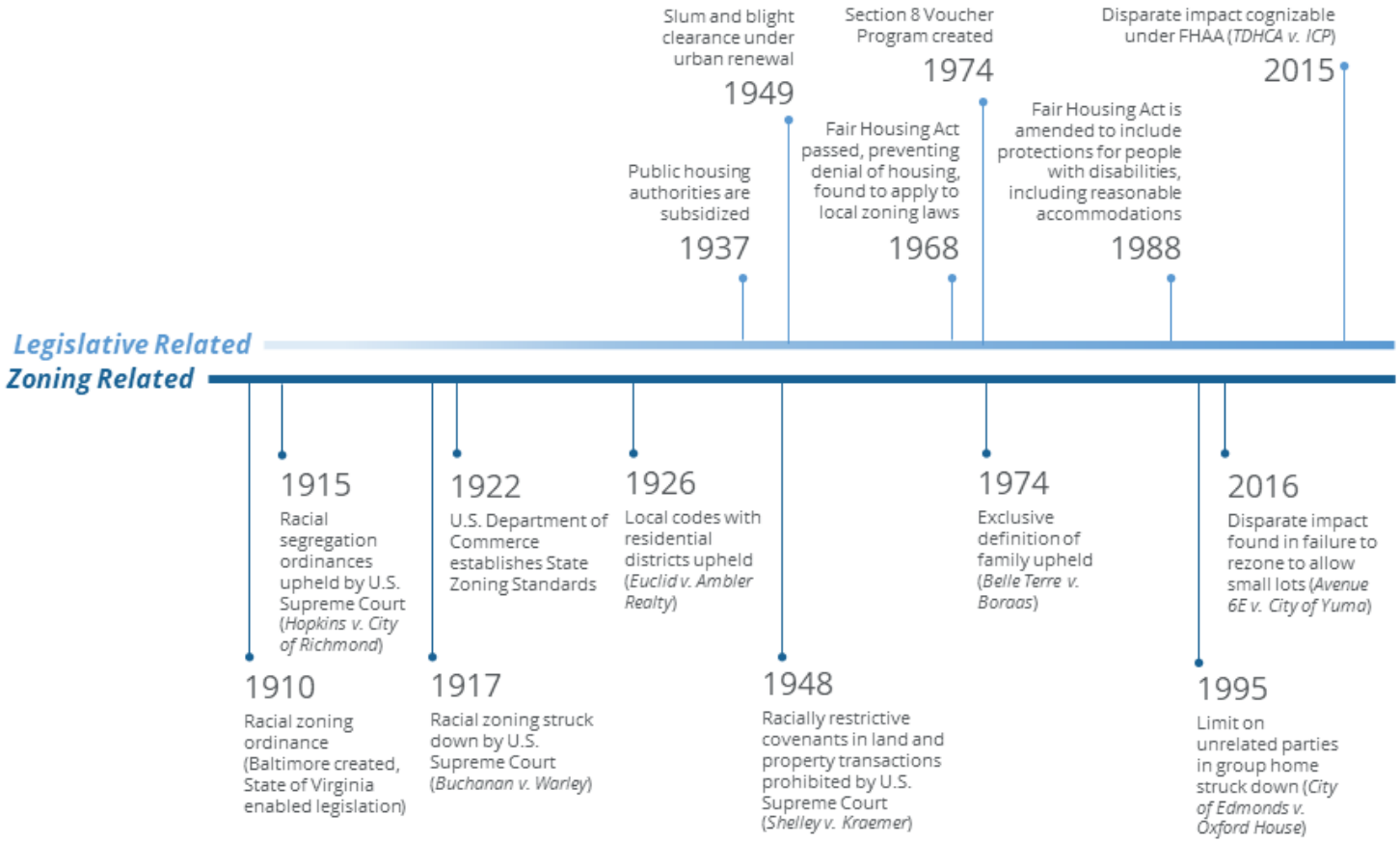
especially to children…preserve a more favorable environment in which to rear children, etc."[1]

The above exclusionary zoning practices are just some examples of the many zoning codes and practices that facilitated segregation. They also drove excluded residents—largely people of color—into neighborhoods with higher levels of pollutants, poor quality housing, and limited ownership opportunities. As outlined in Section IV of the report, the State of Maine lacked a history of legalized segregation but still took other avenues to establish segregatory housing patterns and discriminate against non-White and other ethnic groups.

Figure VIII-1 below provides a timeline of significant zoning decisions related to housing choice. It also includes legislative responses to expand housing choice. The figure reveals the piecemeal, often discriminatory, and reactionary responses that have characterized the housing landscape over the past 100 years.

[1] *Modern Family: Zoning and the Non-Nuclear Living Arrangement*, https://planning-org-uploaded-media.s3.amazonaws.com/publication/download_pdf/Zoning-Practice-2020-05.pdf

Figure VIII-1.
Zoning Timeline



Source: Root Policy Research.

Exclusionary zoning today[2]. Zoning regulations no longer dictate where certain types of people may live other than in special circumstances like senior living communities, which are allowed under the Federal Fair Housing Act (FFHA). Zoning today regulates the structural environment, which typically means where residential development is allowed, the types of residential development allowed (single family, multifamily), the density of development, and the form or design of development.

Even if they do not contain direct discriminatory language, zoning codes and land use decisions can have a discriminatory effect on protected classes when they rely more heavily on certain types of housing than others. This most commonly occurs for multifamily rental housing: excluding multifamily housing from zoning districts can have a disparate impact on the protected classes who are mostly likely to be renters and have lower incomes. As such, residential zoning that limits the placement of housing can mimic past discriminatory zoning practices.

Exclusionary zoning generally employs land use regulations that restrict the types of housing that can be built in a particular area. This type of zoning is employed to constrain housing diversity and supply and ensure the area is inhabited by an idealized segment of the population—typically a married couple with children living in a suburban single family detached home. In many cases a version of this definition of the idealized family is still present in zoning ordinance definitions.

Public costs associated with exclusionary zoning include increased traffic congestion, persistent inter-generational poverty, and stunted economic growth. Exclusionary zoning increases the cost of entry into service-rich neighborhoods which often contain the highest-performing school districts, the best access to high-paying jobs, access to healthy food, and transportation alternatives. In this way, segregation is reinforced by limiting opportunities for low- and moderate-income residents to live in areas of opportunity.

Land use planning that embraces housing inclusivity is becoming more popular as communities recognize—and internalize—the public costs associated with exclusionary zoning. Inclusive planning is also being embraced to respond to market demand, recognizing that how people choose to live—e.g., renting longer, living in low maintenance homes—is changing.

Notable exclusionary zoning legal cases include:

Berenson v. Town of New Castle (1975) was an early case, stemming from a developer who wanted to build a condominium community and was denied due to lack of

[2] There is no one, agreed-upon, definition of exclusionary zoning, just as there is no magic set of zoning regulations that produce perfect inclusivity of housing choice and access to opportunity. Yet some practices are better than others, and some practices are so exclusive they have been found to be illegal. The courts have effectively determined what constitutes exclusionary behavior in zoning and land use regulations and decisions.

zoning for multifamily housing. This case introduced the idea that housing choice should be considered in zoning decisions. The court's decision was based on the premise that the "primary goal of a zoning ordinance must be to provide for the development of a balanced, cohesive community which will make efficient use of the town's land…. [I]n enacting a zoning ordinance, consideration must be given to regional [housing] needs and requirements…. There must be a balancing of the local desire to maintain the status quo within the community and the greater public interest that regional needs be met."[3]

NAACP v. Town of Huntington (1988) resulted in a court-ordered rezoning of a parcel of land to accommodate multifamily development and a change in the town's zoning ordinance which only allowed multifamily development in an urban renewal area. The court concluded that the failure of the town to rezone a parcel to accommodate multifamily development has a "substantial adverse impact on minorities." This was based on an analysis of housing needs data that found a disproportionate proportion of African American/Black families had housing needs.

Under Huntington, a zoning code is presumptively exclusionary if it: (1) restricts multifamily or two-family housing to districts/neighborhoods with disproportionately large minority populations; or (2) disparately impacts minorities by restricting the development of housing types disproportionately used by minority residents.[4]

Avenue 6E Investments LLC v. the City of Yuma (2015). In this case, the court found that a denied rezoning request to allow smaller lots for construction of more affordable single family homes had a disparate impact on Hispanic families. This case was based on an analysis of Home Mortgage Disclosure Act and homes sales data, which showed that smaller lots produced single family homes at price points that were attainable to lower to moderate income Hispanic households.

In the end, it is in the best interest of communities to examine their zoning code and land use regulations frequently to ensure they do not create barriers to housing choice. This is appropriate not only to avoid legal challenges, but also to ensure economic and workforce diversity, and to keep current in a national market that is increasingly demanding creative solutions to housing pressures and expansion of housing choice.

[3] N.J. Stat. Ann. Sections 52:27D-301 et seq. (2007).

[4] Huntington Branch, NAACP v. Town of Huntington, 844 F.2d 926 (2d Cir. 1988)

Common zoning-related barriers to housing choice. Some of the key factors in land development codes that most commonly result in barriers to fair housing choice and reasonable accommodation for persons with disabilities include:

- **Dimensional standards.** Large minimum lots, minimum unit sizes, or excessive setbacks between structures or from streets that can increase development costs;
- **Limits on density.** Restriction on or prohibition of multifamily housing; low floor area ratios (FAR) for multifamily or mixed-use development; or low density requirements;
- **Use-specific standards.** Special site or operational requirements for group homes for persons with disabilities that are not required for other residences or groups;
- **Differences in quality and access to public services.** Additional requirements for specific developments (e.g., group homes or multifamily) to provide infrastructure or essential municipal services not required for other residences or dwelling units;
- **Definition of family and occupancy restrictions.** Definitions of family or occupancy limits that prohibit or limit the number of unrelated or unmarried persons in a household;
- **Procedures for development or zone change reviews.** Excessive or disparate review procedures, public hearing requirements, or noticing requirements for different housing types, housing for protected classes, or low-income housing;
- **Housing types.** Limits or prohibitions on alternative affordable housing options such as accessory dwelling units (ADUs), modular or manufactured homes, and mixed-use developments;
- **Growth restrictions.** Limits on residential growth. Some communities have instituted annual growth caps that limit how much housing can be built, including market rate units. Other communities allow some types of uses but constrain others—for example, allowing an exemption from a residential growth restriction for affordable senior housing but not affordable family housing. The collective limit on how much housing can be built throughout the county restricts overall supply and negatively impacts housing choice.
- **Spacing.** Minimum distance between group homes that are not required for other residences or groups and make development of group homes difficult;
- **Reasonable accommodations.** Regulations inhibiting modifications to housing for persons with disabilities or their ability to locate in certain neighborhoods; and
- **Code language.** Local land development codes and standards that are not aligned with federal and state regulations governing fair housing and reasonable accommodation.

Zoning best practices. Recognizing the exclusionary nature of many zoning ordinances, and to respond to the housing crisis, cities and counties are increasingly modifying land use codes to allow "gentle infill"—duplexes/triplexes, rowhomes, and Accessory Dwelling Units (ADUs)—in single family zones. Some jurisdictions are adopting "lifestyle neutral" approaches to zoning and land use to better align with changes in household preferences, life cycles, and aging residents.

Lawyer and planner Don Elliott published *A Better Way to Zone,* which contains ten principles for zoning that can apply to both urban and rural communities. The book focuses less on how cities should look but how they should operate. Several relate to expanding housing choice and are relevant for Cumberland County:

1) **Zone for middle income households**— include a broad range of mixed-use zoning districts and allow multifamily development across a wide variety of zoning districts. This practice also more effectively produces communities that support neighborhood-serving retail and commercial operations and small businesses by allowing the market to supply services near households

2) **Revise zoning ordinances to better promote attainable housing**—step away or revisit minimum lot sizes, minimum dwelling unit sizes, and maximum residential densities. Allow more flexibility in zone districts to accommodate the wide range of housing products that accommodate the "missing middle" — housing types such as duplexes, triplexes, fourplexes, cottage courts, and multiplexes.

3) **Implement dynamic development standards**—recognize that communities change over time and development codes need to allow communities to adopt and experiment with market innovations and accommodate changing housing preferences. Parking standards, for example, can vary based on use rates and existence of public parking lots in the area. In more traditionally zoned communities, it is most appropriate to "experiment" with dynamic zoning—which allows for more flexible development while still ensuring that resulting projects are not significantly out of scale or character with those around them— in mixed-use districts. As discussed above, these standards should be generous in application and allow multifamily residential housing.

4) **Revise group home definitions and ensure placement.** A best practice in the definition of group homes is to set the unrelated persons limit to what has been legally defensible, generally 12 unrelated persons, including staff. Group home residency must be broad enough to include the homeless, those with social, behavioral, or disciplinary problems, the elderly, those in hospice care, those avoiding domestic abuse, and/or disabled (which includes the frail, physically disabled, developmentally disabled, mentally ill, persons with HIV/AIDS, and recovering from alcohol or drug addiction). Group homes should be allowed in at least one, and preferably more, residential zoning districts. The unrelated persons

limit could be increased if the group home is to be located in a multifamily, commercial, mixed use or other district.

5) **Include clarifying definitions.** The definition of disability must include what the courts have qualified as disability; those in recovery and with HIV/AIDS are often left out of the definition. A best practice is to have as broad a definition as possible to avoid multiplying the list of group facilities in ways that confuse the public and policymakers.

   Definitions of household and family, if included in the code, should be flexible enough to allow a range of household and family configurations, especially those needed to accommodate caregivers. Language should avoid prescribing the makeup of a family unit ("husband and wife"). A more progressive approach is to exclude definitions of household or family composition and focus on public health and safety factors.

Land Use Planning in Maine

The State Constitution of Maine, specifically Article VIII, Part Second, establishes municipal home rule and grants power to local municipalities "…to alter and amend their charters on all matters, not prohibited by Constitution or general law, which are local and municipal in character."[5] More plainly, land use regulations at the state level largely control local land use planning tools available to municipalities throughout the state.[6] As such, this section highlights several state-level land use policies that impact zoning ordinances, code enforcement practices, impact fees, regulation of manufactured and group homes, and protected classes.

Zoning ordinances. Maine Revised Statutes require that a local zoning ordinance be consistent with a comprehensive plan adopted by the municipal legislative body. Additionally, a zoning map articulating each zone must be adopted as part of the zoning ordinance. Public hearings are required before the adoption of any new zoning ordinance or map, as well as amending an existing zoning ordinance or map. The public must be notified of the public hearing at least 13 days prior to the scheduled date of the hearing.

The State also requires that any municipality that adopts a zoning ordinance must also establish a board of appeals. The board of appeals is allowed to grant variances to an applicant if the ordinance is found to cause an undue hardship to the applicant's property. The statutes also permit municipalities to grant disability variances, which allow an owner of a dwelling to install equipment or construct structures necessary for the access to or egress from the dwelling by a person with a disability. Additionally, the statutes also permit municipalities to grant a disability variance to construct a place of storage for a noncommercial vehicle for a person with a permanent disability. Variances for setbacks for single family dwellings and dimensional standards are also allowed for municipalities to include in their zoning ordinances.

Code enforcement practices. Code enforcement is vital to minimizing health issues related to outdated rental inventory including asthma and lead poisoning. While code enforcement is a valuable tool to maintain health and safety, code enforcement programs that become targeted or discriminatory can become an issue under FHAA.[7] For example, in the early 2000s, 16 current and former landlords who owned more than 100

[5] https://www.maine.gov/legis/const/#a8

[6] Regulations specific to planning and land use can be found in the Maine Revised Statutes, Title 30-A, Chapter 187: Planning and Land Use Regulation.

[7] Magner v. Gallagher argued, "Whether owners of rental properties may claim St. Paul city officials violated the Fair Housing Act by aggressively enforcing the City's housing codes, which increased rental costs and reduced the supply of low-income housing whose renters are disproportionately African-American." (https://www.law.cornell.edu/supct/cert/10-1032)

rental units in St. Paul Minnesota filed against the city claiming code enforcement practices on problem properties had a disparate impact on minorities.[8]

Related to the general enforcement of land use laws and ordinances, the Maine Revised Statutes require code enforcement officers to be certified by one of the following entities: the former State Planning Office, the Department of Economic and Community Development, Office of Community Development, or the Department of Public Safety. Additionally, code enforcement officers are authorized to enforce all applicable laws and ordinances related to Shoreland zoning, comprehensive planning and land use, internal plumbing, subsurface wastewater disposal, and building standards as specified in the respective state statutes. The State also allows for municipalities to authorize code enforcement officers to issue disability structures permits.

Impact fees. Maine Revised Statutes permit local municipalities to enact ordinances that require developers to construct capital improvements off site or pay impact fees in lieu of the construction. The impact fee must be reasonably related to the development's share of the cost of infrastructure improvements.

Manufactured housing. Maine Revised Statutes require that municipalities permit manufactured housing to be erected "…on individual house lots in a number of locations on undeveloped lots where single-family dwellings are allowed."[9] The statutes also articulate that manufactured housing is subject to the same requirements as single-family dwellings. The code also specifies a number of requirements municipalities must address around dimensional standards, setbacks, road frontage, municipal road standards, buffering, and location of utilities related to mobile home parks.

Group homes. The Maine Revised Statutes require that municipal zoning ordinances consider all community living arrangements[10], which include group homes, foster home, or intermediate care facility, of eight or fewer residents a single- family use of property for zoning purposes. As such, these residential facilities are not subject to conditions more restrictive than those imposed on residences occupied by related persons.

Protected classes. Maine's Human Rights Act makes it illegal to discriminate in residential housing on the basis of race, color, religion, national origin, ancestry, sex, sexual orientation, physical or mental disability, familial status, and receipt of public assistance. Protected classes under the federal FHAA include race, color, religion, national origin, sex

[8] Magner v. Gallagher

[9] https://legislature.maine.gov/statutes/30-A/title30-Asec4358.html

[10] As defined in M.R.S. § 4357-A, Community living arrangements are housing facilities for 8 or fewer persons with disabilities that is approved, authorized, certified or licensed by the State. A community living arrangement may include a group home, foster home or intermediate care facility. Disability has the same meaning as term "handicap" in the federal Fair Housing Act, 42 United States Code, Section 3602.

(which includes sexual orientation and gender identity), familial status, and disability. Maine's protected classes are more extensive than federal protected classes due to the addition of ancestry and public assistance income.

Current zoning and land use issues in Maine. Spurred by its increasing need for housing, the State of Maine recently underwent a significant effort to explore how current land use and zoning regulations affect housing development. In June 2021, Governor Janet Mills signed a bill establishing the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions to better understand how current zoning and land use restrictions impact increasing housing opportunities throughout the state. The commission met throughout the rest of the year and delivered a report of its findings and recommendations in December 2021. These recommendations evolved into LD 2003, "An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions." The bill was signed into law by Governor Mills in April 2022. Highlights[11] of the bill include:

- Allowing at least one accessory dwelling unit (ADU) — attached or detached — by right on all single-family home lots. Also specifies that ADUs do not count towards a municipality's rate of growth ordinance;
- Allows up to two dwelling units per lot in all residential zones across the State. Municipalities need to allow up to four dwelling units per lot if the lot is in a designated growth area;
- Requires jurisdictions to allow more affordable housing at deeper and longer affordability. Creates density bonuses in some zoning districts for affordable housing developments; and
- Caps parking mandates to two spaces for every three units.

The bill also requires municipalities to "…ensure that ordinances and regulations are designed to affirmatively further the purposes of the federal Fair Housing Act…and the Maine Human Rights Act to achieve the statewide or regional housing production goal."[12]

In essence, through this bill, the Maine Legislature puts into place the ability for local units of government to implement zoning best practices by allowing a diversity of housing types and densities, promoting flexible site standards, and limiting parking requirements.

[11] http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP1489&item=9&snum=130

[12] https://legislature.maine.gov/bills/getPDF.asp?paper=HP1489&item=9&snum=130

Outside of the state's push to reform zoning and land use regulations to increase housing development, several Cumberland County jurisdictions are undertaking their own efforts to increase housing development and choice in their communities.

Current zoning and land use efforts in Cumberland County. Several communities in Cumberland County have undertaken recent efforts to update their current zoning and land use regulations to be better equipped to satisfy their community's growing and changing needs. For example, in late 2017, the City of Portland launched *ReCode Portland*, an effort to create a new and unified development code. With an emphasis on community input and feedback throughout the process, the primary objectives of the *Recode* project are to make the land use code more user-friendly align the code with the city's Comprehensive Plan to help advance its goals, and ensure that the city's diversity of needs, including housing, the working waterfront, climate resilience, and transportation, are being sufficiently met. The first phase of ReCode passed broad parking exemptions, and an expansive ADU ordinance that allows up to two ADUs per residential lot, with no parking requirements and a streamlined review process. Phase 2 is underway, evaluating Portland's zoning for ways to increase housing creation city-wide, increase climate resilience, and build complete, walkable, transit-proximate neighborhoods.

More recently, in 2021, the City of South Portland commissioned a Housing Assessment and Strategy Report to identify significant needs to catalyze housing production in the city. The report offers a series of recommendations related to local policy changes, zoning code updates, and more coordination at the regional level. Additionally, the Town of Cape Elizabeth commissioned a Housing Diversity Study in 2022. This study aimed to assess the current housing landscape in the town and provide recommendations to create more affordable housing in the community. The Town has recently formed an ad-hoc committee to review the study, gather public feedback, and offer its recommendations on implementing the study in the fall of 2023.

Council, Commission and Planning Board makeup. To ensure a diverse range of community needs are understood and addressed, it's important that plans, zoning codes, and planning decisions are informed by and reflect the communities they are intended to serve. One way to ensure that this occurs is to engage with and learn from a diversity of residents with different lived experiences and perspectives—both from the public and through elected and appointed leaders. As part of this report, an analysis of the gender, age, and racial/ethnic makeup of both the Portland City Council and Portland Planning Board, as well as the Cumberland County Commission was conducted. The length of service for these positions, which can limit the opportunity for new and diverse leaders to serve, were also examined. Additionally, meeting times and procedures were looked at to assess how accessible meetings are to participate in for working populations.

Among these three bodies, the Portland City Council boasts the greatest gender and racial/ethnic diversity. The mayor, who serves on the city council, serves a four-year term while the eight other councilors serve staggered three-year terms. The council meets the

1st and 3rd of every Monday at 5:00 p.m. While city council meetings have continued to be held virtually since the beginning of the pandemic, a 5:00 p.m. start time might limit a portion of the workforce-those who work night or swing shifts—from participating in city council meetings. However, the City does allow for written public comment on agenda items. The City requires that submissions be received by 12pm the day of the Council meeting to guarantee that it gets included in the agenda packet. Recordings of past meetings and meeting minutes are also made available to the public on the City's website.

Both the City of Portland's Planning Board and County Commission are less diverse than City Council when it comes to gender and racial/ethnic diversity. The City of Portland's Planning Board members serve staggered three-year terms and meet on the 2nd and 4th Tuesday of each month. The Planning Board's workshops begin at 4:30 p.m. and public hearings begin at 7:00 p.m. These later public hearings provide more opportunity for the workforce population to participate after they come home from work, but also might limit participation from households with young children, particularly if childcare is not provided, and swing and night shift workers.

The Cumberland County Commission meets every Monday at 5:30 p.m., which also might inhibit broad participation from the county workforce. County Commissioners serve four-year terms but cannot serve more than three consecutive terms.

Findings from Previous Analyses of Impediments

This is the first AI under the umbrella of the Cumberland County HOME Consortium. Individual jurisdictions and counties have conducted AIs separately in the past. This section highlights zoning and land use findings from the most recent AI for each participating jurisdiction that has previously conducted one.

Regional AI (York and Cumberland Counties). Similar to the 2010 Cumberland County AI, the 2013 Analysis of Impediments to Fair Housing completed by York and Cumberland Counties provides a cursory overview of cities' land use and zoning regulations. The primary zoning issue identified by the report is the large lot requirements that many municipalities have adopted, which has precluded construction of low- and moderate-income housing, namely multifamily properties, mobile homes, and small lot subdivisions. The report intimates these requirements have been driven by NIMBYism.

The report stated that "…larger land requirements add substantially to housing cost. While the presence of public water and sewer is certainly required for higher density development, historically towns have required large lot sizes throughout most of their districts in an effort to limit development and preserve rural character." This strategy has contributed to a sprawling development pattern that makes road construction and maintenance, as well as maintaining utility lines, more expensive. It also adds costs to transporting public school students as households are more diffuse throughout the county.

The report also identified passing LD 155, a bill aimed to streamline the approval of accessibility structures to provide greater accommodation for a person's disability in their home, as an action to complete in their fair housing action plan. The bill was signed by the Governor in May 2013.

Cumberland County. Cumberland County's 2010 AI identifies maximum allowable densities, dimensional standards, and parking requirements as regulatory barriers impeding the development of more housing throughout the county, particularly in suburban towns and more rural areas of the county. The AI states that more flexibility allowed related to density, dimensional standards, and parking requirements can help lower the per unit cost of housing projects.

The AI states that several urban areas allow at least eight units per acre in certain districts while a handful of suburban towns only allow a maximum of four units per acre. In response to pressure about increasing density, some towns have allowed for the development of accessory units. However, the AI implies that development of accessory dwelling units being built is unlikely. The AI states that "…few, if any [towns], have created a separate ordinance with standards for square footage, design, parking, and other considerations [for accessory dwelling units]."

To truly encourage increasing density in towns around the county, the AI suggests approaching the issue at a regional level by tying future transportation funding (e.g., road construction funds) to increased allowances in density.

The County also conducted an analysis of local zoning ordinances pertaining to group homes to determine consistency with State law and the FFHA. The analysis found that "[b]ased on this review, the only towns in Cumberland County with ordinances consistent with state and federal law are the Town of North Yarmouth and the City of Portland." While the AI did concede that group homes do exist in over half of the municipalities in the county, "[u]nless challenged in court, these inconsistencies are likely to stand, since amendments to specifically allow group homes would be likely to stir local controversy."

Portland. The City of Portland's most recent AI was conducted in 2013. No explicit fair housing impediments related to zoning and land use in Portland were articulated; however, the AI did articulate the escalating cost of rental housing is impacting all populations, particularly low-income populations. While the AI did note that Portland's ordinances are among the most progressive in the area, the City will continue to look at how to lower the cost of housing production, specifically calling out policies that allow for higher densities, provide more flexibility with parking requirements, and that require demolished homes be replaced with other housing.

Since the last AI in 2013, the City of Portland has passed several ordinances to help address the rising price of housing. The City's Rental Registration program was established to better regulate renting of short-term and long-term units within the city, limit the impacts of short-term rentals, create more accountability around property maintenance, and ensure the availability of rental units for people who live in the city or want to live in the city. Additionally, the City passed a rent control ordinance in 2020 to establish a base rent for most of the rental inventory in the city and limit the amount by which a landlord can increase rent annually. The Ordinance also provided a variety of tenant protections to renters, including notice of rent increases, source of income protections, and notice of tenants' rights to new tenants. The City created the Housing Safety Office to administer the Rental Registration program and conduct rental inspections.

As previously mentioned, the City of Portland is currently in the process of updating its land use code, which provides the opportunity to respond to recommendations in the past and current AI. The process, named *ReCode Portland,* is focusing on how the code can "…encourage more equitable housing creation, foster climate change resilience, and support transportation choice."[13] As of the writing of this report, the City released the Land Use Code Evaluation in December 2021 and plans to translate the findings of the evaluation into draft text and map amendments throughout the fall and winter of 2022/23.

[13] https://www.recodeportland.me/

Zoning and Land Use Review: Portland and South Portland

This final section summarizes a deep dive zoning and land use analysis of Portland and South Portland—the largest contiguous communities in the region. This section also provides the results of the supplemental zoning and land use review for all other county municipalities included in the AI geographic scope.

The analysis focuses on:

- Allowing a range of housing types, especially those that promote and produce affordable housing and housing for special populations;
- Mitigating requirements that raise housing costs; and
- Analyzing whether definitions of family and disability create barriers to housing choice.

Portland. While no specific zoning or land use issues were identified in the City's last AI, it did acknowledge that the city would continue to look at how to lower the cost of housing, specifically policies allowing for higher densities, greater flexibility with parking requirements, and requiring that demolished housing be replaced with other housing.

Rising housing costs remain a significant concern in the city. As articulated in Portland's Plan 2030 (the city's comprehensive plan), "…both the lack of sufficient housing supply and the affordability of that housing for a healthy socio-economic cross-section of the population remain urgent challenges."[14]

Adopted by the City Council in 2017, Portland's Plan envisions that a significant portion of the housing built over the next ten years is affordable to Portland's workforce. While many jurisdictions throughout the county lack land zoned for missing middle housing — including townhomes and low-density multifamily development — and have restrictive site standards, Portland has a variety of residential and mixed-use districts that allow varying density, unit sizes, and unit types throughout the city. The flexibility allowed in the City's land use ordinance encourages a mix of housing types that promote affordability and infill development.

However, as acknowledged by the City in its Land Use Code evaluation, the City could look for opportunities to modify base zoning requirements in targeted areas to encourage more housing development, such as near downtown or along major transit corridors. Additionally, the city also identified allowing for creativity and flexibility for new development forms to better provide for a variety of household needs and preferences.

Strong areas in the code. The City has implemented a host of affordable housing incentives that provide relaxed land use regulations in exchange for housing affordability—

[14] https://view.publitas.com/city-of-portland/portlands-plan-2030/page/53

including reduced setbacks, additional height, and reduced parking requirements. Density bonuses are available for affordable housing or workforce housing developments in mixed-use districts and one office district. The bonuses permitted are determined by the percentage of low-income or workforce units provided in the development, and the greater percentage of low income or workforce units, the greater the bonus. This holds true for additional height and setback reductions. The City specifies target incomes (AMIs) that must be met to qualify as an affordable housing development or workforce housing development. In the City's Land Use Code (LUC), a low income housing unit is defined as a dwelling where the rent is affordable to a household earning 80% AMI or less or where the sale price of a unit is affordable to a household earning 100% AMI or less. Workforce housing units for rent and sale are where the rent or the purchase price of the unit is affordable to a household earning 80%. The City defines *affordable housing* as housing that does not exceed 30% of a household's income.

Additionally, the land use code articulates that any residential development that includes low income or workforce housing and qualifies as an eligible project qualifies for reduced development fees. Similar to how bonuses are applied to projects, if a project designates 10% of their units as low income, they are eligible for a 10% reduction in development fees.

The City also has implemented a housing preservation and replacement ordinance to "promote and facilitate an adequate supply of housing, particularly affordable housing for all economic groups. The ordinance aims to preserve housing in zones where housing is permitted and limit the net loss of housing units throughout the city. Officially created in 2010, the City's Housing Trust Fund helps to carry out this ordinance, by prioritizing resources for developments that create housing affordable to households earning at or below 50% AMI, or projects that create housing affordable to households earning between 60% and 120% AMI.

In 2015, the City passed an inclusionary zoning ordinance, requiring all new housing development projects with 10 or more units to set aside 10% of their units as "workforce housing."[15] In 2020, following the passage of Portland's Green New Deal, the requirement was increased for all new housing development projects with 10 or more units up to 25%. Since the initial inclusionary zoning ordinance was passed, 179 affordable rental or ownership units have been produced, while nearly $1.7 million has been generated through fee in-lieu to support affordable housing development in the city. Nearly 300 additional affordable units are under construction or have been approved as a result of the City's IZ program.

[15] The City of Portland defines a workforce rental unit as housing that is affordable to a household earning up to 100% of HUD Area Median Income (AMI). A workforce homeownership unit is housing for which the purchase price is affordable to a household earning up to 120% of Area Median Income (AMI).

Other efforts undertaken by the City to boost its housing stock include its recent accessory dwelling unit (ADU) rule changes, which allows up to two ADUs on any residential property, including multi-family housing, by right. Withstanding limited exceptions, ADUs are exempt from lot coverage and lot area per dwelling unit requirements. The City's off-street parking requirements also respond to the context of the type of housing being developed. No off-street parking is required for historic structures, accessory dwelling units, or developments that are within ¼ mile of fixed route transit service. Additionally, the City also provides flexibility to the Planning Board to allow less parking than is required for major site plans, affordable housing, and multi-family housing if certain conditions are met.

Finally, the City's base density and lot size provisions allow for medium- and higher-density housing developments to be built in a variety of zones across the city, particularly in mixed-use zones. The City has revised use and dimensional standards in several of these zones over the past decade in an effort to increase opportunities for housing production.

Areas for improvement. Areas of improvement the City could explore include:

Identifying barriers and exploring options and implications related to allowing for a greater diversity of housing types within the City's residential zones. Currently, middle-density housing, which includes three-unit and four-unit dwellings, fall within the multifamily use category in the land use code. According to the City's analysis, while "multi-family" is widely permitted in mixed-use zones, it is permitted selectively among the city's residential zones. Identifying a new class of smaller "multi-family" housing types within the code could create opportunities to allow these types within a broader range of residential contexts.

Recommendations for Portland. We recommend the following modifications to the City of Portland's zoning and land use regulations to promote a more inclusive environment and mitigate potential barriers to housing development.

- Evaluate the effectiveness of dimensional bonuses and other regulatory incentives, and make changes as needed, to ensure that the incentives produce affordable housing that is needed to address disproportionate housing needs among protected classes. For example, it is common for density bonus programs to produce units that are tailored for a singular type of households, largely studios providing housing to single workers earning moderate wages. In Portland, the greatest needs (discussed in Section IV) include a significant gap in homeownership for African American/Black households, and very high levels of cost burden for single parent households, African American/Black households, and, to a lesser extent, Hispanic households, and mixed-race households.
- The City could prioritize monitoring to ensure that the dimensional bonuses and related measures produce units that respond to the needs of these groups

Additionally, the City could engage with key stakeholders annually to gather insight on potential refinements.

South Portland. The City of South Portland's most recent comprehensive plan (2012) set out a vision for providing a wide range of housing options throughout the city with a diversity of household composition in its neighborhoods. Single family homes accounted for 80% of the new housing development in South Portland between 1990 and 2010. Multi-family housing saw slight increases in small (less than 5 units) and large developments (more than 20 units) but lost nearly 200 units in middle-sized properties (developments with between 5-19 units) over the same time period.

While the city has created over 2,000 units of housing over the last twenty years, there is still a significant demand for housing. The City of South Portland recently conducted a housing needs assessment that found the city needs to provide over new 2,900 owner-occupied housing units and 58 renter-occupied units by 2030 to meet its housing demand.[16] Recommendations to reach this goal include the allowance of duplexes/triplexes in all single family zones, increasing residential density, reducing lot sizes to 5,000 sq. ft., deregulating Accessory Dwelling Units, eliminating residential parking requirements, adopting a density bonus program, and expediting the permit approval process. These recommendations are primarily oriented towards homeowners and renters making up to 120% of area median income, and particular concern was raised for the "missing middle."[17]

These suggested actions are similar to the recommendations made by the city's Affordable Housing Committee in 2016, which included allowing higher densities, reducing or eliminating parking requirements, and expediting permitting review for affordable housing projects. The report also recommended that the City consider offering density bonuses in exchange for keeping existing affordable or keeping new units affordable, as well as supporting the creation of new rental housing through zoning updates.

The City has created a Housing Trust Fund, which is capitalized with over $100,000 and the Affordable Housing Committee is developing a long-term funding strategy for the Fund. The City has also approved $300,000 in American Rescue Plan Act funding for affordable housing projects. The City is preparing an Impact Fee Ordinance that will enable the collection of impact fees, and subsequent studies will explore a potential long-term funding source for affordable housing production through an Impact Fee structure. Finally, the City has approved Affordable Housing Tax Increment Financing Districts to offset costs associated with qualifying affordable housing projects and works in close partnership with

[16] https://www.pressherald.com/2022/06/23/study-south-portland-needs-2905-new-homes-by-2030-to-meet-expected-demand/

[17] "Missing middle" is defined as households making between 60% to 120% of the area median income.

the South Portland Housing Development Corporation/South Portland Housing Authority, as well as other providers to support affordable housing development.

In general, South Portland allows for a range of density and diversity of housing types; however, the City could be more explicit about allowing middle density residential options. The City's definition of family does not limit the number of unrelated individuals that are allowed to live together—a best practice. This allows for a greater diversity of housing choice for renters with roommates and cooperative living arrangements. However, the definition currently states that, "An individual or two (2) or more persons occupying a premise…or **based upon other domestic bond having the generic character of a traditional family unit.**" As currently written, it is difficult to discern that unrelated individuals are included in the definition. The City could consider revising its definition to make this more explicit.

As articulated in their appeals process for a disability variance, the City defines disability as set forth in Title 5, Section 4553-A of the Maine Revised Statutes Annotated (M.R.S.A.), which is in alignment with the definition of disability outlined in FHAA.

Recommendations for South Portland. We recommend the following modifications to the City of South Portland's zoning and land use regulations to promote a more inclusive environment and mitigate potential barriers to housing development.

- Clarify the definition of "family" in the zoning code. The current definition could be rewritten to be more explicit that unrelated individuals living together are included in the definition.
- Implement all recommendations articulated in South Portland's recent Housing Needs Assessment and Strategy (May 2022). A link to the report can be found here. Recommendations include, but are not limited to, expanding allowances in single family zones, utilizing density bonuses to incentivize developers to build below market rate affordable units, capitalize the affordable housing trust fund, and allowing alternative housing types.

Zoning and Land Use Review: Balance of Cumberland County Jurisdictions

The following section provides a more cursory analysis of the zoning and land use ordinances for the additional 25 jurisdictions in Cumberland County, focusing on common regulations that have the potential to discriminate against protected classes under the Fair Housing Act. As acknowledged at the beginning of this section, each municipality in Cumberland County has their own set of zoning and land use regulations that respond to the specific context, opportunities, and constraints of their community related to housing development. While not every municipality in Cumberland County is ideally equipped to facilitate the development of high-density housing (e.g., lack of access to public water, sewer infrastructure, or other public utilities), each municipality can review, analyze and update its current code to help remove barriers to housing development and increase and diversify its housing stock in a way that best responds to their community's specific needs.

In addition to a brief analysis on growth ordinances throughout the county, this section summarizes six different elements of the land use and zoning ordinances of county jurisdictions, including definitions of family and disability, regulations related to group homes ("community living arrangements"), reasonable accommodation procedures, and allowance of a variety and density of housing types and related site standards. Existing accessory dwelling unit regulations were also analyzed; however, because the passage of LD 2003 mandates that accessory dwelling units be allowed where all single family dwellings are permitted, that analysis has been omitted from the section.

Growth ordinances. Home rule powers, as articulated in the Maine Constitution and 30-A M.R.S.A. § 3001, 30-A M.R.S.A. § 4323, and 30-A M.R.S.A. §4360, allow local municipalities to develop ordinances to manage growth in their communities. However, growth ordinances have the potential to create barriers to fair housing choice by excluding housing types that are most commonly occupied by some protected classes. Namely, the growth ordinances in Baldwin, Cumberland and Windham allow an exemption from a residential growth restriction for affordable senior housing but not affordable family housing. To ensure that these ordinances are not in violation of the FFHA, it is suggested that all affordable housing be exempt from growth restrictions. The Town of Scarborough has adopted this approach, articulating that "a dwelling unit that qualifies as affordable housing under the Town's Zoning Ordinance"[18] is not required to have a growth permit.

Disability. The zoning and land use review of Cumberland County jurisdictions included whether municipalities included a definition of disability. A best practice is to define disability in alignment with FHAA or to reference FHAA (note that the term "handicapped" is used in FHAA and is interpreted to have the same meaning as "disability"). This is helpful in

[18] https://resources.finalsite.net/images/v1634831471/scarboroughmaineorg/y7pahxmaxdpjxbf3nddh/413-Growth-Management-Ordinance.pdf

determining requests for reasonable accommodation and ensures that all disabilities encompassed by FHAA are acknowledged in the local zoning code — including persons with substance abuse challenges who are in recovery. This group has been found by the courts to meet the definition of "disability."

As written in 5 M.R.S. 4553-A, the definition of physical and mental disability[19] aligns with the definition of disability as outlined in the FHAA. As such, municipalities should not need to define disability in local ordinances, although it is a best practice to do so, particularly a definition in alignment to the FHAA.

The following jurisdictions define disability and include an explicit reference to the FHAA, refer to disability as defined in 5 M.R.S. § 4553-A as part of their disability variance appeals process, or include a written definition that aligns with the definition articulated in 5 M.R.S. § 4553-A. This is a best practice.

- Bridgton;
- Brunswick;
- Casco;
- Chebeague Island;
- Falmouth;
- Freeport;
- Gray;
- Harpswell;
- Harrison;
- Long Island;
- Naples;
- New Gloucester;
- North Yarmouth;
- Portland;
- Pownal;
- Raymond;
- Scarborough;
- South Portland;
- Standish;
- Westbrook;
- Windham; and
- Yarmouth.

Raymond and Windham include definitions of disability in their Shoreland Zoning ordinances (or chapters). Both towns could consider including their current definitions of disability in their main Land Use ordinances, too, to increase transparency and uniformity. New Gloucester and Westbrook include different definitions of disability in both their primary land use ordinance and shoreland zoning ordinance (or section). Similarly, they could consider revising both sections to contain the same definition. Additionally, Gray calls out (correctly) that the term does not cover current, illegal use of or addiction to a controlled substance. Because persons with substance abuse challenges who are in

[19] https://www.mainelegislature.org/legis/statutes/5/title5sec4553-A.html

recovery are considered to meet the definition of disability, the Town could consider language in its definition to further clarify the distinction.

These jurisdictions could consider including a definition of disability in alignment with the FHAA or refer to disability as defined by the state under 5 M.R.S. § 4553-A.

- Baldwin;
- Cape Elizabeth;
- Cumberland;
- Gorham; and
- Sebago.

Group home regulations. As articulated by the Department of Justice and HUD, the term "group home" has no specific legal meaning; however, land use and zoning officials, as well as the courts, have referred to some residences that house people experiencing disabilities as group homes. Discrimination on the basis of disability is prohibited by the Fair Housing Act, "…and persons with disabilities have the same Fair Housing Act protections whether or not their housing is considered a group home."[20] In the Maine Revised Statutes, Title 30-A, Chapter 187, §4357-A, community living arrangements are defined as "…a housing facility for 8 or fewer persons with disabilities that is approved, authorized, certified or licensed by the State. A community living arrangement may include a group home, foster home or intermediate care facility."[21] This section also articulates that disability in the context of community living arrangements has the same meaning as 'handicap' in the federal Fair Housing Act, 42 United States Code, Section 3602."[22]

Additionally, the statute also states that "[i]n order to implement the policy of this State that persons with disabilities are not excluded by municipal zoning ordinances from the benefits of normal residential surroundings, a community living arrangement is deemed a single-family use of property for the purposes of zoning." This is a best practice.

Definition of family. Although not unusual in residential codes, the definition of family that limits the number of unrelated persons but does not limit the number of "related" persons could come into conflict with FHAA. While all unrelated persons are treated the same, a definition of family that distinguishes between related and unrelated persons living together could create disparate treatment if, for example, a related family of

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20 https://www.justice.gov/opa/file/912366/download#:~:text=The%20Fair%20Housing%20Act%20prohibits%20discrimination%20on%20the%20basis%20of,who%20live%20in%20group%20homes.

21 https://www.mainelegislature.org/legis/statutes/30-a/title30-Asec4357-A.html

22 https://www.mainelegislature.org/legis/statutes/30-a/title30-Asec4357-A.html

eight persons is permitted to reside in a residence similar to one inhabited by unrelated persons with disabilities or other protected classes who may be more likely to live in unrelated group settings (e.g., refugees, agricultural workers), who are limited to five persons in the same residence. To this end, some municipalities have moved away from defining "family" to avoid potential FHAA conflicts and instead rely on occupancy standards to regulate overcrowding. The "Scarborough 11" case in Hartford, Connecticut provides a strong case for removing narrow definitions of family from local codes.

The following municipalities in Cumberland County have no definition of family in their zoning or land use ordinance. This is a best practice.

- Brunswick;
- Cape Elizabeth;
- Harpswell; and
- Westbrook.

The following municipalities in Cumberland County have a definition of family in their zoning or land use ordinance but do not limit the number of unrelated people living together. This is also a best practice.

- Bridgton;
- Harrison
- Long Island[23];
- Naples;
- North Yarmouth;
- Raymond;
- Scarborough;
- Sebago;
- South Portland; and
- Windham

Additionally, Portland and Casco allow up to eight unrelated individuals to live together. While allowing up to 12 unrelated individuals is ideal, up to eight is generally thought to be reasonable. The following municipalities in Cumberland County have a definition of family in their zoning or land use ordinance but limit the number of unrelated people living together. These jurisdictions' codes should be updated to remove the definition of family or allow up to between 8-12 unrelated individuals to live together.

- Baldwin (no unrelated individuals);
- Chebeague Island (up to five unrelated individuals);
- Cumberland (up to five unrelated individuals);

[23] Long Island allow up to 16 unrelated individuals to live together, which exceeds the number of unrelated individuals (12) articulated as a best practice.

- Falmouth (up to 6 unrelated individuals);
- Freeport (no unrelated individuals);
- Gray (up to five unrelated individuals);
- New Gloucester (up to five unrelated individuals);
- Pownal (up to five unrelated individuals);
- Standish (up to five unrelated individuals);
- Yarmouth (up to five unrelated individuals); and
- Gorham.[24]

Reasonable accommodations. The Americans with Disabilities Act (ADA) prohibits discrimination based on disability, defined by ADA as a physical or mental impairment. The ADA requires accessibility in public places (i.e., open to and used by the public) and also requires that "reasonable accommodations" be allowed when necessary to permit persons with disabilities equal opportunity to enjoy such places. The accessibility provision in the FHAA governs residential accessibility, and requires that multifamily buildings built after March 13, 1991, have specific accessible design features and be adaptable. In addition, the FHAA ensures that persons with disabilities have the right to request and be granted modifications to residential units — as well as local regulations and standards —to make a residence or building accessible to them.

A best practice is to establish a standard process for reasonable accommodation requests. Some codes identify typical requests, such as a setback waiver for wheelchair ramps, as administrative in nature when it does not exceed a certain amount. Such requests are processed the same as any other building permit. Other reasonable accommodation requests are processed with a more detailed administrative review using criteria that comply with FHAA and ADA. This clarifies how a reasonable accommodation is reviewed and removes such requests from consideration under procedures and criteria that do not fit the circumstances of the request. When the reasonable accommodation request does not qualify for administrative review, a review before an appointed body can be used. However, the same criteria for deciding the request must be used:

- Whether the person to be accommodated has a disability;
- Whether the modification requested is reasonably necessary to accommodate that disability; and

[24] While Gorham does not have a definition of family, if three or more unrelated individuals are living together, then the household is considered a rooming house. Rooming homes are only allowed in a handful of zoning districts within the town. This could unintentionally limit housing options for unrelated individuals from living together who are not in a group home/community living arrangement set-up.

- Whether the modification would fundamentally and unreasonably alter the nature or purposes of the zoning ordinance. The burden is on the municipality to prove this would occur.

The International Building Code (IBC) allows appeal of decisions of the building official and decisions can be made based on "alternate equivalency" to meeting the IBC requirement. The building code does not tie the determination of an alternative to the physical characteristics of the property or building, making the standard appeal process available to process requests for reasonable accommodation. Examples may include lower sink heights to accommodate a person in a wheelchair, or special positioning of grab bars to accommodate different types of disabilities.

The Maine Revised Statutes (§4353 4-A) allow a municipality's board of appeals to grant a variance "…to an owner of a dwelling for the purpose of making that dwelling accessible to a person with a disability who resides in or regularly uses the dwelling. The board shall restrict any variance granted under this paragraph solely to the installation of equipment or the construction of structures necessary for access to or egress from the dwelling by the person with the disability."

The following municipalities in Cumberland County include a procedure for an owner of a dwelling to request a variance for the purpose of making it more accessible to a resident with a disability in their zoning or land use ordinance. This is a best practice.

- Bridgton;
- Brunswick;
- Cape Elizabeth;
- Chebeague Island;
- Falmouth;
- Freeport;
- Gray;
- Harpswell;
- Harrison;
- Long Island;
- Naples;
- New Gloucester;
- North Yarmouth;
- Portland;
- Pownal;
- Scarborough;
- Sebago;
- Standish;
- South Portland;
- Westbrook;
- Windham; and
- Yarmouth.

The following municipalities in Cumberland County do not include a procedure for an owner of a dwelling to request a variance for the purpose of making it more accessible to a resident with a disability in their zoning or land use ordinance. An improvement would be to establish this procedure.

- Baldwin;
- Casco;
- Cumberland;

- Gorham[25]; and
- Raymond.

Additionally, the City of Portland includes a broader statement in its land use code that refers to reasonable accommodations in the context of fair housing. In its Introductory Provisions section, under 1.6.3. Fair Housing accommodations, it says:

"The City of Portland may make reasonable modifications to the requirements of the Land Use Code to accommodate the needs of persons with disabilities as so defined in Title VII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988."

This is a best practice and other municipalities should consider including similar language in their own zoning and land use codes.

Multifamily housing. Allowing for a range of density and dwelling types can help support the placement of new or rehabilitated housing for lower income households in a wide spectrum of neighborhoods. To better understand how land use regulations affect multifamily housing development, the Greater Portland Council of Governments (GPCOG) commissioned a report in 2021 to assess potential impediments in the seven Metro Regional Coalition communities — Cape Elizabeth, Falmouth, Gorham, Portland, Scarborough, South Portland, and Westbrook.

Some key findings[26] from the study include:

- Multifamily housing is permitted with few limiting factors on just over 5% of the land area in Metro Regional Coalition communities;
- Multifamily housing is not permitted in just under 40% of the land area in the region;
- While many communities' land use codes allow for multifamily housing in theory, substantial barriers to multifamily development exists in reality, resulting in little or no production[27]; and
- Regional planning and coordination would increase multifamily housing production in the region and better coordinate it with other planning goals.

[25] The Town of Gorham does not require that ADA accessible ramps meet minimum setback requirements.

[26] https://www.gpcog.org/DocumentCenter/View/1633/Multi-family-housing-and-land-use-regulation-report-by-Jeff-Levine

[27] One example highlighted by a smaller municipality in the county was their lack of access to public sewage disposal provisions or public water supply. As a result, they are forced to rely on a sole source aquifer with limited recharge potential, which they noted makes it critical to balance the density of development with the long-term management of the groundwater aquifer.

Additionally, the report used seven categories of impediments to multifamily housing to assess the limits on multifamily housing in each of the seven jurisdictions. In general, "few", "some" or "more" limits would not be characterized as impediments to housing choice in the fair housing context, unlike areas where multifamily housing is "not allowed." Overall, many zoning-related challenges exist in seeing multifamily housing built in the metro area. Half of the land in these seven jurisdictions has many limits on multifamily housing development while multifamily housing is not allowed on over a third (35%) of the land.

Figure VIII-2.
Percentage of Land by Limits to Multifamily Development, Metro Regional Coalition Jurisdictions

	Few Limits	Some Limits	More Limits	Many Limits	Not Allowed	N/A
Cape Elizabeth			1%	81%	18%	
Falmouth			4%	30%	66%	
Gorham		0.2%	2%	69%	29%	
Portland	12%	1%	12%	22%	52%	1%
Scarborough		2%	2%	63%	17%	17%
South Portland		20%	2%		74%	3%
Westbrook	3%	20%	22%	36%	17%	2%
Metro Regional Coalition	2%	4%	5%	50%	35%	5%

Source: GPCOG Multifamily Housing and Land Use Regulation Report and Root Policy Research.

As noted above, although multifamily housing might be allowed in the land use or zoning ordinance, other regulations might serve as barriers to actually seeing it built. The analysis conducted for this specific element of the zoning code only looked at whether municipalities allowed a variety of housing types to be built in their communities.

The following jurisdictions in Cumberland County allow for a variety of dwelling types in their zoning or land use ordinance. This is a best practice.

- Bridgton;
- Brunswick;
- Falmouth;
- Gorham;
- Naples;
- Portland;
- Scarborough;
- South Portland;
- Westbrook;
- Windham; and
- Yarmouth.

The following municipalities in Cumberland County allow for a limited range of density and dwelling types in their zoning or land use ordinance. An improvement would be to allow a greater range of density and dwelling types by right.

- Baldwin;
- Cape Elizabeth;
- Casco;
- Chebeague Island;
- Cumberland;
- Freeport;
- Gray;
- Harpswell;
- Harrison;
- Long Island;
- New Gloucester;
- North Yarmouth;
- Pownal;
- Raymond;
- Sebago; and
- Standish.

Dimensional standards. While a specific use might be allowed in a zoning or land use ordinance, specific dimensional standards, such as large lot sizes, setbacks or lot widths, might make the permitted use infeasible to develop. Additionally, burdensome site standards can contribute to increased development costs and discourage attached or multifamily housing. As previously acknowledged in this section, some municipalities are not able to accommodate higher density housing due to a variety of factors, such as lack of public utilities in many rural communities. However, for municipalities that want to encourage a range of housing types responsive to their community's context and needs, this analysis is a starting point to review and update relevant site standards that might be current impediments.

The analysis, focused specifically on multifamily housing, found that the majority of Cumberland County municipalities have minimum lot sizes that discourage the development of this housing type. The findings below are primarily oriented around minimum lot size and minimum lot size per dwelling unit.

The following municipalities in Cumberland County have relatively small minimum lot sizes that encourage the development of a range of density and dwelling types. This is a best practice.

- Brunswick (no minimum lot area in growth area zoning districts; in other areas, minimum lot area per dwelling unit is between 1.5 to 4 acres);
- Freeport (where multifamily is allowed, most zones have low minimum lot size per dwelling unit requirements and reasonable minimum lot area sizes);
- Portland (where multifamily is allowed, most zones have no or low minimum lot sizes and no or low minimum lot size per dwelling unit regulations);

- South Portland (where multifamily is allowed, minimum lot size ranges from no minimum to 10,000 sq. ft., no minimum lot size per dwelling unit); and
- Westbrook (where multifamily is allowed, minimum lot size ranges from no minimum to 20,000 sq. ft., minimum lot size per dwelling unit ranges from 2,500 to 5,000 sq. ft.).

The following municipalities in Cumberland County have a limited range of minimum lot sizes that encourage the development of a variety of dwelling types. An improvement would be to reduce the minimum lot size regulations in more zoning districts across their respective communities.

- Baldwin (min. lot size for residential uses ranges from 2 to 10 acres);
- Bridgton (where multifamily is allowed, minimum lot size ranges from 2,500 sq. ft. to 80,000 sq. ft.);
- Cape Elizabeth (where multifamily is allowed, minimum lot size ranges from 7,500 to 15,000 sq. ft., minimum lot area per dwelling ranges from 3,000 sq. ft. to 7,500 sq. ft.);
- Casco (minimum lot size of 60,000 sq. ft. per unit where duplexes and multiplexes allowed);
- Chebeague Island (minimum lot size of 1.5 acres, 0.94 acres per unit for duplex throughout town; large setback requirements);
- Cumberland (where multifamily is allowed, minimum lot area per dwelling ranges from 2,500 sq. ft. to 2.5 acres);
- Falmouth (where multifamily is allowed, minimum lot size ranges from 30,000 sq. ft. to 2 acres, minimum lot area per dwelling unit ranges from 15,000 to 25,000 sq. ft.);
- Gorham (where multifamily is allowed, minimum lot size ranges from 10,000 to 60,000 sq. ft, minimum lot area per dwelling unit also range from 10,000 to 60,000 sq. ft.; the Town allows developers to buy up density that can bring down minimum lot size to 5,000 sq. ft. per dwelling);
- Gray (site standards are determined by district, not use —minimum lot size per dwelling unit ranges from 10,000 sq. ft. to 4 acres);
- Harpswell (minimum lot size per dwelling unit outside subdivision is 40,000 sq. ft., within subdivision is 80,000 sq. ft.; the town has a provision for affordable workforce housing that reduce minimum lot size to about 27,500 sq. ft.);
- Harrison (minimum lot size per dwelling unit in town's districts range between 40,000-50,000 sq. ft.);
- Long Island (where multifamily is allowed, minimum lot area is between 30,000 to 60,000 sq. ft., minimum lot area per dwelling unit is 30,000 sq. ft.);
- Naples (minimum lot size for all districts is 40,000 sq. ft.; for multifamily, minimum lot size per dwelling unit is 20,000 sq. ft.);

- New Gloucester (minimum lot size per dwelling unit in town's districts range from 1 acre to 5 acres);
- North Yarmouth (where multifamily is allowed, minimum lot size is 1 acre; no minimum lot size per dwelling unit regulations);
- Pownal (no site or dimensional standards articulated for multiunit dwellings);
- Raymond (where multifamily is allowed, minimum lot size of 40,000 sq. ft, for the first two dwelling units, an additional 15,000 sq. ft. for each dwelling unit after that);
- Scarborough (where multifamily is allowed, minimum lot size ranges from 10,000 to 80,000 sq. ft., minimum lot area per dwelling unit ranges from approximately 8,700 sq. ft, to 2 acres);
- Sebago (where multifamily is allowed, minimum lot size ranges from 40,000 sq. ft. to 3 acres, minimum lot area per dwelling unit ranges from 60,000 to 80,000 sq. ft.);
- Standish (Some zoning districts in the town's form-based code have minimum lot size between 7,000 – 15,000 sq. ft. based on sewage flows while other districts have minimum lot sizes of 20,000 sq. ft. In the town's traditional districts, where multifamily dwellings are allowed, minimum lot size per dwelling unit ranges from 60,000-80,000 sq. ft. depending on access to public water; large setback requirements in some zoning districts);
- Windham (where multifamily is allowed, minimum lot size ranges from no minimum to 80,000 sq. ft., minimum lot size per dwelling unit ranges from no minimum to 60,000 sq. ft.); and
- Yarmouth (The Town's Character Based Development Code has no minimum lot size and no minimum lot area per unit; The Town's zoning ordinance has minimum lot size per dwelling unit range from an acre to 2.5 acres; minimum lot area for multiplex dwellings in LDR and MDR districts is 30 and 10 acres, respectively).

Figure VIII-3 presents the findings articulated above into a matrix for jurisdictions to understand how their current regulations compare to other county towns and cities. The matrix not only serves as a resource to holistically assess the impact of zoning and land use regulations on housing countywide but also aims to encourage jurisdictions to adopt best practice code language from surrounding communities.

- **Green shading** suggests a best practice or adequate aspect of the code.
- **Orange shading** suggests room for improvement.

Figure VIII-3.
Zoning Review Matrix

	Disability definition	Family definition	Reasonable accommodations	Range of density and dwelling types	Dimensional standards
Baldwin	Needs improvement	Needs improvement	Needs improvement	Needs improvement	Needs improvement
Bridgton	Adequate	Adequate	Adequate	Adequate	Needs improvement
Brunswick	Adequate	Adequate	Adequate	Adequate	Adequate
Cape Elizabeth	Needs improvement	Adequate	Adequate	Needs improvement	Needs improvement
Casco	Adequate	Adequate	Needs improvement	Needs improvement	Needs improvement
Chebeague Island	Adequate	Needs improvement	Adequate	Needs improvement	Needs improvement
Cumberland	Needs improvement	Needs improvement	Needs improvement	Needs improvement	Needs improvement
Falmouth	Adequate	Needs improvement	Adequate	Adequate	Needs improvement
Freeport	Adequate	Needs improvement	Adequate	Needs improvement	Adequate
Gorham	Needs improvement	Needs improvement	Needs improvement	Adequate	Needs improvement
Gray	Adequate	Needs improvement	Adequate	Needs improvement	Needs improvement
Harpswell	Adequate	Adequate	Adequate	Needs improvement	Needs improvement
Harrison	Adequate	Adequate	Adequate	Needs improvement	Needs improvement
Long Island	Adequate	Adequate	Adequate	Needs improvement	Needs improvement
Naples	Adequate	Adequate	Adequate	Adequate	Needs improvement
New Gloucester	Adequate	Needs improvement	Adequate	Needs improvement	Needs improvement
North Yarmouth	Adequate	Adequate	Adequate	Needs improvement	Needs improvement
Portland	Adequate	Adequate	Adequate	Adequate	Adequate
Pownal	Adequate	Needs improvement	Adequate	Needs improvement	Needs improvement
Raymond	Adequate	Adequate	Needs improvement	Needs improvement	Needs improvement
Scarborough	Adequate	Adequate	Adequate	Adequate	Needs improvement
Sebago	Needs improvement	Adequate	Adequate	Needs improvement	Needs improvement
South Portland	Adequate	Adequate	Adequate	Adequate	Adequate
Standish	Adequate	Needs improvement	Adequate	Needs improvement	Needs improvement
Westbrook	Adequate	Adequate	Adequate	Adequate	Adequate
Windham	Adequate	Adequate	Adequate	Adequate	Needs improvement
Yarmouth	Adequate	Needs improvement	Adequate	Adequate	Needs improvement

Adequate
Needs improvement

Source: Zoning and land use ordinances of Cumberland County municipalities and Root Policy Research.

Key findings of the analysis include:

- Nearly every Cumberland County jurisdiction provides a definition of disability in alignment with the FHAA or a reference to the state definition of disability, which is in alignment with the FHAA. This is a best practice.
- Nearly half of county jurisdictions do not provide a definition of family or don't limit the number of unrelated individuals that can live together in their land use or zoning ordinance — a best practice. If a jurisdiction does want to provide a definition of family in their ordinance, it's suggested that the definition be flexible enough to allow a range of household and family configurations, especially those needed to accommodate caregivers.
- Over 80% of jurisdictions include a procedure for a homeowner to request a disability variance. Additionally, the City of Portland includes a broader statement in its land use code that refers to reasonable accommodations in the context of fair housing — this is a best practice.
- Close to half of county jurisdictions allow for an adequate range of density and dwelling types. However, the majority of jurisdictions have site standards that make it difficult to build for a range of housing types. The biggest issue identified as an impediment to building a diversity of housing is minimum lot area per unit.
    - Due to a variety of factors (e.g., lack of access to public utilities), some communities in Cumberland County are better positioned to facilitate higher density development. However, each municipality is well positioned to review, analyze, and update its current code to help remove barriers to housing development and increase and diversify its housing stock in a way that best responds to their community's specific needs.

Dena Libner <dlibner@portlandmaine.gov>

Public Comment - Order 238-22/23: Bad & Distorted History

2 messages

George Rheault <george.rheault@gmail.com> Sun, Jun 4, 2023 at 11:59 AM
To: Public Comment <publiccomment@portlandmaine.gov>

I urge the City Council to postpone action on the acceptance of the Fair Housing Report commissioned by the City of Portland and Cumberland County.

To begin with, the report is full of inaccuracies and distorted historical information about how Portland has arrived at its present housing crisis moment.

To cite just one example, the report (SECTION IV, PAGE 11, page 106 of the PDF) suggests that the demolition of Union Station was a government urban renewal project undertaken by the Portland Renewal Authority (a/k/a the Slum Clearance and Redevelopment Authority).

This is just plain wrong. The sale of Union Station was a private sale of private property from the Portland Terminal Company, affiliated with the Maine Central Railroad, to a private developer. Please see attached news stories describing the sale.

But more importantly, the report distorts and hides the role of recent City of Portland actions that have explicitly prevented the creation of more housing opportunities across the city.

If the City Council was serious, it would set aside time this summer to do a much deeper dive on its role in "affirmatively BLOCKING" housing opportunities.

2 attachments

Portland_Evening_Express_Mon__Mar_6__1961_Contd_Union_Station_Sale.jpg
1371K

Portland_Evening_Express_Mon__Mar_6__1961_ Front_Page_Union_Station_Sale.jpg
2865K

Dena Libner <dlibner@portlandmaine.gov> Mon, Jun 5, 2023 at 9:43 AM
To: Mary Davis <mpd@portlandmaine.gov>

FYI

Dena Libner, MPA
Chief of Staff
City of Portland
389 Congress Street
Portland, Maine 04101
(207) 756-8288
dlibner@portlandmaine.gov
Pronouns: she/her

city manager's office

[Quoted text hidden]

2 attachments

Portland_Evening_Express_Mon__Mar_6__1961_Contd_Union_Station_Sale.jpg
1371K

Portland_Evening_Express_Mon__Mar_6__1961_ Front_Page_Union_Station_Sale.jpg
2865K

By Staff Photographer Roberts

Union Station And The Area Around It As Seen From The Air

Union Station To Make Way For Shopping Hub, Is Report

By MAXWELL WIESENTHAL
Staff Reporter

A Boston real estate developer said today he has an option to buy 72-year-old Union Station, once the transportation center of Maine. He said he will raze the building and build a shopping center on the site.

The developer is Samuel W. Poorvu. He said he has a 60-day option from the Portland Terminal Co. to purchase 15 acres of land on St. John Street as well as the station and he "definitely" intends to exercise it.

Poorvu said land on both sides of the railroad tracks is included in the deal.

An official of First National Stores in Somerville, Mass., said today that his food chain "is very interested" in having a modern supermarket located at the Union Station site and will negotiate with Poorvu as soon as the sale is consummated.

Poorvu said that several national chains are interested in opening stores at the new site and his office is discussing plans and terms with them.

The Boston realtor said he is the owner and developer of the Northwood Park shopping center in Lewiston, where several chain and department stores are located, as well as a shopping center in Presque Isle where the Zayre chain has a department store.

Union Station closed its doors Oct. 29 when the final run of the State of Maine Express left Portland for New York City.

There were persistent reports that the closed building might be renovated into a supermarket, since it has ample parking and room for expansion.

After the closing of the granite structure modeled along the lines of a French chateau, the Portland Terminal Co. made plans to erect a smaller frame building on the opposite side of the tracks to serve railroad passengers. That building was never opened and tickets were sold to passengers on the trains.

The opening of the station June 25, 1888 had a tremendous impact on the economic life of the west end of Congress street.

The once-famed West End Hotel was erected across the street from the station and business establishments east and west of the tracks grew up overnight.

The proposed shopping cen-

Continued on Page 2; 5th Col.

Liz Taylor Is Weakened By Anemia

LONDON (AP) — Elizabeth Taylor, gravely ill with pneumonia has developed anemia and is being given blood transfusions, her doctors reported tonight.

Dr. Carl Heinz Goldman, one of the actress' six-man medical team, said:

"We are a little worried about her today. Her blood is not very good. She is becoming anemic and we are giving her blood transfusions."

Goldman said in an interview the 29-year-old star is "still gravely ill."

He declined to elaborate on her condition.

The movie actress spent a restless day — with a tube inserted in her throat to aid breathing. Earlier reports said she had dis-

Public Hearing Tomorrow

Union Station:

(Continued From Page One)

ter would be the fourth in the city.

First to be erected was the North Gate Center on the Auburn Road. This was quickly followed by the Pine Tree Center on outer Brighton Avenue and West Gate Center on Congress Street.

The George C. Shaw Co. operates supermarkets at North Gate and West Gate, while Columbia Markets operates a unit at Pine Tree.

In addition, department and chain stores have branches at North Gate and Pine Tree.

Officials of the Portland Terminal Co. confirmed that a land developer has been negotiating with them for the purchase of Union Station and surrounding land.

They said that purchase and development of the area would undoubtedly give new vigor and prosperity to the west end of the city.

"It has been our hope that the old Union Station building, which obviously has outlived its usefulness, could be replaced by just such a development," a railroad official said, "that would give this end of the city a newer, fresher and more prosperous outlook. If this transaction is completed, we will have realized this hope and the City of Portland will benefit greatly."

MEMORANDUM
City Council Agenda Item

FROM:	Mary Davis, Division Director
DATE:	March 20, 2023
SUBJECT:	Order 239-22/23 Approving Changes to the Tax Increment Financing Policy - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair
SPONSOR:	On April 25, the Housing and Economic Development Committee voted 3-1 to forward this to the City Council for consideration.

(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 6/5/2023 **Final Action 6/5/2023**

Can action be taken at a later date: Yes If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: This item does not involve a new contract.

PRESENTATION: Mary Davis will provide a brief overview of the attached documentation including the proposed change and data received which initiated the proposed change.

I. SUMMARY

The proposed change to the TIF Policy would allow affordable housing developers who are required to use Davis-Bacon wages for their project to use these wages to meet the wage requirements in the TIF policy rather than the state prevailing wage; the Portland minimum wage would still apply.

II. AGENDA DESCRIPTION

On April 25, the Housing & Economic Development Committee voted 3-1, Phillips opposed, to forward this to the City Council for consideration.

The Portland Tax Increment Financing (TIF) Policy requires developers of affordable housing in Portland who receive Affordable Housing TIF (AHTIF) to use the greater of state prevailing wage rates and Portland minimum wage for workers during housing construction. Many of the projects receiving a TIF also have other funding sources which require the use of Davis-Bacon wages. The double requirement can be costly for developers, both in reporting time and in practice. The proposed change would allow developers who are required to use Davis-Bacon wages for other funding sources to also use these wages to meet the TIF Policy requirements.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

On February 22, 2021 the Council passed a Tax Increment Financing (TIF) policy designed to support investment in municipal economic development programs, infrastructure investment, and individual project site specific TIF districts to support infrastructure or individual private project financing needs. This policy outlined the goals, principles, requirements, and approach for establishing TIF districts in Portland, including Affordable Housing TIF (AHTIF) Districts.

Of the 17 active AHTIF district projects, 13 projects have been, are, or will be subject to wage conditions,

which requires the greater of state prevailing wages or Portland minimum wage to be used during construction. Several of these projects use other funding sources, such as project-based vouchers, which require Davis-Bacon wages to be used. The Davis-Bacon wage rates and state prevailing wage rates are different in terms of labor classifications and wages paid to each classification. These differences can make it challenging for contractors, who are already strapped for time, to identify the appropriate classification and wage determination for each worker. There are cases in which the wages differ by $5 or more. In 2021, Davis-Bacon wage rates for carpenters were $13.13 per hour higher than state prevailing wages, while electricians' wages were $7.78 higher in state prevailing wage than in Davis-Bacon. For projects required to use both determinations, developers are paying significantly more than a project required to use either Davis-Bacon or state prevailing wage. To decrease burden on affordable housing projects, we would like to propose the following changes to Section B(3)(iii) of the TIF policy:

Current Language:

Any firms employed in the construction phase of a TIF-assisted project must compensate all employees the current wage rates and fringe benefits as required under applicable state prevailing wage law under 26 M.R.S.A. §1306, or Portland City Ordinance Ch. 33, §33-1 to 33-12, whichever is greater.

Proposed Language:

Any firms employed in the construction phase of a TIF-assisted project must compensate all employees the current wage rates and fringe benefits as required under applicable state prevailing wage law under 26 M.R.S.A. §1306, or Portland City Ordinance Ch. 33, §33-1 to 33-12, whichever is greater. **If a project is required to use Davis-Bacon wage rates as a result of another funding source, Davis-Bacon wage rates will suffice to meet this requirement, provided the minimum wage for each job is greater than the Portland City Ordinance Ch.33, §33-1 to 33-12.**

The TIF Policy, with proposed changes, is attached.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

These changes will help increase access to rental home that is safe, affordable, and accessible.

V. FINANCIAL IMPACT

This does not have a financial impact to the City of Portland; however, it will have a positive financial impact on affordable housing projects within the city.

VI. STAFF ANALYSIS AND BACKGROUND

Three developers have provided data of how the requirement to use both Davis-Bacon and Prevailing Wage has affected their projects. In addition to the analysis provided by these developers, we have anecdotally heard from contractors and developers that it can greatly complicate projects to use two different wage requirements on one job. For one project, the overall cost to the project for state prevailing wage requirement in addition to Davis-Bacon is approximately $75,000 - $100,00. The labor classifications do not line up between the two, which can cause difficulty in identifying the appropriate worker classification. The developer also analyzed actual wages being paid, and noted that in 70% of cases, the actual wages paid to workers exceeded the Davis-Bacon and state prevailing wage rates.

VII. RECOMMENDATION

Staff recommends the City Council approve the proposed change to the TIF Policy.

VIII. LIST ATTACHMENTS

1. Order Amending the Tax Increment Financing Policy 6.5.2023
2. TIF Policy proposed edits
3. 0 Backup for TIF Policy Request Revisions 2022-2023

Prepared by:
Mary Davis, Division Director

Date: 03/20/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER AMENDING THE PORTLAND TAX INCREMENT FINANCING POLICY

ORDERED, that the attached amended Portland Tax Increment Financing Policy is hereby approved, substantially in the form attached hereto; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or designee to execute said document and any other related documents necessary or convenient to carry out the intent of said document.

PORTLAND TIF POLICY

April~~February 22~~, 2023~~1~~

I. INTRODUCTION

Tax Increment Financing (TIF) is an economic development program authorized under state law to support municipal projects. The TIF program allows municipalities to provide financial assistance to local economic development projects and programs – from infrastructure, municipal economic development programs and staff, to business expansions - by using new property taxes that result from new commercial or residential investment associated with the corresponding increase in property value.

Portland TIF Policy supports investment in municipal economic development programs, infrastructure investment (which is generally through the establishment of area wide or neighborhood TIF districts), ~~and individual~~and individual project site ~~-~~specific TIF districts to support either infrastructure or individual private project financing needs.

The City is committed to invest in infrastructure located within the public rights-of-way that encourage economic development. Use of TIF investment to invest in infrastructure recognizes the savings which occurs through the TIF Program tax sheltering benefits.

“Infrastructure” is defined, but not limited to: traffic upgrades, public parking facilities, roadway improvements, lighting, sidewalks, water and sewer utilities, storm water management improvements and placing above ground overhead electric and telecommunications lines underground.

II. STATE TIF LIMITATION

There are acreage and value cap~~s~~ limitations for municipalities to establish TIF districts along with term limits. Term limits include bonds which may be issued for a maximum of 20 years (anticipation notes for three years). TIF districts may be designated for a maximum of 30 years.

III. PURPOSE

The primary purposes of the TIF Policy include:

A. To support Portland Economic Development and Housing Plans and Policies;
B. To stimulate expansion of the City’s commercial and industrial tax base;
C. To stimulate new affordable and market rate housing investment;
D. To retain and create quality employment;
E. To support Portland’s Capital Improvement Plan; and,
F. To establish standards upon which the City Council will authorize TIF.

IV. GENERAL PRINICPLES

The three primary general principles for the City Council to establish TIF districts include:

A. Investment

***Minimum Real Property Investment*.** A minimum of $1 million in new taxable investment property value for commercial and industrial development and $500,000 for affordable housing development is needed to qualify for a TIF. This is the minimum amount which makes practical sense to consider use of the TIF program due to the amount of new municipal property tax revenue generated from new private investment.

B. Jobs Associated with Commercial and Industrial Development

Applicants for TIF participation will be required to provide a plan outlining the number and quality of jobs retained or created associated with each TIF district. While there is not a specific formula for the numbers of jobs associated with the amount of TIF financial assistance, the number and quality of the jobs will be taken into consideration for each TIF district. It is recognized that housing projects do not create many permanent jobs.

C. Maximize Tax Sheltering Benefits

A municipality's total equalized assessed value is used to calculate General Purpose Aid to Education (subsidy), State Revenue Sharing (subsidy) and County taxes (expense). When a municipality's equalized assessed value increases, State Aid for Education decreases, municipal revenue sharing decreases, and the municipality pays a greater portion of County taxes. TIF allows municipalities to "shelter" new value resulting from private investment from the calculation of its State subsidies (education and revenue sharing) and County taxes. In other words, specific municipal shelter benefits, for the term of the TIF, include:

1) No reduction in State aid for education,
2) No reduction in municipal revenue sharing and
3) No increase in County taxes.

Annually, the Council Committee with jurisdiction over housing and community development and City Council will evaluate available TIF district capacity related to State acreage and value limitations to determine whether existing TIF districts need amending and/or new TIF district establishment. Scheduled public infrastructure investments included in the City's Capital Improvement Plan will inform decisions about adjustments to existing TIF districts or establishment of new TIF districts.

V. APPROACH, POLICY, and TERM REQUIREMENTS

Must meet or exceed the below requirements.

A. Approach

There are three approaches to consider establishing TIF districts. They include:

1) ***Municipal Economic Development Programs funded directly through a pay-as-you-go approach.***

Examples of municipal economic development programs include paying for economic development staff, annual funding to Creative Portland for city marketing/branding, and other TIF law allowable activities.

2) Area wide TIF districts financed by City Bond/Debt Issuance

Issuance of municipal general obligation bonds or limited obligation bonds is a mechanism that may be used to fund a TIF district program. Allowable uses are spelled out in state TIF law. Generally, municipalities will issue debt to cover the cost of infrastructure investment.

3) Individual Site Specific TIF districts utilizing Credit Enhancement Agreements (CEAs)

A CEA is a contract between a municipality and developer to assist an individual development project by using a percentage or all of the tax revenue generated by the investment to pay certain authorized project costs which could include site specific infrastructure or private individual project financing needs. Allowable project costs are spelled out in state TIF law.

B. Policy for the Three Approaches

1. **Policy for Municipal Economic Development Programs.**

Requires annual review and City Council financial appropriations.

2. Policy for Area wide TIF District Locations (for City Bond/Debt Issuance)

a) Area wide TIF will be established for infrastructure investment which has applications beyond one individual project.

b) City TIF emphasis will be placed upon the following general "Priority Revitalization Areas" to support commercial development, housing development, redevelopment, or to support buildings in need to redevelopment, address blight or historic preservation:

- Affordable housing projects off peninsula;
- Riverside Street commercial and industrial zoned areas;
- Forest Avenue corridor from I-295 to Woodfords Corner;

- Washington Avenue corridor from Congress Street to I-295;
- Portland Technology Park ;
- Areas in which future significant wastewater and/or stormwater infrastructure investments are planned;
- West Commercial Street vacant property;
- Libbytown;
- St. Johns Street Valley;
- Other areas based upon scheduled public infrastructure investment included in the City's Capital Improvement Plan.

The above list of general priority revitalization areas serve as guides to establish specific boundaries for TIF districts at time of district establishment.

c) Market Rate Housing. Market rate rental housing projects must be located in priority revitalization areas to stimulate housing investment for the purpose of attracting 24/7 pedestrian activity. Pursuant to State Law, TIF for condominium projects are not allowed.

d) Affordable Housing**.** Affordable Housing TIF (AHTIF) may be designated on an area wide or site specific basis.

The relevant City Council Committee will complete an annual assessment of housing needs and priorities. This assessment will include a determination regarding designation of an area wide AHTIF. Site specific AHTIF requests submitted by developers will be considered on a case-by-case basis. Area wide or site specific AHTIF designations must address an identified community need.

State law requires that at least 25% of the district area must be suitable for residential use, development must be primarily residential, and at least 1/3 of the units must be for households at or below 120% of area median income which allows for individual mixed income projects or area wide affordable housing TIF districts.

Allowable uses of AHTIF revenues are defined by State law.

e) City preference is to invest in area wide public infrastructure TIF districts versus establishing individual private site specific TIF districts.

f) Area wide TIF districts also should seek to maximize the benefit of downtown and transit oriented development (TOD) districts which are exempt from State TIF law for acreage and value limitations.

g) Terms for area wide TIF districts will be considered for up to 100% of new tax revenue and upwards of thirty (30) years, the maximum allowed by State law, due to the long-term need to invest in neighborhood infrastructure.

NOTE 1: As of this Amended TIF Policy date, there are two existing area wide TIF Districts, i.e., Bayside and Waterfront TIF Districts.

NOTE 2: As of this Amended TIF Policy date, there also exists two Transit Oriented Development (TOD) District, namely the Thompson Point TOD TIF District and the Downtown TOD TIF District to support new or expanded transit services and improved transit connections between the Portland Transportation Center, Jetport and Downtown.

3. Policy for Individual Site Specific TIF Districts Utilizing Credit Enhancement Agreements (CEAs)

a) CEAs for individual site specific TIF districts will be considered for investment in infrastructure or project financing need and cannot be applied to any agreed upon public infrastructure improvements associated with a City Council approved conditional rezone agreement. Additional provisions related to CEAs include:

i) City Green Building Code

Compliance with the City's Green Building Code is required when TIF assistance is provided to individual private project CEAs.

ii) Affordable Housing

Affordable Housing TIF (AHTIF) may be designated on an area wide or site specific basis. Developments are encouraged to promote economic diversity.

The City Council Committee will complete an annual assessment of housing needs and priorities. This assessment will include a determination regarding designation of an area wide AHTIF. Site specific AHTIF requests submitted by developers will be considered on a case-by-case basis. Area wide or site specific AHTIF designations must address an identified community need.

State law requires that at least 25% of the district area must be suitable for residential use, development must be primarily residential, and at least 1/3 of the units must be for households at or below 120% of area

median income which allows for individual mixed income projects or area wide AHTIF districts.

Affordable means that the percentage of income a household is charged in rent and other housing expenses including utilities, or must pay in monthly mortgage payments (including real estate taxes, mortgage insurance, condominium/HOA fees, insurance and utilities), does not exceed 30% of a household's gross income, or other amount established in city regulations that does not vary significantly from this amount. These restrictions must remain in place for the full term of the AHTIF district.

Allowable uses of AHTIF revenues are defined by State law.

(iii) State Prevailing Wage Requirement

Any firms employed in the construction phase of a TIF-assisted project must compensate all employees the current wage rates and fringe benefits as required under applicable state prevailing wage law under 26 M.R.S.A. §1306, or Portland City Ordinance Ch. 33, §33-1 to 33-12, whichever is greater. If a project is required to use Davis-Bacon wage rates as a result of another funding source, Davis-Bacon wage rates will suffice to meet this requirement, provided the minimum wage for each job is greater than the Portland City Ordinance Ch.33, §33-1 to 33-12.

City staff shall provide to the relevant City Council Committee an annual update on:

a) the impact of this prevailing wage requirements on CEAs;
b) feasibility of construction firms to pay prevailing wages and benefits; and
c) compliance with this section.

(iv) Equal Employment Opportunities and Nondiscrimination

The developer and its contractors employed in the construction phase of a TIF-assisted project shall -adhere to a policy of non-discrimination in all employment actions, practices, policies, procedures, phases, and conditions of employment. All employment-related decisions (including but not limited to hiring, discharge, transfers, promotions, discipline, training, job opportunities, and wage and salary levels) will be made without discrimination based on an individual's race or color, religion, age, sex (including pregnancy), sexual orientation, gender identity or expression, ancestry or national origin, physical or mental disability, veteran status, genetic information, previous assertion of a claim or right under Maine's

Workers' Compensation Act, previous actions taken protected under Maine's Whistleblowers' Protection Act, or any other protected group status as defined by applicable law. Provisions in applicable laws providing for bona fide occupational qualifications, business necessity, or age limitations will be adhered to by the developer and its contractors where appropriate. This policy shall not be construed to prohibit any employment action or policy which is required by federal law, rule or executive order.

b) Applicants for CEA participation must demonstrate and pay the following:

i) Financial Necessity.

The applicant must demonstrate the City's participation is financially necessary in order for the project to proceed.

ii) Financial Capacity*.*

The applicant must demonstrate financial capacity to support their project.

iii) Fees

A financial underwriting analysis will be conducted by a third party on all projects requesting CEA participation. Applicants for CEA assistance will be responsible for reimbursing the City for all project third party legal and financial underwriting costs*.*

C. Terms for CEA Projects

1) Maximum Percentages.

A maximum average percentage of 65% for the entire term associated with individual project CEA's. Notwithstanding the previous sentence, the maximum average percentage for the entire term associated with individual project CEAs for affordable housing shall be 75%. For the purposes of this policy, the term affordable housing shall be defined as in "V. Approach, Policy, and Term Requirements" Section B(3)(a)(ii) (Affordable Housing) of the Portland TIF Policy.

2) Maximum Number of Years.

Up to twenty (20) years to match individual private sector commercial financing terms; for Affordable Housing projects, up to thirty (30) years (affordability must be maintained for the full term of the TIF). The term of a TIF may start upon

agreed trigger event, such as an increased assessed value. This would be included in a CEA on that negotiated triggering event.

3) Use of Maine Services for CEA Projects Encouraged.

VI. TIF APPLICATION AND ADMINISTRATION PROCESS

A. Application Information and Contact.

The Housing and Economic Development Department handle all TIF inquires and processes requests for TIF. An applicant must submit a letter or application to the Housing and Economic Development Department outlining the proposed project, including TIF project financial information, a plan outlining both the number of permanent and construction jobs associated with the proposed project, detailed information on housing affordability, ~~as well as~~and a demonstrated ability to meet the requirements under Section B(3)(a) of this policy.

B. Approval Process.

There is a ~~two step~~two-step approval process which includes obtaining a recommendation from the City Council Committee and City Council approval. Two meetings (or readings) by the City Council are needed. The City Council vote on the TIF occurs at the second meeting.

C. Post-Construction Report to City Council.

The Housing and Economic Development Department shall provide a post-construction report to the City Council Committee and City Council regarding each TIF-assisted project which shall include, but not be limited to, an analysis of the adherence to Section (V)(B)(3)(a) of this policy.

D. Annual Report to City Council.

The Housing and Economic Development Department shall provide annual reports to the City Council Committee and City Council regarding TIF district activity.

Portland Maine Yes. Google's good here.

Mary Davis <mpd@portlandmaine.gov>

City of Portland prevailing wage requirements and affordable housing

1 message

Greg Payne <GPayne@avestahousing.org> Wed, Apr 1, 2020 at 9:40 AM
To: Mary Davis <mpd@portlandmaine.gov>
Cc: Dana Totman <DTotman@avestahousing.org>, Rebecca Hatfield <RHatfield@avestahousing.org>

Hi Mary:

I wanted to follow up with you on the effect that the City's prevailing wage ordinance is having on our efforts to create additional affordable housing units in Portland. As you know, the new policy requires that all projects which receive a TIF from the City must pay the "prevailing wage" rates established by the Maine Department of Labor. As we have implemented this policy at Wessex Woods, the 40-unit senior affordable housing property that Avesta is currently building on Brighton Avenue, we are finding that it is adding significant costs without achieving a compelling policy objective.

When we went out to competitive bid on the Wessex Woods project, we had not understood that it was subject to the prevailing wage ordinance, so the various subcontractors offered their pricing based on the current construction market and we reached a construction loan closing with those figures last November. Shortly thereafter, we realized that the prevailing wage ordinance should have been part of our bid package and thus had to go back to all of our subcontractors and ask them to revise their bids accordingly. Attached please find a spreadsheet detailing the $121,695 cost increase that the project absorbed specifically due to the City prevailing wage ordinance. This increases the financial vulnerability of the project by taking away more than a third of its contingency funds.

One of the first things that our project team struggled with as we adjusted to comply with the City ordinance was the significant difference between the wage rates secured through the normal, competitive bidding process and those required under the ordinance as a "prevailing wage". As you know, over the past 5 years the construction sector has already experienced very significant cost increases - largely as a result of the regional labor shortage - that has driven up the cost of affordable housing construction by more than 26%. So when we saw that the City requirements were driving wage rates another 10%, 20%, up to 100% higher for some occupations, we were confused and very concerned about how "prevailing" wages could be so disconnected with the wages that we had secured through the typical, competitive bid process in a sector that had already seen such significant wage increases.

I spoke with the Maine Department of Labor and learned that the wage rates required under the City ordinance are established through a survey that the Department undertakes each fall. DOL asks companies in each trade to provide payroll data, and the median wage rate is then published as an area's "prevailing wage". One of the reasons for the discrepancy between the wage rates we were able to secure through a competitive bid and those established by DOL is perhaps that the objective in a competitive bid is not to choose the median bidder but rather to allow companies to compete with each other to offer the lowest bid they can feasibly accept for a job. Given the cost constraints that MaineHousing requires us to comply with in building affordable housing, we simply don't have the luxury of foregoing price competition among individual trades.

In addition to the fact that the construction sector - having benefitted from highly significant price increases in recent years - does not seem to need a further, artificial pricing boost, our project team also noted that very few of the affected subcontractors live in Portland... and none of the surrounding communities offer the same kind of "prevailing wage" policies. The result is that Portland is on its own in essentially applying a highly significant tax on affordable housing development, predominantly benefitting people who live in other communities.

Obviously Wessex Woods is not the only affordable housing project being affected by this policy. I expect that you will hear from other local housing organizations that have been even more negatively impacted in their efforts to build affordable homes.

Given the widespread community desire to increase affordable housing production in Portland, we recommend that the City consider taking action to exempt such projects from the prevailing wage ordinance. It is putting Portland at a competitive disadvantage to solve a problem that does not appear to exist.

Please let me know if I can help with any additional information, and thank you for your attention to this issue.

-Greg

Greg Payne
Development Officer
Avesta Housing
307 Cumberland Ave. | Portland, ME 04101

WESSEX WOODS - COST CHANGES DUE TO CITY PREVAILING WAGE ORDINANCE

Subcontractor/Vendor	Type of Work	Rate carried in Bid	Rate required by City	Difference b/t Bid Rate & City Rate	# Hours on Project	Increased Cost to Project
Tri-Stone Industries	**Concrete Found/Slabs/Site Conc/Install of GeoFoam**					**$5,497.70**
	Laborer	$15.00	$17.04	$2.04	1160	$2,366.40
	Carpenter	$19.00	$19.92	$0.92	920	$846.40
	Ironworker	$20.00	$23.13	$3.13	730	$2,284.90
Corey Electric Inc.	**Electrical & Fire Alarm**					**$13,396.50**
	Electrician	$26.00	$32.87	$6.87	1950	$13,396.50
Granite Corporation	**HVAC & Plumbing**					**$21,920.00**
	Foreman	$35.00	$40.00	$5.00	800	$4,000.00
	Licensed Plumbers	$35.00	$40.00	$5.00	1800	$9,000.00
	HVAC Licensed	$35.00	$40.00	$5.00	1600	$8,000.00
	HVAC Apprentice	$32.00	$35.00	$3.00	1200	$3,600.00
	Plumber Apprentice	$32.00	$35.00	$3.00	1200	$3,600.00
	(discount offered by subcontractor to help support the project)					-$6,280.00
Hi Tech Insulation	**Insulation**					**$14,080.00**
	Plumbing Insulation	$20.00	$40.00	$20.00	408	$8,160.00
	HVAC Insulation	$20.00	$40.00	$20.00	296	$5,920.00
Dillon Sheetmetal	**Sheetmetal**					**$13,500.00**
	Foreman	$25.00	$35.00	$10.00	900	$9,000.00
	Sheetmetal Installer	$25.00	$30.00	$5.00	900	$4,500.00
Accendo Fire Protection, LLC	**Fire Protection**					**$7,517.50**
	Sprinkler Fitter	$21.50	$31.20	$9.70	775	$7,517.50
LOCBID Construction	**Rough Framing**					**$25,484.00**
	Carpenter	$20.00	$27.73	$7.73	2000	$15,460.00
	Crane Operator	$20.00	$39.68	$19.68	400	$7,872.00

	Laborer	$15.00	$17.69	$2.69	800	$2,152.00
Industrial Roofing & Siding Co.	**Membrane Roofing**					**$3,380.40**
	Foreman	$36.53	$37.76	$1.23	180	$221.40
	Roofer	$20.76	$22.71	$1.95	1620	$3,159.00
Harvey Libby Inc.	**Structural Metal Framing**					**$396.00**
	Ironworker - Structural	$20.00	$24.29	$4.29	64	$274.56
	additional fee for payroll prep					$121.44
Simplified Green Homes	**Insulation**					**$3,480.00**
	Insulation	$20.00	$28.70	$8.70	400	$3,480.00
Phoenix Firestop Contracting	**Firestopping**					**$332.80**
	Laborer	$16.00	$17.04	$1.04	320	$332.80
Standard Waterproofing	**Dampproofing/Waterproofing**					**$438.60**
	Insulation Installer	$18.38	$28.70	$10.32	42.5	$438.60
Zachau Construction	**Exterior Finish Carpentry / Insulation**					**$5,790.40**
	Finish Carpenter	$19.00	$23.00	$4.00	1330	$5,320.00
	Insulation	$19.00	$24.88	$5.88	80	$470.40
SUBTOTAL						**$115,213.90**
ADDITIONAL CHARGES	**Increase to insurance, bonds, etc.**					**$6,481.75**
GRAND TOTAL						**$121,695.65**

Thanks. Also, could you clarify another issue. You refer several times to state/local wage rates. Is that a general reference to the language in the TIF policy or have there been instances where the local wage rate was more than the state or Davis-Bacon wage?

Mary P. Davis, Division Director
Housing & Community Development Division
Planning & Urban Development Department
City of Portland
389 Congress Street Room 312
Portland ME 04101
(207)874-8711
(207) 874-8949 FAX
mpd@portlandmaine.gov
www.portlandmaine.gov

City Hall is currently closed to the public until May 18. I am working remotely during this time.

On Mon, May 11, 2020 at 8:57 AM Jay Waterman <jwaterman@porthouse.org> wrote:

> Hi Mary,
>
> What I can say for sure is that the change order amount during construction of $46,000 was all the State/Local wage rates.
>
> The remainder of $186,140 was likely mostly Davis-Bacon wage rates.
>
> **Jay Waterman, LEED AP BD+C/Homes**
>
> Director of Real Estate Development
>
> Portland Housing Development Corporation
>
> Direct: 207.221.8009
>
> Cell: 207.272.2562
>
> PORTLAND HOUSING DEVELOPMENT CORPORATION

From: Mary Davis <mpd@portlandmaine.gov>
Date: Thursday, May 7, 2020 at 9:13 AM
To: Jay Waterman <jwaterman@porthouse.org>
Subject: Re: Affordable Housing TIF - Wage Rates

It will be important to know if the increased costs were due to Davis Bacon or the city's TIF Policy requirements.

Mary P. Davis, Division Director
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City Hall is currently closed to the public until May 18. I am working remotely during this time.

On Wed, May 6, 2020 at 10:35 PM Jay Waterman <jwaterman@porthouse.org> wrote:

> Hi Mary,
>
> I am writing to give input on the impact of the Federal, State and Local wage rate requirements on affordable housing developments in Portland. As you know, the City's relatively new policy requires that all projects which receive a TIF from the City must pay a worker the "prevailing wage" rates established by the Maine Department of Labor as well as the City of Portland minimum wage rate, whichever is higher.
>
> Project Based Vouchers and City TIF financing both triggered our wage rate increases at 58 Boyd Street. We knew Davis Bacon was going to be a concern because our building was over four stories, moving the project into the higher "Building" (Commercial) rates. As many projects experienced from 2017-2019, construction labor and material costs have gone up significantly while MaineHousing cost caps have been flat for years and will remain flat until the 2021 tax credit allocations.
>
> **The additional wage costs to the project was $232,140**. This is approximately 2.5% of the overall construction budget for the project. The attached spreadsheet from Wright-Ryan Construction shows the total impact of Federal, State and local wage rates. At this time, I do not have a specific breakdown of the impacts of Davis-Bacon versus the City's required State/Local wages.
>
> With rising costs, our cost reduction process on 58 Boyd Street during the design process was painful, forcing us to forego Passive House energy efficiency goals that could have reduced our heating energy costs by over 75%. The additional costs when we had to update the wage rates in the first few months of construction only took away from our ability to buy back any upgrades from our contingency.

I concur with all of Greg Payne's comments to you in his email of April 1st. I have also heard that subcontractors with projects simultaneously in Portland and adjacent towns are hard-pressed to explain to their workers why those that go to Portland should get a pay raise when others with the same skills working nearby do not.

I encourage you to ask the Council to exempt affordable housing projects that receive TIF funding from the City's wage rate policy.

Thank you.

Jay

Jay Waterman, LEED AP BD+C/Homes

Director of Real Estate Development

Portland Housing Authority | Portland Housing Development Corporation

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58 BOYD STREET APARTMENTS
WAGE RATE COST IMPACT ANALYSIS

Prepared for Portland Housing Authority
4/27/20

Wage Premiums Captured in GMP*.		
Rough Carpentry Sub		$ 46,000.00
Concrete Foundation Sub		$ 16,000.00
Drywall Sub		$ 65,000.00
Post GMP Premiums		
PCO # 20 (Updated Local, State &Davis-Bacon Rates)		$ 46,000.00
Wage Rate Premium Subtotal		$ 173,000.00
Fee, Insurance & Bond Add-ons at 6%		$ 10,380.00
	Total Premium	$ 183,380.00

Analysis:

GMP Contract Value	$ 9,655,751.00
GMP W/ PCO 20 (58 Boyd Costs w/ Wage Premium)	$ 9,704,511.00
GMP less premiums w/ add ons (Potential Cost of Project at Market Rates.)	$ 9,472,371.00
Delta between Market and Prescribed rates.	$ 232,140.00
Labor Rate Delta / Potential market rate GMP as a %.	2.5%

*Guaranteed Maximum Price

1. Includes Davis Bacon "Residential - Commercial Tier" rates for Buildings over four stories high.
2. Includes State of Maine & City of Portland Prevailing Wage rates.

City of Portland Prevailing Wage Review

Prepared Summer 2022

Comparison of Davis-Bacon and Cumberland County Wages

The federal Davis-Bacon wage rates and the local Cumberland County wage rates both consider direct wages plus fringe benefits to compare minimum wages for each wage category. The laborer classifications do not line up exactly between the two determinations, nor do the wage rates themselves. As a whole, the Cumberland County determinations have more specific trade classifications for various types of workers. When comparing rates between the two sets of wage requirements, Davis-Bacon wages generally lower and the Cumberland County wages are generally higher.

Although there are only a few instances where the Davis-Bacon rates are higher than Cumberland County rates, when the Davis-Bacon rates are higher, they are *significantly* higher. There are more categories where Cumberland County rates are higher than Davis-Bacon. However, in those instances, the Cumberland County rates have a smaller differential to the Davis-Bacon rates (with the exception of a couple of trades, such as electricians and plumbers).

Wage Categories where Davis Bacon wages are higher than Cumberland County:

- Carpenter, by $13.13/hour
- Ironworker, by $17.16/hour
- Excavator, by $13.44/hour

Wage Categories where Cumberland County wages are higher than Davis-Bacon:

- Bricklayer, by $5.59/hour
- Cement worker, by $0.73/hour
- Electrician, by $7.78/hour
- Elevator Mechanic, by $4.27/hour
- Glazier, by $8.09/hour
- Laborer (general), by $2.07/hour
- Laborer (skilled), by $8.21/hour
- Crane Operator, by $12.35/hour
- Painter (brush), by $2.59/hour
- Painter (spray), by $0.33/hour (note that there is no “spray painter” classification for Cumberland County)
- Pipefitter, by $5.93/hour
- Plumber, by $8.26/hour
- Roofer, by $0.86/hour
- Insulation, by $1.62/hour

Impact of Cumberland County Wages

It is worth noting that the *minimum wages* required by either Davis-Bacon or Cumberland County do not necessarily equal the *actual rates paid* on this job; employers often pay rates that exceed one or both of these minimum rates. This is particularly true in the case of union shops where wages are typically higher to begin with.

To understand the cost impact of adherence to Cumberland County wages in addition to Davis-Bacon wages, we reviewed a case study of a development currently under way in Portland. In this instance, Davis-Bacon wages had been required in the contract, and the general contractor surveyed subcontractors to collect their anticipated hourly rate for all positions. Please note that subcontractors were asked to report the rates they are actually paying so we could determine if the rates met or exceeded the minimum set by Davis-Bacon.

See attached and below for a more detailed accounting of the reported wage rates. Subcontractor names were redacted from this analysis for worker and employer privacy. There are a couple of key items to note. First, when there are multiple rates reported for the same trade classification, that is because the subcontractor(s) reported a variety of wages they are paying their workers. These workers could be within the same company or could work for a variety of different companies but have the same job classification. Second, the number of different rates for a given classification may not equal the actual number of positions on the job. For example, subcontractors collectively reported eight different *carpenter rates*. However, there are likely more than eight different *individuals working as carpenters* on this job. What this means is there may be multiple individuals paid at each of the rates listed below. Second,

After receiving the anticipated rates each subcontractor is paying, we compared those rates to the Davis-Bacon required rates, as well as the Cumberland County rates. **By contract, subcontractor wages for the case study were required to meet the Davis-Bacon rates. In many cases, subcontractor wages for the case study *also* exceed the Cumberland Country rates.**

Positions where the case study pay rates exceed Cumberland County minimums:

- Carpenters – 8 of 8 rates
- Cement workers – 5 of 5 rates
- Glaziers – 1 of 1 rates
- Ironworkers – 2 of 2 rates
- Laborers – 22 of 30 rates
- Crane Operator – 1 of 1 rates
- Excavator – 1 of 1 rates
- Painters – 2 of 7 rates
- Pipefitters – 4 of 5 rates
- Plumbers – 1 of 3 rates

Classifications or positions where the anticipated pay rate is lower than the Cumberland County rate are listed below:

- **Bricklayer** – The single bricklayer rate reported for this job meets the Davis-Bacon rate but will earn $5.59/hour less than the Cumberland County rate.
- **Electricians** – Subcontractors reported four different electrician positions, three of which have rates equal to the Davis Bacon rate and one of which is paid a few cents more. Therefore, three

electricians will be paid $7.78/hour less than Cumberland County, and one will be paid $7.73/hour less.

- **Elevator Mechanic** – The elevator mechanic will exceed the Davis-Bacon rate by approx. $2/hour, but they will still make $1.19/hour less than the Cumberland County rate.
- **Laborers** – Subcontractors reported 30 different laborer rates, eight of which would be paid below the Cumberland County rate:
    - $2.07/hour (three laborers, all paid at Davis-Bacon rate)
    - $1.19/hour (one laborer, exceeding Davis-Bacon rate)
    - $0.18/hour (one laborer, exceeding Davis-Bacon rate)
    - $0.51/hour (one laborer, exceeding Davis-Bacon rate)
    - $0.67/hour (one laborer, exceeding Davis-Bacon rate)
    - $0.98/hour (one laborer, exceeding Davis-Bacon rate)
- **Painters**: Subcontractors reported six painters on this job, four of whom would be making less than the Cumberland County rates:
    - $2.59/hour (two painters, both paid at Davis-Bacon rate)
    - $0.02/hour (one painter, exceeding Davis-Bacon rate)
    - $0.33/hour (one painter, exceeding Davis-Bacon rate)
- **Pipefitter**: One of the five pipefitters will be paid the Davis-Bacon rate and will make $0.50/hour less than the Cumberland County rate (the other pipefitters exceed both Davis-Bacon and Cumberland County).
- **Plumbers**: Of the three plumbing rates, two are less than the Cumberland County rate:
    - $6.74/hour (one plumber, exceeding Davis-Bacon rate)
    - $8.26/hour (one plumber, paid at Davis-Bacon rate)
- **Roofer**: The one roofing rate is being paid at the Davis-Bacon minimum, which is $0.96/hour less than the Cumberland County rate.

Of the estimated 70 different wage rates reported in the case study, more than 70% are compliant with both Davis-Bacon and Cumberland County wage rates. (Reminder again, there may be more than 70 different workers represented by those 70 different rates, so it is not possible to determine the exact percentage of workers that are/are not compliant with the Cumberland County wage rates). Of those 22 rates that are not compliant with Cumberland County wage requirements, most have a differential of less than a dollar (8 positions) or two dollars (7 positions). Seven positions have differences between 6-8 dollars, which are due to the Cumberland County wage rates for Electricians, Carpenters, and Plumbers.

Even though the differential on those rates is typically small, sometimes less than a dollar per hour but never more than nine dollars, Cumberland County wage rate compliance poses a significant cost to the project. Based on workhours estimated by the general contractor and relevant subcontractors, the added cost to the project for Cumberland County wage rate compliance would be in the range of $75,000 - $100,000.

City of Portland Prevailing Wage Review

Summer 2022

Job Classification	Davis-Bacon Rate	Cumberland County Rate	Difference Between Davis-Bacon and Cumberland County Rates	Davis-Bacon Rate Compliant with Cumberland County?	Additional Hourly Cost to Any Project for Cumberland County Compliance	Case Study Rate	Case Study Rate Compliant with Cumberland County?	Additional Hourly Cost to Project for Cumberland County Compliance
Bricklayer	$ 27.86	$ 33.45	$ (5.59)	NO	$ 5.59	$ 27.86	NO	$ (5.59)
Carpenter 1	$ 43.35	$ 30.22	$ 13.13	YES		$ 43.35	YES	$ -
Carpenter 2	$ 43.35	$ 30.22	$ 13.13	YES		$ 46.22	YES	$ -
Carpenter 3	$ 43.35	$ 30.22	$ 13.13	YES		$ 43.35	YES	$ -
Carpenter 4	$ 43.35	$ 30.22	$ 13.13	YES		$ 43.35	YES	$ -
Carpenter 5	$ 43.35	$ 30.22	$ 13.13	YES		$ 43.35	YES	$ -
Carpenter 6	$ 43.35	$ 30.22	$ 13.13	YES		$ 43.35	YES	$ -
Carpenter 7	$ 43.35	$ 30.22	$ 13.13	YES		$ 43.35	YES	$ -
Carpenter 8	$ 43.35	$ 30.22	$ 13.13	YES		$ 43.35	YES	$ -
Cement 1	$ 22.66	$ 23.39	$ (0.73)	NO	$ 0.73	$ 25.00	YES	$ -
Cement 2	$ 22.66	$ 23.39	$ (0.73)	NO	$ 0.73	$ 28.00	YES	$ -
Cement 3	$ 22.66	$ 23.39	$ (0.73)	NO	$ 0.73	$ 36.50	YES	$ -
Cement 4	$ 22.66	$ 23.39	$ (0.73)	NO	$ 0.73	$ 70.00	YES	$ -
Cement 5	$ 22.66	$ 23.39	$ (0.73)	NO	$ 0.73	$ 73.37	YES	$ -
Electrician 1	$ 39.53	$ 47.31	$ (7.78)	NO	$ 7.78	$ 39.53	NO	$ (7.78)
Electrician 2	$ 39.53	$ 47.31	$ (7.78)	NO	$ 7.78	$ 39.58	NO	$ (7.73)
Electrician 3	$ 39.53	$ 47.31	$ (7.78)	NO	$ 7.78	$ 39.53	NO	$ (7.78)
Electrician 4	$ 39.53	$ 47.31	$ (7.78)	NO	$ 7.78	$ 39.53	NO	$ (7.78)
Elevator Mechanic	$ 96.19	$ 100.46	$ (4.27)	NO	$ 4.27	$ 98.54	NO	$ (1.92)
Glazier	$ 16.12	$ 24.21	$ (8.09)	NO	$ 8.09	$ 25.23	YES	$ -
Ironworker 1	$ 50.82	$ 33.66	$ 17.16	YES		$ 50.82	YES	$ -
Ironworker 2	$ 50.82	$ 33.66	$ 17.16	YES		$ 53.69	YES	$ -
Laborer - General 1	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 72.01	YES	$ -
Laborer - General 2	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 16.12	NO	$ (2.07)
Laborer - General 3	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 16.12	NO	$ (2.07)
Laborer - General 4	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 16.12	NO	$ (2.07)
Laborer - General 5	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 38.50	YES	$ -
Laborer - General 6	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 27.60	YES	$ -
Laborer - General 7	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 36.48	YES	$ -
Laborer - General 8	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 27.82	YES	$ -
Laborer - General 9	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 32.39	YES	$ -
Laborer - General 10	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 35.90	YES	$ -
Laborer - General 11	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 18.54	YES	$ -
Laborer - General 12	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 24.00	YES	$ -
Laborer - General 13	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 17.00	NO	$ (1.19)
Laborer - General 14	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 20.00	YES	$ -
Laborer - General 15	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 27.00	YES	$ -
Laborer - General 16	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 19.92	YES	$ -
Laborer - General 17	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 20.46	YES	$ -
Laborer - General 18	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 25.26	YES	$ -
Laborer - General 19	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 18.01	NO	$ (0.18)
Laborer - General 20	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 17.68	NO	$ (0.51)
Laborer - General 21	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 17.52	NO	$ (0.67)
Laborer - General 22	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 31.00	YES	$ -
Laborer - General 23	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 25.00	YES	$ -
Laborer - General 24	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 21.00	YES	$ -
Laborer - General 25	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 22.50	YES	$ -
Laborer - General 26	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 18.30	YES	$ -
Laborer - General 27	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 19.35	YES	$ -
Laborer - General 28	$ 16.12	$ 18.19	$ (2.07)	NO	$ 2.07	$ 19.98	YES	$ -
Laborer - Skilled 1	$ 16.12	$ 24.33	$ (8.21)	NO	$ 8.21	$ 39.82	YES	$ -

Laborer - Skilled 2	$ 16.12	$ 24.33	$ (8.21)	NO	$ 8.21	$ 23.35	NO	$ (0.98)
Operator - Crane	$ 23.33	$ 35.68	$ (12.35)	NO	$ 12.35	$ 40.98	YES	$ -
Operator - Excavator	$ 37.29	$ 23.85	$ 13.44	YES		$ 39.87	YES	$ -
Painter - Brush 1	$ 17.43	$ 20.02	$ (2.59)	NO	$ 2.59	$ 24.00	YES	$ -
Painter - Brush 2	$ 17.43	$ 20.02	$ (2.59)	NO	$ 2.59	$ 26.00	YES	$ -
Painter - Brush 3	$ 17.43	$ 20.02	$ (2.59)	NO	$ 2.59	$ 17.43	NO	$ (2.59)
Painter - Brush 4	$ 17.43	$ 20.02	$ (2.59)	NO	$ 2.59	$ 20.00	NO	$ (0.02)
Painter - Brush 5	$ 17.43	$ 20.02	$ (2.59)	NO	$ 2.59	$ 17.43	NO	$ (2.59)
Painter - Spray	$ 19.69	$ 20.02	$ (0.33)	NO	$ 0.33	$ 19.69	NO	$ (0.33)
Pipefitter 1	$ 25.48	$ 31.41	$ (5.93)	NO	$ 5.93	$ 30.91	NO	$ (0.50)
Pipefitter 2	$ 25.48	$ 31.41	$ (5.93)	NO	$ 5.93	$ 32.89	YES	$ -
Pipefitter 3	$ 25.48	$ 31.41	$ (5.93)	NO	$ 5.93	$ 33.07	YES	$ -
Pipefitter 4	$ 25.48	$ 31.41	$ (5.93)	NO	$ 5.93	$ 35.81	YES	$ -
Pipefitter 5	$ 25.48	$ 31.41	$ (5.93)	NO	$ 5.93	$ 37.99	YES	$ -
Plumber 1	$ 25.48	$ 33.74	$ (8.26)	NO	$ 8.26	$ 25.48	NO	$ (8.26)
Plumber 2	$ 25.48	$ 33.74	$ (8.26)	NO	$ 8.26	$ 27.00	NO	$ (6.74)
Plumber 3	$ 25.48	$ 33.74	$ (8.26)	NO	$ 8.26	$ 37.00	YES	$ -
Roofer	$ 22.17	$ 23.13	$ (0.96)	NO	$ 0.96	$ 22.17	NO	$ (0.96)

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 12, 2023

SUBJECT: Order 240-22/23 Approving Residential Parking for Islanders - Sponsored by Danielle P. West, City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(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 6/5/2023**

Can action be taken at a later date: No The yearly extension will expire on June 30, and this order should be effective as of that date.

Does this item involve a new contract with the City: n/a

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

I. SUMMARY

The current one-year approval to allow the 22 time limited spaces (excluding the 4 metered spaces in front of 20 Thames St.) surrounding the development at the corner of Thames & Hancock Streets to be included in the Island Residential Zone expires on June 30, 2020, and this order extends that for another year, and also extends the expansion of the IR Zone to include a portion of the north side of Marginal Way from the Park & Ride Lot to Cove Street.

II. AGENDA DESCRIPTION

This order makes permanent the previous annual extension of the Islander Residential Parking Zone with 12 spaces on Thames Street and 10 spaces on Hancock Street surrounding the AC Hotel and the new condominiums The zone had been approved annually since 2008 while the area was being developed. This order also includes 42 parking spaces on the north side of Marginal Way between the Park & Ride Lot and Cove Street, which were added in 2019.

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

In June of 2008, the City Council approved a new residential parking zone, IR (Island Resident). A total of twenty nine (29) two hour parking spaces on both sides of Thames Street easterly of Hancock Street were signed accordingly. Vehicles displaying a IR (island resident) permit are exempt from the time limit parking regulation and can be left there all day; however the vehicles must be moved in accordance with the standard posted street maintenance signs, snow bans and posted emergency no parking.

Additionally, in June of 2017 the Council approved approximately twenty five (25) one hour parking spaces on the north side of Fore Street between Mountfort and Waterville Streets to allow the use of Island Residential Parking Permits along this section of Fore Street in a previously no parking zone. In 2008, since the

development at the corner of Thames and Hancock Streets was on hold, 10 on-street spaces on the westerly side of Hancock Street between Fore & Thames and 16 on-street parking spaces on the north side of Thames Street between India and Hancock Street were signed 2 hour parking (rather than metered), so that people with a IR permit could use them on a temporary year to year basis until the Council should decide to regulate the spaces differently. This gave the islanders an additional 26 on street parking spaces convenient to Casco Bay Lines, and would cause minimal interference with area businesses and residents. As you know the AC Hotel is now built on a portion of that lot, along with a 28 unit residential condominium with retail space on the ground floor, and plans to build two other buildings on the remaining lots on the block.

The ultimate regulation of the on-street parking is decided by the City Council.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

This order will provide additional parking for island residents.

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is $50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff has determined that the on-street parking will benefit Island residents, and one-hour turnover time limited parking and 4- two hour meters parking benefit the businesses.

VII. RECOMMENDATION

The Parking Division recommends passage.

VIII. LIST ATTACHMENTS

1. Islander parking, permanent change 6.5.2023

Prepared by:
Date: 05/12/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER APPROVING RESIDENTIAL PARKING FOR ISLANDERS

ORDERED, that Traffic Schedule XXVIII, Residential Parking Permit Area, District IR established pursuant to Order 306-07/08 passed on June 16, 2008 and amended by Order 278-08/09 on June 1, 2009, Order 246-09/10 on June 7, 2010, Order 270-10/11 on June 20, 2011, Order 217-11/12 on June 18, 2012, Order 235-12/13 on June 3, 2013, Order 265-13/14 on June 16, 2014, Order 289-14/15 on June 15, 2015, Order 262-16/17 on May 16, 2016, Order 254-16/17 on June 19, 2017, Order 230-17/18 on June 4, 2018, Order 260-18/19 on June 3, 2019, Order 189-19/20 on June 1, 2020, by Order 263-20/21 on June 7, 2021, and by Order 265-21/22 on June 6, 2022, is hereby amended, as follows:

> By making permanent the current temporary one-year period that expires as of June 30, 2023, and permanently extending the Schedule XXVIII, Residential Parking Permit Area, District IR to include forty-two (42) parking spaces on the north side of Marginal Way between the Park & Ride Lot and Cove Street, 10 parking spaces on the westerly side of Hancock Street between Fore and Thames streets and 12 on-street parking spaces on the north side of Thames Street between India and Hancock Street and by adding eight (8) spaces on the south side (water side) of Thames Street Extension.

MEMORANDUM
City Council Agenda Item

FROM: Mary Davis, Division Director

DATE: May 18, 2023

SUBJECT: Order 241-22/23 Accepting and Appropriating a United States Environmental Protection Agency Brownfield Assessment Grant of up to $500,000 - Sponsored by Danielle P. West, City Manager

SPONSOR: Danielle P. West, 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 6/5/2023 **Final Action 6/26/2023**

Can action be taken at a later date: No USEPA wanted to have signed documents back by June 1, 2023, but has extended this to coincide with this schedule.

Does this item involve a new contract with the City: Will check on this.

PRESENTATION: Mary Davis/5 Minutes

I. SUMMARY

The Housing and Economic Development Department requests the City Council's approval to accept and appropriate $500,000 in Grant Funds from the U.S. Environmental Protection Agency to replenish the City's Brownfields Assessment Grant Program.

II. AGENDA DESCRIPTION

This item accepts and appropriates $500,000 in Brownfield Assessment Grant funding. At this time, approximately $5,000 remains in the City's Brownfields Assessment Fund. While awaiting this new award, the City has been funding Brownfields Assessment Grant requests using closed-out United States Environmental Protection Agency (USEPA) Brownfield Program Income administered by the Portland Development Corporation. With this new award from the USEPA, the City can replenish its Brownfields Assessment Grant funding and support more environmental assessments.

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

The United States Environmental Protection Agency (EPA) provides the City with Brownfields funds to be used for assessment activities, as well as cleanup of properties for commercial, mixed use, residential developments, and open space. The City received its first Brownfields Assessment Grant of $200,000 from EPA in 2018. Since then, these funds have been successfully used to cover the cost of Phase I and Phase II Environmental Site Assessment for many private properties poised for redevelopment, as well as City-owned properties. Prior projects have included, for example, a former gas station on Brighton Avenue, 337 Cumberland Avenue (former Maria's Restaurant site), City-owned properties at 21 Randall Street and 165 Lambert Street, to name a few. The latter two are under Purchase and Sale Agreement for housing development. Approximately $5,000 currently remains in the City's Brownfields Assessment Fund.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The intended result is to accept and appropriate $500,000 of USEPA Brownfields Assessment Grant funds, which will be used to cover the cost of Phase I and Phase II Environmental Site Assessments and other assessment work for properties that have the potential to be redeveloped.

V. FINANCIAL IMPACT

There will be no financial impact because these Brownfields funds are grants to the City of Portland from the USEPA.

VI. STAFF ANALYSIS AND BACKGROUND

Staff recommends that the City Council accept and appropriate the $500,000 in grant funding that was awarded to the City by the U.S. Environmental Protection Agency.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Order Accepting and Appropriating a Brownfields Fund Grant from the U.S. EPA 6.5.2023
2. 5-16-2023 Email from USEPA Ntc of Award & Docs

Prepared by:
Mary Davis, Division Director
Date: 05/18/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER ACCEPTING AND APPROPRIATING A UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BROWNFIELD ASSESSMENT GRANT OF UP TO $500,000

ORDERED, that a United States Environmental Protection Agency Brownfield Assessment Grant in the amount of up to $500,000 is hereby accepted and appropriated for use in the City's Brownfields Loan Program; and

BE IT FURTHER ORDERED, that the City Manager or designee is hereby authorized to execute whatever documents are necessary to effect the intent and purpose of this order.

Lori Paulette <ljn@portlandmaine.gov>

New EPA Assessment Grant forms, etc.

Byrne, James <byrne.james@epa.gov> Tue, May 16, 2023 at 10:25 AM
To: Lori Paulette <ljn@portlandmaine.gov>
Cc: William Needelman <wbn@portlandmaine.gov>

Hi Lori: Congrats on your new assessment grant! Please complete & fill in where indicated. Please return these to me by June 1st. Please feel free to call with any questions. Thanks!

Jim Byrne

Brownfields Coordinator

Brownfields & Sustainable Materials Management Section

Land, Chemicals & Redevelopment Branch

Land, Chemicals & Redevelopment Division

U.S. EPA Region I, New England

5 Post Office Square, Suite 100

Mail Code 07-2

Boston, MA 02109-3912

byrne.james@epa.gov

Phone: 617-918-1389

Brownfields Success Stories

Region 1 Brownfields

8 attachments

2023 Budget Detail - Assessment.xlsx
26K

AssessmentWorkplanTemplateFY23 - BIL.docx
77K

epa_form_5700_54 Portland.pdf
203K

epa_form_6600_06.pdf
586K

EPA4700_4_5_0-V5.Portland.pdf
216K

SF424_4_0-V4.Portland.pdf
246K

SF424A-V1.Portland.pdf
174K

sflll_1_2-v1.2_Portland.pdf
176K

MEMORANDUM
City Council Agenda Item

FROM: Mary Davis, Division Director

DATE: May 22, 2023

SUBJECT: Order 242-22/23 Adopting Development Program for Portland Downtown for Fiscal Year 2023-2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

SPONSOR: Finance Committee, Councilor Mark Dion, Chair.
(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 6/5/2023 **Final Action 6/26/2023**

Can action be taken at a later date: No The June 26, 2023, public hearing will be advertised in the Portland Press Herald on June 14, 2023.

Does this item involve a new contract with the City: Yes, and Corporation Counsel has reviewed and approved the contract.

PRESENTATION: Mary Davis/3 Minutes

I. SUMMARY

Annually, the City Council authorizes the City Manager to execute documents necessary for the continued operation of Portland Downtown (formerly known as Portland's Downtown District).

II. AGENDA DESCRIPTION

The Portland Downtown District (PD) was originally established by the City Council on March 16, 1992. Since then, each year in June, for the following fiscal year starting July 1, City Council authorization to establish the special assessment and approval of the documents is needed.

For FY2024, City Council authorization is needed for the continued operation of PD, which documents include: (1) Adopting the Development Program for the PD; (2) Assessing Maintenance and Implementation Assessments in the PD District; and, (3) authorizing the Agreement for work to be done by PD and work to be done by the City.

The budget for PD is funded largely from special assessments on all real estate in the current District. The revenue raised through the special assessment will fund the PD development program expenses for FY2024. The proposed mil rate to raise this assessment is estimated at $.67 per $1,000 of property value in the current district in order to raise the PD Board approved budget of $1,249,349.

Portland Downtown representatives provided a presentation to the Finance Committee at its May 23, 2023, meeting. This item must be read on two separate days. This is its first reading.

III. BACKGROUND

See above.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The intended result is for the City Council to accept the FY2024 Development Plan, authorize the annual special assessment levied to property owners in the District in order for the PD to continue its program of

services to support downtown cleanliness, safety, and events, and to formalize the Agreement between the PD and the City for services.

V. FINANCIAL IMPACT

This year's assessment will be funded from special assessments on all real estate in the current district for an estimated FY2024 total of $1,249,349, an increase of $49,349 from FY2023 budget of $1,200,000. The increase is due largely to inflation. This assessment would be for the period July 1, 2023, to June 30, 2024. The proposed mil rate to raise this assessment is currently estimated to be $.67 cents per $1,000 of property value in the District. The FY2023 mil rate was $.66 cents per $1,000 of property value in the District; in FY2022 the mil rate was .57, lower than in previous years due to the Revaluation; in FY2021, the mil rate was $1.05; in FY2020, the mil rate was $1.09; in FY2019, the mil rate was $1.03 cents per $1,000 of property value in the expanded district. It is noted that for the prior nine (9) years before FY2019, the PD mil rate had been the same rate of $.92 cents per $1,000 of property value in the geographic area before the approved FY2019 geographic expansion of the district.

VI. STAFF ANALYSIS AND BACKGROUND

City staff have reviewed the documents and recommends the City Council vote to approve these items.

VII. RECOMMENDATION

The Portland Downtown Board of Directors voted to approve the FY2024 Budget at its April 2023 meeting.

The Finance Committee met on May 23, 2023, and voted _____ to forward this to the City Council for approval.

VIII. LIST ATTACHMENTS

1. Adopting Development Program for Portland Downtown 2023-2024 6.5.2023
2. Development Program for FY2024 Recd 5-12-2023
3. Listing of Property Assessments for FY2024
4. PDD Agreement for FY2024 for CC & Att

Prepared by:
Mary Davis, Division Director
Date: 05/22/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
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REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER ADOPTING DEVELOPMENT PROGRAM FOR PORTLAND DOWNTOWN FOR FISCAL YEAR 2023-2024

ORDERED, pursuant to 30-A M.R.S. Section 5224, after public hearing, the City Council of the City of Portland hereby adopts the Development Program submitted by the City Manager, a copy of which is attached hereto, for the Downtown Improvement District, Inc. doing business as Portland Downtown for fiscal year 2023-2024.

FY24 Budget and Development Plan

Portland Downtown stimulates a thriving, vibrant & sustainable downtown community

FY23 Highlights

- Monument Square Tree Cam
- Mission 3/65
- 2/07 Day
- Continued successful cadet program
- Graffiti fighting partnership with Audet Enterprises
- Partnered with Milestone HOME Team & Amistad
- Public Restroom Advocacy, Placement, Evaluation & continued efforts
- Alleyway Activation –Mechanics' Hall + lights
- World Cup Watch Party
- Two murals completed (Free Street & Cumberland Ave)
- Crosswalk Activation
- Park(ing) Day
- Congress Street Cash Mob
- Mural at Free Street
- Mural on Cumberland Ave.

Fiscal Year 2024

- FY23 overall budget flat, accommodating for SSA increase
- Supplemental Services at $474,349
- Continued funding for Portland Downtown & Amistad Peer Outreach Worker (POW) program & Milestone efforts
- Continuing cadet funding
- Continuing our new mural program

Notes on FY24 Budget

- Enhanced Space Activation Work
- Continued events calendar
- Visitor Information Booth
- Continued social service partnership
- Continued graffiti efforts

FY24 Development Plan

- Strengthen outreach & relationship building
- Grow advocacy efforts
- Continue to expand mural program
- Implement new strategic plan & continue to tweak committee structure
- Further engage downtown residential community
- Monument Square efforts continue
- Public Restroom efforts continue
- Age-Friendly Business efforts continue
- Grow Placemaking efforts

2020-2025 Strategic Plan Guiding Principles

- Portland Downtown is a community builder
- Portland Downtown is a key advocate for the downtown community
- Portland Downtown is a strong partner & collaborator
- Portland Downtown strives to be increasingly environmentally sustainable
- Portland Downtown believes in organizational sustainability

PORTLAND'S DOWNTOWN DISTRICT
Budget FY_2023_2024
July 2023 - June 2024

	Total
Income	
ASSESSMENT REVENUE	1,249,349.00
CONTRIBUTIONS INCOME	750.00
DIRECTORY PARTNERSHIP CONTRIBUT	4,000.00
EVENT INCOME	41,500.00
GRANT INCOME	1,500.00
MURAL INCOME	3,000.00
P&W INCOME	2,400.00
Total Income	**1,302,499.00**
Gross Profit	**1,302,499.00**
Expenses	
CLEAN INITIATIVES	-
ALLEYWAY ACTIVATION EXPENSE	3,000.00
CLEAN & SAFE EXPERIENCE	4,800.00
ESTIMATED NONCOLLECTION	12,632.93
FIXED FEE FOR DID ADMIN	10,550.00
PUBLIC ART	26,250.00
PUBLIC RESTROOM MAINTENANCE, ETC	10,000.00
REPAIRS & IMPROVEMENTS	4,980.00
SUPPLEMENTAL SERVICES CONTRACT	474,349.00
Total CLEAN INITIATIVES	**546,561.93**
DAYS / EVENTS	-
207 DAY	3,000.00
DOWNTOWN WORKER APPR DAY (DWAD)	11,000.00
POLICE AWARDS BREAKFAST	4,500.00
Total DAYS / EVENTS	**18,500.00**
EMPLOYEE COSTS	360,669.17
INSURANCE	5,874.00
LIGHT UP YOUR HOLIDAY EXPENSES	44,700.00
MARKETING	27,000.00
OPERATIONS COSTS	53,287.60
ORGANIZATIONAL ACTIVITIES	12,700.00
PROFESSIONAL FEES	9,200.00
PROGRAMS AND PARTNERSHIPS	-
AUDET	30,000.00
MILESTONE HOMETEAM	9,000.00
PEER OUTREACH WORKER PROGRAM	7,500.00
POLICE CADET PROGRAM EXPENSE	40,000.00
VISITOR INFO BOOTH	7,500.00
WINTER LIGHTS	70,000.00
Total PROGRAMS AND PARTNERSHIPS	**164,000.00**
RENT AND UTILITIES	33,506.30
SPACE ACTIVATION	-
DANA STREET	6,000.00
EXCHANGE STREET	6,000.00
MILK STREET	4,500.00
MONUMENT SQUARE	10,000.00
Total SPACE ACTIVATION	**26,500.00**
Total Expenses	**1,302,499.00**
Net Income	**(0.00)**

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
021 A001001	25:PARKING LOTS	119	PEARL ST	PEARL CUMBERLAND LLC	8,490,000	5,688.30
021 A012001	56:GOVERNMENTAL	214	CUMBERLAND AVE	CITY OF PORTLAND	-00	-
027 A001001	22:OFFICE BUSINESS	320	CUMBERLAND AVE	EAST END CORP	10,305,700	6,904.82
027 A012001	56:GOVERNMENTAL	5	MONUMENT SQ	CITY OF PORTLAND	-00	-
027 A015001	22:OFFICE BUSINESS	465	CONGRESS ST	CTR CONGRESS LLC	9,118,100	6,109.13
027 B001001	56:GOVERNMENTAL	284	CUMBERLAND AVE	CITY OF PORTLAND	-00	-
027 B002001	22:OFFICE BUSINESS	443	CONGRESS ST	JJR 443 CONGRESS LLC	5,851,500	3,920.51
027 B003001	56:GOVERNMENTAL	9	ELM ST	CITY OF PORTLAND	-00	-
027 B004001	27:MULTI-USE COMMERCIAL	439	CONGRESS ST	METROPOLITAN APARTMENTS LLC	8,902,600	5,964.74
027 B005001	53:RELIGIOUS	425	CONGRESS ST	FIRST PARISH IN PORTLAND	-00	-
027 B007001	22:OFFICE BUSINESS	415	CONGRESS ST	ASHBY TEAM LLC	3,596,900	2,409.92
027 B008001	56:GOVERNMENTAL	21	ELM ST	CITY OF PORTLAND	-00	-
027 B009001	57:OTHERS EXEMPT BY LAW	8	CHESTNUT ST	MASONIC TRUSTEES OF PORTLAND	-00	-
027 C002001	27:MULTI-USE COMMERCIAL	17	CHESTNUT ST	TRIPOD HOLDINGS LLC	796,300	533.52
027 C010001	20:COMMERCIAL CONDOS	21	CHESTNUT ST	HAIR ETC LLC	192,200	128.77
027 C010002	20:COMMERCIAL CONDOS	21	CHESTNUT ST	CHESTNUT STREET LOFTS LLC	233,600	156.51
027 C01002E	10:CONDOMINIUMS	21	CHESTNUT ST	JORDAN CARA A	342,100	229.21
027 C01002N	10:CONDOMINIUMS	21	CHESTNUT ST	SMITH DOUGLAS A &	318,100	213.13
027 C01002S	10:CONDOMINIUMS	21	CHESTNUT ST	MORREL VICTOR &	342,100	229.21
027 C01002W	10:CONDOMINIUMS	21	CHESTNUT ST	ANDERSON EVAN	403,700	270.48
027 C01003E	10:CONDOMINIUMS	21	CHESTNUT ST	CASTANEA PRIME LLC	367,100	245.96
027 C01003N	10:CONDOMINIUMS	21	CHESTNUT ST	TILTON GARRETT K &	378,700	253.73
027 C01003S	10:CONDOMINIUMS	21	CHESTNUT ST	SAWYER JESSE	324,500	217.42
027 C01003W	10:CONDOMINIUMS	21	CHESTNUT ST	VANHOEWYK JOHN VN VET &	372,700	249.71

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
027 C01004E	10:CONDOMINIUMS	21	CHESTNUT ST	BAILEY DONALD B &	367,100	245.96
027 C01004N	10:CONDOMINIUMS	21	CHESTNUT ST	SEARS STEPHEN D &	403,700	270.48
027 C01004S	10:CONDOMINIUMS	21	CHESTNUT ST	KAUFMANN CHARLES L	367,100	245.96
027 C01004W	10:CONDOMINIUMS	21	CHESTNUT ST	NYGAARD DANTON D &	378,700	253.73
027 C01005E	10:CONDOMINIUMS	21	CHESTNUT ST	FRISONE GIOVANNI &	367,100	245.96
027 C01005N	10:CONDOMINIUMS	21	CHESTNUT ST	YINDRA SARA R	419,000	280.73
027 C01005S	10:CONDOMINIUMS	21	CHESTNUT ST	NAQUI MUNIRA Z	367,100	245.96
027 C01005W	10:CONDOMINIUMS	21	CHESTNUT ST	CURTIN TERESA ANN	444,000	297.48
027 C01006E	10:CONDOMINIUMS	21	CHESTNUT ST	HAMM LARRY F &	367,100	245.96
027 C01006N	10:CONDOMINIUMS	21	CHESTNUT ST	SCOTT AURELIA C WID WWII VET	413,000	276.71
027 C01006S	10:CONDOMINIUMS	21	CHESTNUT ST	SCHWELLENBACH JAMES C &	342,100	229.21
027 C01006W	10:CONDOMINIUMS	21	CHESTNUT ST	BARRY PRUDENCE B	419,000	280.73
027 C01007E	10:CONDOMINIUMS	21	CHESTNUT ST	HARDING ALICIA &	395,500	264.99
027 C01007N	10:CONDOMINIUMS	21	CHESTNUT ST	POLLASTRI MICHAEL P &	389,600	261.03
027 C01007S	10:CONDOMINIUMS	21	CHESTNUT ST	KELLY MARILYN E TRUSTEE	480,400	321.87
027 C01007W	10:CONDOMINIUMS	21	CHESTNUT ST	GUIGLI MICHAEL	448,400	300.43
027 C01008N	10:CONDOMINIUMS	21	CHESTNUT ST	COTSIRILOS STEPHANIE G	550,400	368.77
027 C01008S	10:CONDOMINIUMS	21	CHESTNUT ST	WILLIAMS JAN &	480,000	321.60
027 C01008W	10:CONDOMINIUMS	21	CHESTNUT ST	BUSQUE PETER J	462,300	309.74
027 C0102NW	10:CONDOMINIUMS	21	CHESTNUT ST	HOBBS JANNA K ETAL JTS	388,300	260.16
027 C0102SE	10:CONDOMINIUMS	21	CHESTNUT ST	GAULKE JULIA P &	321,800	215.61
027 C0103NW	10:CONDOMINIUMS	21	CHESTNUT ST	AVIGNON PIERRE &	388,300	260.16
027 C0103SE	10:CONDOMINIUMS	21	CHESTNUT ST	CASTANEA PRIME LLC	357,500	239.53
027 C0104NW	10:CONDOMINIUMS	21	CHESTNUT ST	FRAZER LORINDA JANE TRUSTEE	388,300	260.16

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
027 C0104SE	10:CONDOMINIUMS	21	CHESTNUT ST	DEGRAY EMILY &	321,800	215.61
027 C0105NW	10:CONDOMINIUMS	21	CHESTNUT ST	FLACH ROSEMARY	423,900	284.01
027 C0105SE	10:CONDOMINIUMS	21	CHESTNUT ST	MAHON CONOR &	375,400	251.52
027 C0106NW	10:CONDOMINIUMS	21	CHESTNUT ST	141 PLEASANT STREET LLC	427,100	286.16
027 C0106SE	10:CONDOMINIUMS	21	CHESTNUT ST	EISENBERG AVNER	375,400	251.52
027 C011001	27:MULTI-USE COMMERCIAL	15	CHESTNUT ST	BOODILLY LLC	3,005,200	2,013.48
027 C012001	56:GOVERNMENTAL	389	CONGRESS ST	CITY OF PORTLAND	-00	-
027 D001001	27:MULTI-USE COMMERCIAL	385	CONGRESS ST	FATHOM CONGRESS LLC	3,774,590	2,528.98
027 D002001	27:MULTI-USE COMMERCIAL	365	CONGRESS ST	385 CONGRESS LLC	6,690,710	4,482.78
027 F001001	22:OFFICE BUSINESS	50	MONUMENT SQ	THE LANCASTER GROUP LLC	9,388,400	6,290.23
027 F002001	10:CONDOMINIUMS	28	MONUMENT SQ	DONNELLY JON PATRICK	1,250,300	837.70
027 F002002	10:CONDOMINIUMS	28	MONUMENT SQ	STODDARD ROBERT B &	1,010,500	677.04
027 F002003	20:COMMERCIAL CONDOS	28	MONUMENT SQ	28 MSQ LLC	614,100	411.45
027 F002004	20:COMMERCIAL CONDOS	28	MONUMENT SQ	28 MSQ LLC	614,100	411.45
027 F002005	20:COMMERCIAL CONDOS	28	MONUMENT SQ	28 MSQ LLC	181,200	121.40
027 F003001	21:RETAIL SERVICES	22	MONUMENT SQ	STORREY INDUSTRIES LLC	2,879,700	1,929.40
027 F004001	25:PARKING LOTS	6	MONUMENT SQ	PARCHEGGIO LLC	324,400	217.35
027 F005001	27:MULTI-USE COMMERCIAL	18	MONUMENT SQ	18 MONUMENT PLACE LLC	1,230,200	824.23
027 F006001	21:RETAIL SERVICES	16	MONUMENT SQ	15 MONUMENT SQUARE LLC	1,228,200	822.89
027 F009001	21:RETAIL SERVICES	121	CENTER ST	TEDLUM ASSOCIATES LLC	3,934,300	2,635.98
027 F011001	21:RETAIL SERVICES	1	MONUMENT WAY	CF OMW LLC	7,087,600	4,748.69
027 F014001	19:AUXILIARY BUILDINGS	0	MONUMENT SQ	TWO MONUMENT WAY ASSOCIATES	202,600	135.74
027 F023001	27:MULTI-USE COMMERCIAL	30	CITY CTR	RODWAY PETER E &	558,800	374.40
027 F024001	21:RETAIL SERVICES	28	CITY CTR	BROWN J B & SONS	558,000	373.86

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
027 F026001	21:RETAIL SERVICES	26	CITY CTR	BROWN J B & SONS	1,093,900	732.91
027 F027001	22:OFFICE BUSINESS	24	CITY CTR	BROWN J B & SONS	1,510,000	1,011.70
027 F028001	25:PARKING LOTS	41	FREE ST	TEDLUM ASSOCIATES LLC	233,700	156.58
027 F029001	25:PARKING LOTS	23	FREE ST	ONE CITY CENTER ASSOCIATES LLC	15,200,000	10,184.00
027 G001001	58:LAND BANKS	456	CONGRESS ST	CITY OF PORTLAND	-00	-
028 A001001	56:GOVERNMENTAL	380	CONGRESS ST	CITY OF PORTLAND	-00	-
028 B001001	58:LAND BANKS	350	CONGRESS ST	CITY OF PORTLAND	-00	-
028 E001001	56:GOVERNMENTAL	168	FEDERAL ST	UNITED STATES	-00	-
028 F001001	56:GOVERNMENTAL	142	FEDERAL ST	CUMBERLAND COUNTY OF	-00	-
028 K001001	21:RETAIL SERVICES	77	MARKET ST	85 MARKET STREET LLC	2,831,100	1,896.84
028 K002001	22:OFFICE BUSINESS	66	PEARL ST	LEADER PROPERTIES LLC	7,334,300	4,913.98
028 K003001	22:OFFICE BUSINESS	75	MARKET ST	WHOLLY COW LLC	6,918,400	4,635.33
028 L002001	56:GOVERNMENTAL	0	NEWBURY ST	CUMBERLAND COUNTY INHABITANTS	-00	-
028 L005001	20:COMMERCIAL CONDOS	75	PEARL ST	WBFM LLC	2,284,000	1,530.28
028 L00502A	20:COMMERCIAL CONDOS	75	PEARL ST	WOODMAN BUILDING	1,045,400	700.42
028 L00502B	20:COMMERCIAL CONDOS	75	PEARL ST	WOODMAN BUILDING	821,600	550.47
028 L00503A	20:COMMERCIAL CONDOS	75	PEARL ST	WOODMAN BUILDING	644,100	431.55
028 L00503B	20:COMMERCIAL CONDOS	75	PEARL ST	WOODMAN BUILDING	845,200	566.28
028 L00504A	20:COMMERCIAL CONDOS	75	PEARL ST	WOODMAN BUILDING	644,100	431.55
028 L00504B	20:COMMERCIAL CONDOS	75	PEARL ST	WOODMAN BUILDING	1,045,400	700.42
028 L007001	24:WHOLESALE	131	MIDDLE ST	RACKLEFF BLOCK LLC	3,306,100	2,215.09
028 M001001	56:GOVERNMENTAL	192	NEWBURY ST	CUMBERLAND COUNTY OF	-00	-
028 M005001	21:RETAIL SERVICES	121	MIDDLE ST	123 LLC	5,108,500	3,422.70
028 N001001	56:GOVERNMENTAL	109	MIDDLE ST	CITY OF PORTLAND	-00	-

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
028 N009001	27:MULTI-USE COMMERCIAL	115	MIDDLE ST	BROTHERS THREE LLC	1,273,800	853.45
028 N010001	21:RETAIL SERVICES	111	MIDDLE ST	VENTURE III HOLDINGS LLC	373,600	250.31
029 A00101A	20:COMMERCIAL CONDOS	150	MIDDLE ST	PROSPERITA LLC	901,200	603.80
029 A00101B	20:COMMERCIAL CONDOS	150	MIDDLE ST	PEG REALTY LLC	820,300	549.60
029 A00101C	20:COMMERCIAL CONDOS	150	MIDDLE ST	IN FIRM GROUP THE	628,700	421.23
029 A00101D	20:COMMERCIAL CONDOS	150	MIDDLE ST	IN FIRM GROUP THE	628,700	421.23
029 A00102A	10:CONDOMINIUMS	150	MIDDLE ST	FRANK PATRICK J JR	378,700	253.73
029 A00102B	10:CONDOMINIUMS	150	MIDDLE ST	SAVATTERI SALVATORE JR &	345,000	231.15
029 A00102C	10:CONDOMINIUMS	150	MIDDLE ST	MEIL JOAN F &	362,400	242.81
029 A00102D	10:CONDOMINIUMS	150	MIDDLE ST	ORNETA ANTHONY &	350,400	234.77
029 A00102E	10:CONDOMINIUMS	150	MIDDLE ST	ERNEST PAUL W &	380,100	254.67
029 A00102F	10:CONDOMINIUMS	150	MIDDLE ST	MORRISSETTE CAROL ANN	379,000	253.93
029 A00102G	10:CONDOMINIUMS	150	MIDDLE ST	KIRK CHARLES M	303,700	203.48
029 A00102H	10:CONDOMINIUMS	150	MIDDLE ST	JOHNS F ARTHUR T	398,400	266.93
029 A00102I	10:CONDOMINIUMS	150	MIDDLE ST	STERLING JANN D &	342,300	229.34
029 A00102J	10:CONDOMINIUMS	150	MIDDLE ST	MILLS S PETER	315,600	211.45
029 A00102K	10:CONDOMINIUMS	150	MIDDLE ST	MILLS S PETER	366,600	245.62
029 A00103A	10:CONDOMINIUMS	150	MIDDLE ST	NELSON JEANNE	423,900	284.01
029 A00103B	10:CONDOMINIUMS	150	MIDDLE ST	ZHAO MIN &	362,200	242.67
029 A00103C	10:CONDOMINIUMS	150	MIDDLE ST	AHP CAMDEN LLC	380,500	254.94
029 A00103D	10:CONDOMINIUMS	150	MIDDLE ST	AHP CAMDEN LLC	367,900	246.49
029 A00103E	10:CONDOMINIUMS	150	MIDDLE ST	ROBERTS MATTHEW	399,100	267.40
029 A00103F	10:CONDOMINIUMS	150	MIDDLE ST	M & B 101 INC	397,900	266.59
029 A00103G	10:CONDOMINIUMS	150	MIDDLE ST	M & B 101 INC	345,200	231.28

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
029 A00103H	10:CONDOMINIUMS	150	MIDDLE ST	HENDERSON HAROLD L &	348,600	233.56
029 A00103I	10:CONDOMINIUMS	150	MIDDLE ST	HARDING WILLIAM TRUSTEE	334,400	224.05
029 A00103J	10:CONDOMINIUMS	150	MIDDLE ST	SCHAFFER KAREN	331,400	222.04
029 A00103K	10:CONDOMINIUMS	150	MIDDLE ST	CONSIGLI SUSAN &	384,900	257.88
029 A00104A	10:CONDOMINIUMS	150	MIDDLE ST	BIXBY DOUGLAS B &	398,900	267.26
029 A00104B	10:CONDOMINIUMS	150	MIDDLE ST	TURNER SCOTT H &	362,200	242.67
029 A00104C	10:CONDOMINIUMS	150	MIDDLE ST	CAMP PETER S	380,500	254.94
029 A00104D	10:CONDOMINIUMS	150	MIDDLE ST	GUTWIN JOHN D &	342,900	229.74
029 A00104E	10:CONDOMINIUMS	150	MIDDLE ST	GIUSTRA PETER E TRUSTEE	399,100	267.40
029 A00104F	10:CONDOMINIUMS	150	MIDDLE ST	WINSLOW DARREN R &	411,500	275.71
029 A00104G	10:CONDOMINIUMS	150	MIDDLE ST	GIARRAPUTO CYNTHIA R &	345,200	231.28
029 A00104H	10:CONDOMINIUMS	150	MIDDLE ST	150 MIDDLE LLC	373,600	250.31
029 A00104I	10:CONDOMINIUMS	150	MIDDLE ST	GARCIA MELISSA DORA &	359,400	240.80
029 A00104J	10:CONDOMINIUMS	150	MIDDLE ST	GREENZWEIG NEIL TRUSTEE	331,400	222.04
029 A00104K	10:CONDOMINIUMS	150	MIDDLE ST	ZANARDI MARIAGRAZIA	384,900	257.88
029 A00105A	20:COMMERCIAL CONDOS	150	MIDDLE ST	MIRS PROPERTIES LLC	1,408,900	943.96
029 A00105B	10:CONDOMINIUMS	150	MIDDLE ST	DUNKERLY ALLAN S TRUSTEE	1,013,300	678.91
029 A0010BA	20:COMMERCIAL CONDOS	150	MIDDLE ST	100 SILVER STREET LLC	470,900	315.50
029 A0010BB	20:COMMERCIAL CONDOS	150	MIDDLE ST	100 SILVER STREET LLC	470,900	315.50
029 A001P01	10:CONDOMINIUMS	150	MIDDLE ST	DUNKERLY MARY V	28,500	19.10
029 A001P02	10:CONDOMINIUMS	150	MIDDLE ST	GIUSTRA PETER E TRUSTEE	28,500	19.10
029 A001P03	10:CONDOMINIUMS	150	MIDDLE ST	ROBERTS MATTHEW	28,500	19.10
029 A001P04	10:CONDOMINIUMS	150	MIDDLE ST	MIRS PROPERTIES LLC	28,500	19.10
029 A001P05	10:CONDOMINIUMS	150	MIDDLE ST	MIRS PROPERTIES LLC	28,500	19.10

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
029 A001P06	10:CONDOMINIUMS	150	MIDDLE ST	IN FIRM GROUP THE	28,500	19.10
029 A001P07	10:CONDOMINIUMS	150	MIDDLE ST	IN FIRM GROUP THE	28,500	19.10
029 A001P08	10:CONDOMINIUMS	150	MIDDLE ST	GIARRAPUTO CYNTHIA R &	28,500	19.10
029 A001P09	10:CONDOMINIUMS	150	MIDDLE ST	MCGOLDRICK RICHARD J	28,500	19.10
029 A001P10	10:CONDOMINIUMS	150	MIDDLE ST	FRANK PATRICK J JR	28,500	19.10
029 A001P11	10:CONDOMINIUMS	150	MIDDLE ST	FRANK PATRICK J JR	28,500	19.10
029 A001P12	10:CONDOMINIUMS	150	MIDDLE ST	INFIRM GROUP	28,500	19.10
029 A001P13	10:CONDOMINIUMS	150	MIDDLE ST	MILLS S PETER	28,500	19.10
029 A001P14	10:CONDOMINIUMS	150	MIDDLE ST	ERNEST PAUL W &	28,500	19.10
029 A001P15	10:CONDOMINIUMS	150	MIDDLE ST	BIXBY DOUGLAS B &	28,500	19.10
029 A001P16	10:CONDOMINIUMS	150	MIDDLE ST	MACBRIDE JENNIFER L	28,500	19.10
029 A001P17	10:CONDOMINIUMS	150	MIDDLE ST	CAMP PETER S	28,500	19.10
029 A001P18	10:CONDOMINIUMS	150	MIDDLE ST	PROSPERITA LLC	28,500	19.10
029 A001P19	10:CONDOMINIUMS	150	MIDDLE ST	PROSPERITA LLC	28,500	19.10
029 A001P20	10:CONDOMINIUMS	150	MIDDLE ST	AHP CAMDEN LLC	28,500	19.10
029 A001P21	10:CONDOMINIUMS	150	MIDDLE ST	DUNKERLY ALLAN S &	28,500	19.10
029 A001P22	10:CONDOMINIUMS	150	MIDDLE ST	MIRS PROPERTIES LLC	28,500	19.10
029 A001P23	10:CONDOMINIUMS	150	MIDDLE ST	MIRS PROPERTIES LLC	28,500	19.10
029 A001P24	10:CONDOMINIUMS	150	MIDDLE ST	MIRS PROPERTIES LLC	28,500	19.10
029 A001P25	10:CONDOMINIUMS	150	MIDDLE ST	MIRS PROPERTIES LLC	28,500	19.10
029 A001P26	10:CONDOMINIUMS	150	MIDDLE ST	MIRS PROPERTIES LLC	28,500	19.10
029 A001P27	10:CONDOMINIUMS	150	MIDDLE ST	HARDING WILLIAM TRUSTEE	28,500	19.10
029 A001P28	10:CONDOMINIUMS	150	MIDDLE ST	SHIPYARD INC	28,500	19.10
029 A001P29	10:CONDOMINIUMS	150	MIDDLE ST	SHIPYARD INC	28,500	19.10

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
029 A003001	22:OFFICE BUSINESS	5	MILK ST	OLYMPIA MILK STREET LLC	4,228,800	2,833.30
029 B001001	21:RETAIL SERVICES	37	SILVER ST	WITT-T LLC	923,800	618.95
029 B002001	22:OFFICE BUSINESS	4	MILK ST	4 MILK MHR LLC	2,896,600	1,940.72
029 B003001	25:PARKING LOTS	25	SILVER ST	PORTLAND REGENCY INC	901,300	603.87
029 B004001	10:CONDOMINIUMS	341	FORE ST	JACKSON MICHAEL	351,400	235.44
029 B004002	10:CONDOMINIUMS	341	FORE ST	O'CONNOR DENNIS R III &	320,700	214.87
029 B004003	10:CONDOMINIUMS	341	FORE ST	FORE STREET COMMONS LLC	365,000	244.55
029 B004004	10:CONDOMINIUMS	341	FORE ST	CHILDS DONNA W	365,800	245.09
029 B004005	10:CONDOMINIUMS	341	FORE ST	PENDERS JOHN F IV	323,600	216.81
029 B004006	10:CONDOMINIUMS	341	FORE ST	STEPHENSON CHRISTOPHER J	363,500	243.55
029 B004007	10:CONDOMINIUMS	341	FORE ST	ALAGIC SUAD	326,400	218.69
029 B004008	10:CONDOMINIUMS	341	FORE ST	DALTON JENNIFER L	326,100	218.49
029 B004009	10:CONDOMINIUMS	341	FORE ST	GOODRICH STEPHEN P	668,600	447.96
029 B004010	20:COMMERCIAL CONDOS	341	FORE ST	BRICK & COBBLESTONE LLC	452,100	302.91
029 B004011	20:COMMERCIAL CONDOS	341	FORE ST	MAMI PROPERTIES LLC	339,100	227.20
029 C001001	10:CONDOMINIUMS	340	FORE ST	ADB REALTY LLC	229,000	153.43
029 C001002	10:CONDOMINIUMS	340	FORE ST	HAYEK LEE-ANN COLLINS TRUSTEE	209,900	140.63
029 C001003	10:CONDOMINIUMS	340	FORE ST	207 INVESTS LLC	336,700	225.59
029 C001004	20:COMMERCIAL CONDOS	340	FORE ST	ABD REALTY LLC	261,000	174.87
029 C001005	20:COMMERCIAL CONDOS	340	FORE ST	ADB REALTY LLC	152,700	102.31
029 C002001	21:RETAIL SERVICES	336	FORE ST	DOCK FORE INC	498,500	334.00
029 C003001	21:RETAIL SERVICES	334	FORE ST	PORT CITY APARTMENTS	674,300	451.78
029 C005001	21:RETAIL SERVICES	330	FORE ST	J & R VENTURES LLC	936,000	627.12
029 C006001	20:COMMERCIAL CONDOS	3	GOLD ST	GOLD STREET PROPERTIES LLC	362,600	242.94

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
029 C006002	20:COMMERCIAL CONDOS	1	GOLD ST	ADNERB PROPERTIES LLC	287,000	192.29
029 C006003	20:COMMERCIAL CONDOS	320	FORE ST	FORE STREET INVESTMENTS LLC	353,200	236.64
029 C006004	20:COMMERCIAL CONDOS	320	FORE ST	FORE STREET INVESTMENTS LLC	365,400	244.82
029 C006005	20:COMMERCIAL CONDOS	320	FORE ST	FORE STREET INVESTMENTS LLC	243,600	163.21
029 C006006	20:COMMERCIAL CONDOS	320	FORE ST	FORE STREET INVESTMENTS LLC	275,400	184.52
029 C006007	20:COMMERCIAL CONDOS	320	FORE ST	FORE STREET INVESTMENTS LLC	652,800	437.38
029 D001001	21:RETAIL SERVICES	129	COMMERCIAL ST	RSB LIMITED LIABILITY COMPANY	1,399,600	937.73
029 D002001	22:OFFICE BUSINESS	121	COMMERCIAL ST	MAD COW LLC	579,800	388.47
029 D003001	22:OFFICE BUSINESS	111	COMMERCIAL ST	BLANCHARD BLOCK LLC	2,854,900	1,912.78
029 E001001	22:OFFICE BUSINESS	130	MIDDLE ST	ELC LIMITED LIABILITY COMPANY	6,980,700	4,677.07
029 E006001	22:OFFICE BUSINESS	100	MIDDLE ST	ALBANY ROAD-PORTLAND LLC	23,139,700	15,503.60
029 E007001	21:RETAIL SERVICES	291	FORE ST	291 FORE STREET LLC	1,863,200	1,248.34
029 E009001	27:MULTI-USE COMMERCIAL	25	PEARL ST	25 PEARL MHR LLC	23,040,000	15,436.80
029 E012001	25:PARKING LOTS	277	FORE ST	287 FORE STREET LLC	634,700	425.25
029 E016001	22:OFFICE BUSINESS	31	PEARL ST	130 LIMITED LIABILITY COMPANY	7,440,900	4,985.40
029 E019001	56:GOVERNMENTAL	0	FRANKLIN ST	CITY OF PORTLAND	-00	-
029 E026001	22:OFFICE BUSINESS	100	MIDDLE ST	ALBANY ROAD-PORTLAND LLC	21,860,300	14,646.40
029 G001001	56:GOVERNMENTAL	99	COMMERCIAL ST	UNITED STATES	-00	-
029 K001001	22:OFFICE BUSINESS	7	CUSTOM HOUSE ST	OLYMPIA EQUITY	8,203,000	5,496.01
029 K002001	21:RETAIL SERVICES	288	FORE ST	EAST BROWN COW LIMITED	1,753,200	1,174.64
029 K003001	23:HOTEL & MOTEL	65	COMMERCIAL ST	OLYMPIA EQUITY INVESTORS V LLC	31,863,200	21,348.34
029 K005001	22:OFFICE BUSINESS	280	FORE ST	BANGOR SAVINGS BANK	16,039,500	10,746.47
029 K006001	40:VACANT LAND	300	FORE ST	OLYMPIA EQUITY	995,500	666.99
029 K006002	55:LITERARY & SCIENTIFIC	300	FORE ST	COUNCIL INTERNATIONAL STUDY	-00	-

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
029 K00601A	55:LITERARY & SCIENTIFIC	300	FORE ST	COUNCIL INTERNATIONAL STUDY	-00	-
029 K00601B	55:LITERARY & SCIENTIFIC	300	FORE ST	CIEE INC	-00	-
029 K0060B2	20:COMMERCIAL CONDOS	300	FORE ST	OLYMPIA EQUITY	98,000	65.66
029 K0060B3	20:COMMERCIAL CONDOS	300	FORE ST	OLYMPIA EQUITY	70,000	46.90
029 O001011	10:CONDOMINIUMS	99	SILVER ST	SANDLER AUSTIN NICHOLAS	274,600	183.98
029 O001012	10:CONDOMINIUMS	99	SILVER ST	TOZESKI DAVID P	271,300	181.77
029 O001013	10:CONDOMINIUMS	99	SILVER ST	HOLSTEIN ERIC B	276,100	184.99
029 O001021	10:CONDOMINIUMS	99	SILVER ST	THOMS DEBORAH L	265,500	177.89
029 O001023	10:CONDOMINIUMS	99	SILVER ST	ANYA ROSE LLC	347,700	232.96
029 O001024	10:CONDOMINIUMS	99	SILVER ST	MARTIN BRIAN DAVID &	262,800	176.08
029 O001025	10:CONDOMINIUMS	99	SILVER ST	PERESLUHA ELAINE B	246,000	164.82
029 O001026	10:CONDOMINIUMS	99	SILVER ST	GOMES ERIN ELIZABETH	252,900	169.44
029 O001028	10:CONDOMINIUMS	99	SILVER ST	ORNE KATHERINE W	295,500	197.99
029 O001029	10:CONDOMINIUMS	99	SILVER ST	COUSINS DAVID A	265,200	177.68
029 O001031	10:CONDOMINIUMS	99	SILVER ST	AH CHU RAUL &	281,400	188.54
029 O001032	10:CONDOMINIUMS	99	SILVER ST	LOPEZ STEVEN &	285,200	191.08
029 O001033	10:CONDOMINIUMS	99	SILVER ST	FUEGAN STACY &	285,200	191.08
029 O001034	10:CONDOMINIUMS	99	SILVER ST	BERG HENRY T TRUSTEE	260,200	174.33
029 O001035	10:CONDOMINIUMS	99	SILVER ST	HIGGINS HELENA C &	313,700	210.18
029 O001036	10:CONDOMINIUMS	99	SILVER ST	MCGUIRE ANNE	296,100	198.39
029 O001037	10:CONDOMINIUMS	99	SILVER ST	LUTKOFF ISAAC E	227,500	152.43
029 O001038	10:CONDOMINIUMS	99	SILVER ST	ZURKAN WILLIAM K	246,900	165.42
029 O001039	10:CONDOMINIUMS	99	SILVER ST	SOREL-LEDUC SANDRA J &	258,200	172.99
029 O001041	10:CONDOMINIUMS	99	SILVER ST	HUBER SARAH	267,800	179.43

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
029 O001042	10:CONDOMINIUMS	99	SILVER ST	STEBBINS NOAH P	292,800	196.18
029 O001043	10:CONDOMINIUMS	99	SILVER ST	HIGGINS CHRISTOPHER S	312,200	209.17
029 O001044	10:CONDOMINIUMS	99	SILVER ST	LITTLEJOHN CLIFTON T	262,900	176.14
029 O001045	10:CONDOMINIUMS	99	SILVER ST	DG CONDO 4 LLC	285,200	191.08
029 O001046	10:CONDOMINIUMS	99	SILVER ST	VAN PEURSEM CORINNE M	285,200	191.08
029 O001047	10:CONDOMINIUMS	99	SILVER ST	NIKAZMERAD ELIZABETH	211,300	141.57
029 O001048	10:CONDOMINIUMS	99	SILVER ST	LOBOZZO NICHOLAS PETER &	237,600	159.19
029 O001049	10:CONDOMINIUMS	99	SILVER ST	CHISHOLM ADAM C	226,600	151.82
029 O001210	10:CONDOMINIUMS	99	SILVER ST	HEYMAN ANTHONY &	243,300	163.01
029 O001211	10:CONDOMINIUMS	99	SILVER ST	GINTER DAVID R &	235,000	157.45
029 O001212	10:CONDOMINIUMS	99	SILVER ST	SILVER VICTORIA J	223,500	149.75
029 O001213	10:CONDOMINIUMS	99	SILVER ST	PROSSER JAMES G	243,700	163.28
029 O001310	10:CONDOMINIUMS	99	SILVER ST	HEALY ROBERT E &	263,500	176.55
029 O001410	10:CONDOMINIUMS	99	SILVER ST	FILMER STEVEN S	290,700	194.77
029 O001501	10:CONDOMINIUMS	99	SILVER ST	KATZ JAMES &	471,000	315.57
029 O001502	20:COMMERCIAL CONDOS	99	SILVER ST	PEAK 5 EQUITIES LLC	651,400	436.44
029 O001B01	10:CONDOMINIUMS	99	SILVER ST	CHANDLER BENJAMIN P	244,900	164.08
029 O001B02	10:CONDOMINIUMS	99	SILVER ST	JOHNSON BEN A	269,900	180.83
029 O002001	21:RETAIL SERVICES	164	MIDDLE ST	CF 164 LLC	1,926,000	1,290.42
029 O003001	25:PARKING LOTS	43	MARKET ST	PORTLAND REGENCY INC	550,100	368.57
029 O004001	25:PARKING LOTS	11	MILK ST	PORTLAND REGENCY INC	219,300	146.93
029 R001001	23:HOTEL & MOTEL	20	MILK ST	PORTLAND REGENCY INC	21,189,300	14,196.83
029 S001001	22:OFFICE BUSINESS	145	COMMERCIAL ST	FLEMING CREEK LLC ETALS	10,705,900	7,172.95
029 S002001	56:GOVERNMENTAL	145	COMMERCIAL ST	CITY OF PORTLAND	-00	-

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
030 A005001	21:RETAIL SERVICES	94	COMMERCIAL ST	BMC INC	2,040,000	1,366.80
030 A101001	21:RETAIL SERVICES	90	COMMERCIAL ST	CUSTOM HOUSE HOLDINGS LLC &	472,600	316.64
030 C001001	27:MULTI-USE COMMERCIAL	100	COMMERCIAL ST	SOLEY WHARF LLC	11,797,700	7,904.46
030 D001001	22:OFFICE BUSINESS	68	COMMERCIAL ST	MAINE WHARF LLC	6,961,500	4,664.21
030 D003001	22:OFFICE BUSINESS	70	COMMERCIAL ST	FLATBREAD WHARF LLC	2,545,100	1,705.22
030 D005001	21:RETAIL SERVICES	84	COMMERCIAL ST	84 COMMERCIAL STREET LLC	776,800	520.46
030 H001001	27:MULTI-USE COMMERCIAL	180	COMMERCIAL ST	DIMILLO ARLENE ETALS TRUSTEES	2,875,900	1,926.85
030 H004001	24:WHOLESALE	136	COMMERCIAL ST	CARROLL BLOCK LLC	3,763,300	2,521.41
030 H011001	25:PARKING LOTS	9	PORTLAND PIER	CARROLL BLOCK LLC	32,800	21.98
030 X001001	56:GOVERNMENTAL	0	COMMERCIAL ST REAR	CITY OF PORTLAND	-00	-
031 H001001	25:PARKING LOTS	158	COMMERCIAL ST	DIMILLO STEVEN ETAL TRUSTEES	979,800	656.47
031 H003001	25:PARKING LOTS	144	COMMERCIAL ST	DIMILLO STEVEN ETAL TRUSTEES	928,400	622.03
031 H004001	27:MULTI-USE COMMERCIAL	164	COMMERCIAL ST	DIMILLO ARLENE ETALS TRUSTEES	1,405,200	941.48
031 J030001	21:RETAIL SERVICES	184	COMMERCIAL ST	GEF LLC	2,150,900	1,441.10
031 L034001	31:MANUFACTURING	250	COMMERCIAL ST	CM WATERFRONT PROPERTIES LLC	2,552,100	1,709.91
032 C001001	23:HOTEL & MOTEL	390	CONGRESS ST	HTLV PORTLAND LLC	30,535,600	20,458.85
032 D001001	22:OFFICE BUSINESS	107	EXCHANGE ST	TOP OF EXCHANGE LLC	1,412,200	946.17
032 D002001	22:OFFICE BUSINESS	97	EXCHANGE ST	TOP OF EXCHANGE LLC	2,941,200	1,970.60
032 D003001	22:OFFICE BUSINESS	93	EXCHANGE ST	TOP OF EXCHANGE LLC	2,920,300	1,956.60
032 D004001	22:OFFICE BUSINESS	85	EXCHANGE ST	TOP OF EXCHANGE LLC	3,734,400	2,502.05
032 D005001	58:LAND BANKS	167	MIDDLE ST	CITY OF PORTLAND	-00	-
032 E001001	22:OFFICE BUSINESS	57	EXCHANGE ST	FINIAL LLC	3,815,900	2,556.65
032 E002001	21:RETAIL SERVICES	53	EXCHANGE ST	PALACCI JOSEPH A TRUSTEE	1,480,100	991.67
032 E004001	21:RETAIL SERVICES	49	EXCHANGE ST	PALACCI JOSEPH A TRUSTEE	763,700	511.68

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
032 E005001	22:OFFICE BUSINESS	45	EXCHANGE ST	COW BELLA LLC	2,999,100	2,009.40
032 E008001	22:OFFICE BUSINESS	39	EXCHANGE ST	PALACCI JOSEPH A TRUSTEE	1,623,000	1,087.41
032 E009001	21:RETAIL SERVICES	31	EXCHANGE ST	B & C LIMITED	1,879,800	1,259.47
032 E010001	21:RETAIL SERVICES	46	MARKET ST	MARKET MILK PARTNERS LLC	1,920,400	1,286.67
032 F001001	21:RETAIL SERVICES	42	MARKET ST	OCEAN BLOCK ASSOCIATES	1,339,400	897.40
032 F002001	24:WHOLESALE	36	MARKET ST	36 MARKET ST	894,100	599.05
032 F003001	21:RETAIL SERVICES	30	MARKET ST	30 MARKET ASSOCIATES LLC	866,800	580.76
032 F005001	22:OFFICE BUSINESS	363	FORE ST	ELEVEN EXCHANGE LLC	1,284,400	860.55
032 F007001	21:RETAIL SERVICES	375	FORE ST	ELEVEN EXCHANGE LLC	737,500	494.13
032 F008001	21:RETAIL SERVICES	375	FORE ST	ELEVEN EXCHANGE LLC	762,900	511.14
032 F009001	22:OFFICE BUSINESS	30	MILK ST	OCEAN BLOCK ASSOCIATES	1,862,700	1,248.01
032 F010001	21:RETAIL SERVICES	9	EXCHANGE ST	ELEVEN EXCHANGE LLC	2,727,200	1,827.22
032 F012001	21:RETAIL SERVICES	5	EXCHANGE ST	ELEVEN EXCHANGE LLC	1,198,100	802.73
032 F013001	22:OFFICE BUSINESS	379	FORE ST	ELEVEN EXCHANGE LLC	1,026,700	687.89
032 F014001	21:RETAIL SERVICES	1	EXCHANGE ST	ELEVEN EXCHANGE LLC	830,600	556.50
032 G001001	22:OFFICE BUSINESS	396	CONGRESS ST	PO SQUARE BUILDING LLC	15,661,500	10,493.21
032 G002001	27:MULTI-USE COMMERCIAL	201	FEDERAL ST	REDFERN DOWNTOWN LLC	24,232,800	16,235.98
032 H001001	22:OFFICE BUSINESS	110	EXCHANGE ST	ONETEN EXCHANGE LLC	1,803,300	1,208.21
032 H002001	21:RETAIL SERVICES	106	EXCHANGE ST	RICH BUILDING LLC	951,000	637.17
032 H003001	22:OFFICE BUSINESS	102	EXCHANGE ST	PALACCI JOSEPH	1,088,800	729.50
032 H004001	56:GOVERNMENTAL	15	TEMPLE ST	CITY OF PORTLAND	-00	-
032 H005001	56:GOVERNMENTAL	1	TEMPLE ST	CITY OF PORTLAND	-00	-
032 H005002	22:OFFICE BUSINESS	1	TEMPLE ST	11 TEMPLE MHR LLC	3,157,900	2,115.79
032 H006001	22:OFFICE BUSINESS	92	EXCHANGE ST	MAINESCAPE PROPERTIES LLC	1,043,100	698.88

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
032 H007001	27:MULTI-USE COMMERCIAL	88	EXCHANGE ST	RIVENDELL REAL ESTATE LLC	1,437,000	962.79
032 H008001	22:OFFICE BUSINESS	80	EXCHANGE ST	80 EXCHANGE LLC	3,118,000	2,089.06
032 H009001	58:LAND BANKS	70	EXCHANGE ST	CITY OF PORTLAND	-00	-
032 H016001	20:COMMERCIAL CONDOS	183	MIDDLE ST	Q STREET REAL ESTATE	796,800	533.86
032 H016002	20:COMMERCIAL CONDOS	183	MIDDLE ST	Q STREET REAL ESTATE	872,800	584.78
032 H016003	20:COMMERCIAL CONDOS	183	MIDDLE ST	Q STREET REAL ESTATE THIRD	872,800	584.78
032 H01604A	20:COMMERCIAL CONDOS	183	MIDDLE ST	ITM REALTY II LLC	287,900	192.89
032 H01604B	20:COMMERCIAL CONDOS	183	MIDDLE ST	ITM REALTY II LLC	325,900	218.35
032 H022001	22:OFFICE BUSINESS	193	MIDDLE ST	SAVI REALTY LLC	4,495,000	3,011.65
032 I001001	22:OFFICE BUSINESS	178	MIDDLE ST	FRESNEL LLC	2,693,400	1,804.58
032 I002001	21:RETAIL SERVICES	52	EXCHANGE ST	OLD PORT ARMS LLC	3,103,500	2,079.35
032 I006001	20:COMMERCIAL CONDOS	50	EXCHANGE ST	SANTANA LLC	392,600	263.04
032 I006002	20:COMMERCIAL CONDOS	50	EXCHANGE ST	FIFTY EXCHANGE LLC	391,900	262.57
032 I006003	20:COMMERCIAL CONDOS	50	EXCHANGE ST	FIFTY EXCHANGE LLC	130,000	87.10
032 I006004	20:COMMERCIAL CONDOS	50	EXCHANGE ST	FIFTY EXCHANGE LLC	130,900	87.70
032 I006005	20:COMMERCIAL CONDOS	50	EXCHANGE ST	FIFTY EXCHANGE LLC	131,500	88.11
032 I006006	20:COMMERCIAL CONDOS	50	EXCHANGE ST	FIFTY EXCHANGE LLC	132,000	88.44
032 I007001	27:MULTI-USE COMMERCIAL	0	CANAL PLAZA	COW PLAZA 1 LLC	605,900	405.95
032 I008001	21:RETAIL SERVICES	44	EXCHANGE ST	COW EXCHANGE LLC	2,706,400	1,813.29
032 I010001	21:RETAIL SERVICES	34	EXCHANGE ST	PALACCI SION &	1,296,300	868.52
032 I011001	21:RETAIL SERVICES	30	EXCHANGE ST	30 EXCHANGE STREET LLC	1,160,400	777.47
032 I012100	20:COMMERCIAL CONDOS	10	EXCHANGE ST	10 EXCHANGE PROPERTIES LLC	1,921,600	1,287.47
032 I012200	20:COMMERCIAL CONDOS	10	EXCHANGE ST	10 EXCHANGE PROPERTIES LLC	1,360,200	911.33
032 I012301	10:CONDOMINIUMS	10	EXCHANGE ST	FUEGEN STACY &	321,500	215.41

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
032 I012302	10:CONDOMINIUMS	10	EXCHANGE ST	CURRAN JENNIFER A	306,000	205.02
032 I012303	10:CONDOMINIUMS	10	EXCHANGE ST	CULPOVICH ANDREW J &	202,300	135.54
032 I012304	10:CONDOMINIUMS	10	EXCHANGE ST	RICH CURTIS P &	310,000	207.70
032 I012305	10:CONDOMINIUMS	10	EXCHANGE ST	DRISCOLL ROBERT E &	254,700	170.65
032 I012306	10:CONDOMINIUMS	10	EXCHANGE ST	EASTON THORA	297,700	199.46
032 I012307	10:CONDOMINIUMS	10	EXCHANGE ST	MJK LLC	267,100	178.96
032 I012308	10:CONDOMINIUMS	10	EXCHANGE ST	EVANS SHERI CHRISTIENNE	320,700	214.87
032 I012309	10:CONDOMINIUMS	10	EXCHANGE ST	SHEPHERD THOMAS A &	300,000	201.00
032 I012310	10:CONDOMINIUMS	10	EXCHANGE ST	ECHM REALTY LLC	329,100	220.50
032 I012311	10:CONDOMINIUMS	10	EXCHANGE ST	CAMPBELL COLLEEN S &	205,900	137.95
032 I012312	10:CONDOMINIUMS	10	EXCHANGE ST	LOMAC SABIN	344,000	230.48
032 I012313	10:CONDOMINIUMS	10	EXCHANGE ST	HANSON CARL F	276,600	185.32
032 I012314	10:CONDOMINIUMS	10	EXCHANGE ST	GORDON ABIGAIL	287,000	192.29
032 I012401	10:CONDOMINIUMS	10	EXCHANGE ST	MOON HILL PROPERTY MANAGEMENT LLC	316,800	212.26
032 I012402	10:CONDOMINIUMS	10	EXCHANGE ST	ARDAIOLO MICHAEL PALMA &	353,300	236.71
032 I012404	10:CONDOMINIUMS	10	EXCHANGE ST	BURNS THOMAS	364,800	244.42
032 I012405	10:CONDOMINIUMS	10	EXCHANGE ST	DOYLE KEVIN F &	249,600	167.23
032 I012406	10:CONDOMINIUMS	10	EXCHANGE ST	BROWN BRETT &	381,500	255.61
032 I012407	10:CONDOMINIUMS	10	EXCHANGE ST	GILMORE RICHARD S JR &	330,300	221.30
032 I012408	10:CONDOMINIUMS	10	EXCHANGE ST	WALTERS BRETT D &	301,700	202.14
032 I012409	10:CONDOMINIUMS	10	EXCHANGE ST	SAHA DEBASMITA &	351,700	235.64
032 I012410	10:CONDOMINIUMS	10	EXCHANGE ST	THOMAS ALISA G &	365,200	244.68
032 I012411	10:CONDOMINIUMS	10	EXCHANGE ST	SPANNAUS MICHAELA LILY	338,600	226.86
032 I012412	10:CONDOMINIUMS	10	EXCHANGE ST	URBANEK NICHOLAS P	259,500	173.87

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
032 I012413	10:CONDOMINIUMS	10	EXCHANGE ST	WHEELWRIGHT HENRY J TRUSTEE	317,200	212.52
032 I012414	10:CONDOMINIUMS	10	EXCHANGE ST	DEPALMA CHRISTOPHER R &	290,500	194.64
032 I018001	21:RETAIL SERVICES	395	FORE ST	395 FORE STREET LLC	1,491,100	999.04
032 I021001	21:RETAIL SERVICES	188	MIDDLE ST	COW PLAZA 4 LLC	4,907,500	3,288.03
032 I022001	21:RETAIL SERVICES	184	MIDDLE ST	ABATSOBE LLC	779,200	522.06
032 I023001	22:OFFICE BUSINESS	3	CANAL PLAZA	COW PLAZA 3 LLC	11,805,100	7,909.42
032 I033001	22:OFFICE BUSINESS	2	CANAL PLAZA	COW PLAZA 2 LLC	7,318,600	4,903.46
032 I036001	22:OFFICE BUSINESS	1	CANAL PLAZA	COW PLAZA 1 LLC	24,122,300	16,161.94
032 I039001	33:TRANSPORTATION	40	UNION ST	CENTRAL MAINE POWER CO	1,490,600	998.70
032 I040001	25:PARKING LOTS	44	EXCHANGE ST	KOWTOWER LLC	451,800	302.71
032 I041001	27:MULTI-USE COMMERCIAL	425	FORE ST	COW PLAZA GARAGE LLC	12,300,000	8,241.00
032 I042001	23:HOTEL & MOTEL	433	FORE ST	COW PLAZA HOTEL LLC	29,811,400	19,973.64
032 I043001	25:PARKING LOTS	45	UNION ST	COW PLAZA 1 LLC	108,700	72.83
032 J001001	21:RETAIL SERVICES	386	FORE ST	386 FORE STREET LLC	1,734,200	1,161.91
032 J002001	21:RETAIL SERVICES	392	FORE ST	BEER GUYS LLC	1,504,400	1,007.95
032 J004001	20:COMMERCIAL CONDOS	396	FORE ST	BEER GUYS LLC	477,200	319.72
032 J004002	20:COMMERCIAL CONDOS	396	FORE ST	BEER GUYS LLC	284,300	190.48
032 J004003	10:CONDOMINIUMS	396	FORE ST	BEER GUYS LLC	356,700	238.99
032 J00400B	20:COMMERCIAL CONDOS	396	FORE ST	BEER GUYS LLC	267,600	179.29
032 J005001	20:COMMERCIAL CONDOS	398	FORE ST	FORE STREET PARTNERSHIP	883,000	591.61
032 J005002	20:COMMERCIAL CONDOS	398	FORE ST	FORE STREET PROPERTIES	706,400	473.29
032 J005003	20:COMMERCIAL CONDOS	398	FORE ST	INGALLS ROGER E	371,200	248.70
032 J005004	20:COMMERCIAL CONDOS	398	FORE ST	INGALLS ROGER E	371,200	248.70
032 K001001	22:OFFICE BUSINESS	2	MONUMENT SQ	800 NORTHERN CORP	22,515,900	15,085.65

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
032 K012001	22:OFFICE BUSINESS	1	MONUMENT SQ	FINARD MURRAY W TR	24,500,800	16,415.54
032 L001001	56:GOVERNMENTAL	234	FEDERAL ST W	CITY OF PORTLAND	-00	-
032 L002001	22:OFFICE BUSINESS	1	CITY CTR	ONE CITY CENTER ASSOCIATES LLC	42,589,800	28,535.17
032 N009001	21:RETAIL SERVICES	414	FORE ST	GOULD COMPANY LLC	948,900	635.76
032 N010001	21:RETAIL SERVICES	416	FORE ST	416 FORE STREET HOLDINGS LLC	1,512,100	1,013.11
032 N011001	21:RETAIL SERVICES	422	FORE ST	HARDING RICHARD B ETAL	683,800	458.15
032 N012001	21:RETAIL SERVICES	424	FORE ST	SOLETSKY LIMITED LIABILITY CO	1,290,700	864.77
032 P001001	22:OFFICE BUSINESS	2	CITY CTR	TWO CITY CENTER LLC	4,291,700	2,875.44
032 P003001	21:RETAIL SERVICES	4	CITY CTR	WIRELESS PARTNERS II LLC ETAL	2,379,800	1,594.47
032 P004001	20:COMMERCIAL CONDOS	6	CITY CTR	SIX CITY CENTER LLC	2,966,200	1,987.35
032 P004002	20:COMMERCIAL CONDOS	6	CITY CTR	H & A PROPERTY GROUP LLC	611,900	409.97
032 P005001	56:GOVERNMENTAL	0	SPRING ST ARTERIAL	CITY OF PORTLAND	-00	-
032 P017001	22:OFFICE BUSINESS	10	CITY CTR	MINA BUILDING LLC	1,135,000	760.45
032 R001001	21:RETAIL SERVICES	428	FORE ST	428 FORE STREET LLC	1,256,800	842.06
032 R003001	21:RETAIL SERVICES	432	FORE ST	TERRAPIN PROPERTIES LLC	757,000	507.19
032 R004001	21:RETAIL SERVICES	434	FORE ST	TERRAPIN PROPERTIES LLC	715,200	479.18
032 R007001	21:RETAIL SERVICES	436	FORE ST	FORE STREET PARTNERS LLC	2,309,500	1,547.37
032 R008001	21:RETAIL SERVICES	446	FORE ST	ORANGE CRUSH LLC	2,036,600	1,364.52
032 S001001	21:RETAIL SERVICES	366	FORE ST	CF MARINERS LLC	3,765,400	2,522.82
032 S003001	21:RETAIL SERVICES	7	MOULTON ST	7-9 MOULTON LLC	642,100	430.21
032 S004001	21:RETAIL SERVICES	161	COMMERCIAL ST	161 COMMERCIAL STREET LLC	2,445,400	1,638.42
032 S005001	22:OFFICE BUSINESS	5	MOULTON ST	MOULTON STREET REALTY LLC	3,719,000	2,491.73
032 T004001	21:RETAIL SERVICES	4	MOULTON ST	ADRIENNE-JANE INCORPORATED	5,031,800	3,371.31
032 U003001	25:PARKING LOTS	185	COMMERCIAL ST	185 COMMERCIAL STREET LLC	432,100	289.51

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
032 U004001	22:OFFICE BUSINESS	1	DANA ST	ONE DANA LLC	1,892,500	1,267.98
032 U005001	21:RETAIL SERVICES	7	DANA ST	TRANSMAINE	1,040,900	697.40
032 V001001	21:RETAIL SERVICES	10	DANA ST	IVY HOLDINGS LLC	2,111,800	1,414.91
032 V002001	21:RETAIL SERVICES	205	COMMERCIAL ST	LANDFALL LLC	829,200	555.56
032 V004001	22:OFFICE BUSINESS	211	COMMERCIAL ST	GRANITE FACE LLC	3,353,400	2,246.78
032 V005001	22:OFFICE BUSINESS	217	COMMERCIAL ST	CHASE BLOCK LLC	5,531,000	3,705.77
032 V008001	24:WHOLESALE	225	COMMERCIAL ST	225 COMMERCIAL ST ASSOC INC	3,062,300	2,051.74
032 V012001	22:OFFICE BUSINESS	1	UNION ST	237 COMMERCIAL STREET LLC	2,613,100	1,750.78
032 V014001	21:RETAIL SERVICES	50	WHARF ST	DEERING AVE ASSOCIATES INC &	1,315,300	881.25
032 V015001	24:WHOLESALE	42	WHARF ST	DEERING AVE ASSOCIATES INC &	767,100	513.96
032 V016001	21:RETAIL SERVICES	34	WHARF ST	IVY HOLDINGS LLC	747,900	501.09
037 A001001	33:TRANSPORTATION	55	FOREST AVE	NORTHERN NEW ENGLAND	18,460,700	12,368.67
037 A002001	17:21 PLUS FAMILY	45	FOREST AVE	REDFERN 45 LLC	4,538,400	3,040.73
037 A009001	17:21 PLUS FAMILY	104	OAK ST	PARK STREET PROPERTY LLC	2,429,200	1,627.56
037 A011001	22:OFFICE BUSINESS	92	OAK ST	84 OAK STREET LLC	500,200	335.13
037 A012001	22:OFFICE BUSINESS	39	FOREST AVE	39 LLC	3,947,800	2,645.03
037 A022001	21:RETAIL SERVICES	25	FOREST AVE	PORTLAND STAGE COMPANY	1,655,200	1,108.98
037 A023001	25:PARKING LOTS	84	OAK ST	84 OAK STREET LLC	582,500	390.28
037 A033001	25:PARKING LOTS	11	FOREST AVE	PACHIOS BROTHERS I LLC &	746,200	499.95
037 A035001	17:21 PLUS FAMILY	72	OAK ST	AVESTA OAK STREET LP	3,333,700	2,233.58
037 A038001	21:RETAIL SERVICES	565	CONGRESS ST	PACHIOS BROTHERS I LLC &	3,436,900	2,302.72
037 A042001	27:MULTI-USE COMMERCIAL	559	CONGRESS ST	HER LLC	633,100	424.18
037 A043001	21:RETAIL SERVICES	555	CONGRESS ST	CORRYMORE ZELLERTON LLC	556,400	372.79
037 A044001	21:RETAIL SERVICES	553	CONGRESS ST	ROCCO HOLDINGS LLC	1,316,300	881.92

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
037 A045001	21:RETAIL SERVICES	575	CONGRESS ST	571 ENTERPRISES LLC	747,500	500.83
037 A046001	22:OFFICE BUSINESS	7	FOREST AVE	LOA PROPERTY LLC	710,100	475.77
037 B001001	22:OFFICE BUSINESS	380	CUMBERLAND AVE	SWEETWATER PARTNERS LLC	3,518,300	2,357.26
037 B013001	25:PARKING LOTS	95	OAK ST	NORTHERN NEW ENGLAND	375,100	251.32
037 B014001	55:LITERARY & SCIENTIFIC	15	SHEPLEY ST	MAINE COLLEGE OF ART	-00	-
037 B015001	17:21 PLUS FAMILY	11	SHEPLEY ST	11 SHEPLEY STREET	5,233,100	3,506.18
037 C001001	25:PARKING LOTS	0	SHEPLEY ST	CITY OAK LLC	574,400	384.85
037 C004001	25:PARKING LOTS	0	SHEPLEY ST	CITY OAK LLC	364,600	244.28
037 C006001	17:21 PLUS FAMILY	18	CASCO ST	SHEPLEY LLC	6,187,100	4,145.36
037 C008001	25:PARKING LOTS	83	OAK ST	HEGA REALTY LLC	576,800	386.46
037 C010001	22:OFFICE BUSINESS	16	CASCO ST	SHEEPDOG LLC	952,700	638.31
037 C014100	20:COMMERCIAL CONDOS	531	CONGRESS ST	HEGA REALTY LLC	3,402,200	2,279.47
037 C014200	20:COMMERCIAL CONDOS	531	CONGRESS ST	HEGA REALTY LLC	3,648,400	2,444.43
037 C014300	20:COMMERCIAL CONDOS	531	CONGRESS ST	HEGA REALTY LLC	2,211,000	1,481.37
037 C014400	20:COMMERCIAL CONDOS	531	CONGRESS ST	HEGA REALTY LLC	2,065,900	1,384.15
037 C014501	10:CONDOMINIUMS	531	CONGRESS ST	WILLIAMS DEBORAH J &	600,400	402.27
037 C014502	10:CONDOMINIUMS	531	CONGRESS ST	HEGA REALTY LLC	519,000	347.73
037 C014503	10:CONDOMINIUMS	531	CONGRESS ST	SHOREY LINDA J &	696,500	466.66
037 C014504	10:CONDOMINIUMS	531	CONGRESS ST	HEGA REALTY LLC	933,900	625.71
037 C014505	10:CONDOMINIUMS	531	CONGRESS ST	WALBRIDGE HOYT &	898,200	601.79
037 C014506	10:CONDOMINIUMS	531	CONGRESS ST	HEGA REALTY LLC	653,900	438.11
037 C014507	10:CONDOMINIUMS	531	CONGRESS ST	HEGA REALTY LLC	582,400	390.21
037 C014508	10:CONDOMINIUMS	531	CONGRESS ST	HEGA REALTY LLC	755,600	506.25
037 C014509	10:CONDOMINIUMS	531	CONGRESS ST	HEGA REALTY LLC	487,600	326.69

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
037 C014510	10:CONDOMINIUMS	531	CONGRESS ST	PIETSCH BRENDAN	612,800	410.58
037 C016001	21:RETAIL SERVICES	551	CONGRESS ST	BENTLEY BUILDING LLC	1,631,400	1,093.04
037 C017006	10:CONDOMINIUMS	547	CONGRESS ST	PALMER ANDREW H TRUSTEE	637,100	426.86
037 C01701A	20:COMMERCIAL CONDOS	547	CONGRESS ST	R & J 545 PARTNERS LLC	356,400	238.79
037 C01701B	20:COMMERCIAL CONDOS	547	CONGRESS ST	R & J 545 PARTNERS LLC	371,000	248.57
037 C01701C	20:COMMERCIAL CONDOS	547	CONGRESS ST	R & J 545 PARTNERS LLC	397,300	266.19
037 C01702A	10:CONDOMINIUMS	547	CONGRESS ST	HENAULT DOUGLAS S &	247,400	165.76
037 C01702B	10:CONDOMINIUMS	547	CONGRESS ST	SCULLY JOHN M	206,800	138.56
037 C01702C	10:CONDOMINIUMS	547	CONGRESS ST	FRIEL MATTHEW R	233,100	156.18
037 C01702D	10:CONDOMINIUMS	547	CONGRESS ST	WHEELER-BERTA FRANCES H TRUSTEE	262,000	175.54
037 C01702E	10:CONDOMINIUMS	547	CONGRESS ST	SCHREIBER REBECCA ANN	236,400	158.39
037 C01703A	10:CONDOMINIUMS	547	CONGRESS ST	YANG DAVID I	282,200	189.07
037 C01703B	10:CONDOMINIUMS	547	CONGRESS ST	BEISEL NICOLA KAY	302,800	202.88
037 C01703C	10:CONDOMINIUMS	547	CONGRESS ST	PACKARD JEFFREY G &	318,300	213.26
037 C01704A	10:CONDOMINIUMS	547	CONGRESS ST	FITZPATRICK SUSAN E	274,000	183.58
037 C01704B	10:CONDOMINIUMS	547	CONGRESS ST	GRANO ROBERT C TRUSTEE	263,900	176.81
037 C01704C	10:CONDOMINIUMS	547	CONGRESS ST	TYSON BRUCE &	369,200	247.36
037 C01705A	10:CONDOMINIUMS	547	CONGRESS ST	HENRY MICHAEL T &	526,800	352.96
037 C01705B	10:CONDOMINIUMS	547	CONGRESS ST	PALMER ANDREW H TRUSTEE	290,200	194.43
037 D001001	21:RETAIL SERVICES	45	CASCO ST	FORTY FIVE CASCO STREET LLC	1,646,700	1,103.29
037 D002001	22:OFFICE BUSINESS	511	CONGRESS ST	OCEAN GATE LLC	13,540,000	9,071.80
037 D003001	27:MULTI-USE COMMERCIAL	360	CUMBERLAND AVE	STARK INDUSTRIES LLC	951,800	637.71
037 D004001	27:MULTI-USE COMMERCIAL	48	BROWN ST	OCEAN GATE LLC	6,500,000	4,355.00
037 D007001	17:21 PLUS FAMILY	37	CASCO ST	AMBASSADOR LLC	9,893,500	6,628.65

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
037 D023001	54:BENEVOLENT & CHARITABLE	15	CASCO ST	EQUALITY COMMUNITY CENTER	-00	-
037 D024001	21:RETAIL SERVICES	519	CONGRESS ST	MAINE CHARITABLE MECHANIC	1,189,900	797.23
037 E001001	58:LAND BANKS	595	CONGRESS ST	CITY OF PORTLAND	-00	-
037 E002001	20:COMMERCIAL CONDOS	585	CONGRESS ST	HAMMOND HEIRS LLC	263,800	176.75
037 E002002	20:COMMERCIAL CONDOS	585	CONGRESS ST	HAMMOND HEIRS LLC	272,200	182.37
037 E002003	20:COMMERCIAL CONDOS	585	CONGRESS ST	PAUL'S BOUTIQUE LLC	1,080,900	724.20
037 E002004	20:COMMERCIAL CONDOS	585	CONGRESS ST	VERDANT REALTY I LLC &	1,341,500	898.81
037 E003001	27:MULTI-USE COMMERCIAL	10	CONGRESS SQ	PLAZA ASSOCIATES AT CONGRESS	19,409,300	13,004.23
037 E004001	25:PARKING LOTS	28	FOREST AVE	PLAZA ASSOCIATES AT CONGRESS	347,300	232.69
037 E005001	40:VACANT LAND	32	FOREST AVE	RB PORTLAND LLC	353,700	236.98
037 E005002	25:PARKING LOTS	32	FOREST AVE	PLAZA ASSOCIATES AT CONGRESS	312,300	209.24
037 E006001	20:COMMERCIAL CONDOS	173	HIGH ST	420 CUMBERLAND AVE LLC	1,117,700	748.86
037 E006002	20:COMMERCIAL CONDOS	173	HIGH ST	420 CUMBERLAND AVE LLC	417,400	279.66
037 E006003	20:COMMERCIAL CONDOS	173	HIGH ST	420 CUMBERLAND AVE LLC	956,100	640.59
037 E006004	20:COMMERCIAL CONDOS	173	HIGH ST	LUDWIG ROBERT C	1,163,200	779.34
037 E006005	20:COMMERCIAL CONDOS	173	HIGH ST	CAPITAL AREA PROPERTIES LLC	439,600	294.53
037 E006006	20:COMMERCIAL CONDOS	173	HIGH ST	METHODIST SOCIETY OF	456,400	305.79
037 E006007	20:COMMERCIAL CONDOS	173	HIGH ST	177 HIGH LLC	669,000	448.23
037 E006008	20:COMMERCIAL CONDOS	173	HIGH ST	6 EAST OXFORD ST LLC	338,600	226.86
037 E006009	20:COMMERCIAL CONDOS	173	HIGH ST	181 HIGH STREET LLC	18,500,000	12,395.00
037 E006010	10:CONDOMINIUMS	173	HIGH ST	CML LLC	28,500	19.10
037 E006011	10:CONDOMINIUMS	173	HIGH ST	CML LLC	28,500	19.10
037 E006012	10:CONDOMINIUMS	173	HIGH ST	CML LLC	28,500	19.10
037 E006013	10:CONDOMINIUMS	173	HIGH ST	CML LLC	28,500	19.10

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
037 E006014	10:CONDOMINIUMS	173	HIGH ST	CML LLC	28,500	19.10
037 E006015	10:CONDOMINIUMS	173	HIGH ST	CML LLC	28,500	19.10
037 E006016	10:CONDOMINIUMS	173	HIGH ST	CML LLC	28,500	19.10
037 E006017	10:CONDOMINIUMS	173	HIGH ST	CML LLC	28,500	19.10
037 E006018	10:CONDOMINIUMS	173	HIGH ST	CML LLC	28,500	19.10
037 E006019	10:CONDOMINIUMS	173	HIGH ST	CML LLC	28,500	19.10
037 E006020	10:CONDOMINIUMS	173	HIGH ST	420 CUMBERLAND AVE LLC	28,500	19.10
037 E006021	10:CONDOMINIUMS	173	HIGH ST	420 CUMBERLAND AVE LLC	28,500	19.10
037 E006022	10:CONDOMINIUMS	173	HIGH ST	420 CUMBERLAND AVE LLC	28,500	19.10
037 E006023	10:CONDOMINIUMS	173	HIGH ST	420 CUMBERLAND AVE LLC	28,500	19.10
037 E006024	10:CONDOMINIUMS	173	HIGH ST	420 CUMBERLAND AVE LLC	28,500	19.10
037 E006025	10:CONDOMINIUMS	173	HIGH ST	CAPITAL AREA PROPERTIES LLC	28,500	19.10
037 E006026	10:CONDOMINIUMS	173	HIGH ST	CAPITAL AREA PROPERTIES LLC	28,500	19.10
037 E006027	10:CONDOMINIUMS	173	HIGH ST	LUDWIG ROBERT C &	28,500	19.10
037 E006028	10:CONDOMINIUMS	173	HIGH ST	LUDWIG ROBERT C &	28,500	19.10
037 E006029	10:CONDOMINIUMS	173	HIGH ST	LUDWIG ROBERT C &	28,500	19.10
037 E006030	10:CONDOMINIUMS	173	HIGH ST	LUDWIG ROBERT C &	28,500	19.10
037 E006031	10:CONDOMINIUMS	173	HIGH ST	420 CUMBERLAND AVE LLC	28,500	19.10
037 E006032	10:CONDOMINIUMS	173	HIGH ST	420 CUMBERLAND AVE LLC	28,500	19.10
037 E006033	10:CONDOMINIUMS	173	HIGH ST	420 CUMBERLAND AVE LLC	28,500	19.10
037 E006034	10:CONDOMINIUMS	173	HIGH ST	420 CUMBERLAND AVE LLC	28,500	19.10
037 E006035	10:CONDOMINIUMS	173	HIGH ST	420 CUMBERLAND AVE LLC	28,500	19.10
037 E006036	10:CONDOMINIUMS	173	HIGH ST	LUDWIG ROBERT C	28,500	19.10
037 E006037	10:CONDOMINIUMS	173	HIGH ST	LUDWIG ROBERT C	28,500	19.10

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
037 E006038	10:CONDOMINIUMS	173	HIGH ST	420 CUMBERLAND AVE LLC	28,500	19.10
037 E006039	10:CONDOMINIUMS	173	HIGH ST	177 HIGH LLC	28,500	19.10
037 E006040	10:CONDOMINIUMS	173	HIGH ST	177 HIGH LLC	28,500	19.10
037 E006041	10:CONDOMINIUMS	173	HIGH ST	LUDWIG ROBERT C &	28,500	19.10
037 E006042	10:CONDOMINIUMS	173	HIGH ST	LUDWIG ROBERT C &	28,500	19.10
037 E007001	23:HOTEL & MOTEL	157	HIGH ST	RB PORTLAND LLC	56,649,300	37,955.03
037 F002001	27:MULTI-USE COMMERCIAL	45	BROWN ST	BROWN TOWER LLC	3,335,800	2,234.99
037 F005001	27:MULTI-USE COMMERCIAL	28	PREBLE ST	EARL APARTMENTS LLC	7,075,600	4,740.65
037 F007001	22:OFFICE BUSINESS	24	PREBLE ST	PREBLE STREET ACQUISITIONS LLC	2,132,900	1,429.04
037 F009001	32:WAREHOUSE & STORAGE	338	CUMBERLAND AVE	CADC PORTLAND 340 LLC	3,681,900	2,466.87
037 F012001	55:LITERARY & SCIENTIFIC	41	BROWN ST	MHS INC	-00	-
037 F014001	54:BENEVOLENT & CHARITABLE	483	CONGRESS ST	MAINE HISTORICAL SOCIETY	-00	-
037 F017001	55:LITERARY & SCIENTIFIC	489	CONGRESS ST	MHS INC	-00	-
037 F020001	54:BENEVOLENT & CHARITABLE	38	PREBLE ST	PREBLE STREET	-00	-
037 F022001	27:MULTI-USE COMMERCIAL	477	CONGRESS ST	TT MAINE VENTURE LLC	11,490,000	7,698.30
037 G001001	21:RETAIL SERVICES	594	CONGRESS ST	HIGH POINT REALTY LLC	1,293,600	866.71
037 G004001	21:RETAIL SERVICES	582	CONGRESS ST	582-584 CONGRESS STREET LLC	762,400	510.81
037 G005001	21:RETAIL SERVICES	580	CONGRESS ST	BBB INC	1,138,100	762.53
037 G006001	27:MULTI-USE COMMERCIAL	578	CONGRESS ST	578 CONGRESS LLC	438,300	293.66
037 G007001	27:MULTI-USE COMMERCIAL	576	CONGRESS ST	576 CONGRESS LLC	420,600	281.80
037 G008001	27:MULTI-USE COMMERCIAL	574	CONGRESS ST	576 CONGRESS LLC	449,100	300.90
037 G009001	22:OFFICE BUSINESS	570	CONGRESS ST	PRIDE RALPH H TRUSTEE	712,900	477.64
037 G010001	27:MULTI-USE COMMERCIAL	133	FREE ST	HUBBARD'S APTS INC	1,085,300	727.15
037 G012001	21:RETAIL SERVICES	584	CONGRESS ST	582-584 CONGRESS STREET LLC	405,500	271.69

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
037 G014001	22:OFFICE BUSINESS	562	CONGRESS ST	TERBAX REALTY INC	7,947,200	5,324.62
037 H001001	27:MULTI-USE COMMERCIAL	550	CONGRESS ST	550 CONGRESS STREET LLC	1,015,800	680.59
037 H002001	55:LITERARY & SCIENTIFIC	540	CONGRESS ST	MAINE COLLEGE OF ART	-00	-
037 H002002	20:COMMERCIAL CONDOS	540	CONGRESS ST	540 CONGRESS STREET LLC	2,795,600	1,873.05
037 H002003	10:CONDOMINIUMS	540	CONGRESS ST	540 CONGRESS STREET LLC	259,400	173.80
037 H002004	10:CONDOMINIUMS	540	CONGRESS ST	540 CONGRESS STREET LLC	264,500	177.22
037 H002005	10:CONDOMINIUMS	540	CONGRESS ST	540 CONGRESS STREET LLC	259,400	173.80
037 H002006	10:CONDOMINIUMS	540	CONGRESS ST	540 CONGRESS STREET LLC	290,300	194.50
037 H005001	54:BENEVOLENT & CHARITABLE	536	CONGRESS ST	SPACE GALLERY	-00	-
037 H005003	20:COMMERCIAL CONDOS	536	CONGRESS ST	SPACE GALLERY	785,400	526.22
037 H006001	55:LITERARY & SCIENTIFIC	522	CONGRESS ST	MAINE COLLEGE OF ART	-00	-
037 H009001	21:RETAIL SERVICES	516	CONGRESS ST	PACHIOS BROTHERS II LLC	1,634,400	1,095.05
037 H010001	21:RETAIL SERVICES	510	CONGRESS ST	CENTER CITY PLAZA ASSOC	4,126,700	2,764.89
037 H011001	20:COMMERCIAL CONDOS	500	CONGRESS ST	MATERIAL OBJECTS	491,800	329.51
037 H011002	20:COMMERCIAL CONDOS	500	CONGRESS ST	500 CONGRESS TOP FLOOR LLC	357,500	239.53
037 H013001	21:RETAIL SERVICES	504	CONGRESS ST	KAPLAN 504 LLC	1,528,400	1,024.03
037 H014001	20:COMMERCIAL CONDOS	51	OAK ST	MAINE COLLEGE OF ART	318,000	213.06
037 H014002	55:LITERARY & SCIENTIFIC	51	OAK ST	MAINE COLLEGE OF ART	-00	-
037 H014003	20:COMMERCIAL CONDOS	51	OAK ST	MAINE COLLEGE OF ART	319,000	213.73
037 H014004	55:LITERARY & SCIENTIFIC	51	OAK ST	MAINE COLLEGE OF ART	-00	-
037 H014005	20:COMMERCIAL CONDOS	51	OAK ST	MAINE COLLEGE OF ART	217,800	145.93
037 H025001	21:RETAIL SERVICES	57	OAK ST	NEKOIE BAHMAN &	316,800	212.26
037 I001001	21:RETAIL SERVICES	498	CONGRESS ST	498 CONGRESS LLC	1,690,900	1,132.90
037 I002101	20:COMMERCIAL CONDOS	490	CONGRESS ST	GRACE LLC	647,800	434.03

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
037 I002102	20:COMMERCIAL CONDOS	492	CONGRESS ST	DJ HOLDINGS LLC	512,000	343.04
037 I002103	20:COMMERCIAL CONDOS	15	BROWN ST	THE DOROTHEA &	239,500	160.47
037 I002104	10:CONDOMINIUMS	15	BROWN ST	O'SULLIVAN MICHAEL &	651,500	436.51
037 I002105	10:CONDOMINIUMS	15	BROWN ST	ADLER JANICE B	617,600	413.79
037 I002201	10:CONDOMINIUMS	15	BROWN ST	PYE JOHN F &	371,500	248.91
037 I002202	10:CONDOMINIUMS	15	BROWN ST	SAUCEDO CHRISTIAN MANUEL	426,400	285.69
037 I002203	10:CONDOMINIUMS	15	BROWN ST	CARUSO PHILIP &	497,500	333.33
037 I002204	10:CONDOMINIUMS	15	BROWN ST	SINGER JASON &	416,500	279.06
037 I002205	10:CONDOMINIUMS	15	BROWN ST	207 INVESTS I LLC	406,800	272.56
037 I002206	10:CONDOMINIUMS	15	BROWN ST	MCILVAIN ELIZABETH S TRUSTEE	320,400	214.67
037 I002207	10:CONDOMINIUMS	15	BROWN ST	SOULE GEORGE &	236,600	158.52
037 I002208	10:CONDOMINIUMS	15	BROWN ST	DOCTOROFF MARK G	454,100	304.25
037 I002301	10:CONDOMINIUMS	15	BROWN ST	BERZON TODD S	438,400	293.73
037 I002302	10:CONDOMINIUMS	15	BROWN ST	ANDREOLI HELEN L	423,400	283.68
037 I002303	10:CONDOMINIUMS	15	BROWN ST	BAUMAN PATRICIA J TRUSTEE	499,400	334.60
037 I002304	10:CONDOMINIUMS	15	BROWN ST	MOORE BRIAN D	443,000	296.81
037 I002305	10:CONDOMINIUMS	15	BROWN ST	COFFIN KATHLEEN M	354,600	237.58
037 I002306	10:CONDOMINIUMS	15	BROWN ST	HUNT RYAN ETAL	406,500	272.36
037 I002307	10:CONDOMINIUMS	15	BROWN ST	DOCTOROFF MARK G	442,100	296.21
037 I002401	10:CONDOMINIUMS	15	BROWN ST	ANDONE PROPERTIES LLC	537,100	359.86
037 I002402	10:CONDOMINIUMS	15	BROWN ST	JONES RUSSELL J	540,800	362.34
037 I002403	10:CONDOMINIUMS	15	BROWN ST	QUADRI SYED M &	579,900	388.53
037 I002404	10:CONDOMINIUMS	15	BROWN ST	RICCI MICHAEL &	536,600	359.52
037 I002405	10:CONDOMINIUMS	15	BROWN ST	MARCUS PETER H TRUSTEE &	479,900	321.53

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
037 I002406	10:CONDOMINIUMS	15	BROWN ST	SANTORO DAVID M	506,400	339.29
037 I003001	21:RETAIL SERVICES	482	CONGRESS ST	CENTER CONGRESS LLC	5,677,800	3,804.13
037 I004001	22:OFFICE BUSINESS	480	CONGRESS ST	ASHBY TEAM LLC	2,250,900	1,508.10
037 I005001	27:MULTI-USE COMMERCIAL	486	CONGRESS ST	BARTHE DONNA	607,700	407.16
037 I00701A	20:COMMERCIAL CONDOS	11	BROWN ST	PHELPS CRAIG REAL	806,200	540.15
037 I00702A	10:CONDOMINIUMS	9	BROWN ST	WADDELL CHRISTOPHER &	391,800	262.51
037 I00702B	10:CONDOMINIUMS	9	BROWN ST	BUKER MAILE E	514,100	344.45
037 I00703A	10:CONDOMINIUMS	9	BROWN ST	COYLE MICHAEL	677,100	453.66
037 I00704A	10:CONDOMINIUMS	9	BROWN ST	THORNDIKE WILLIAM N JR &	841,700	563.94
037 I009001	25:PARKING LOTS	59	FREE ST	JBG & H ASSOCIATES	887,700	594.76
037 I012001	25:PARKING LOTS	104	CENTER ST	CENTER CONGRESS LLC	734,300	491.98
038 A001001	20:COMMERCIAL CONDOS	10	FREE ST	JBG&H ASSOCIATES	4,140,500	2,774.14
038 A001002	20:COMMERCIAL CONDOS	10	FREE ST	BROWN J B & SONS	2,150,300	1,440.70
038 A005001	22:OFFICE BUSINESS	22	FREE ST	BROWN J B & SONS	4,293,000	2,876.31
038 B001001	20:COMMERCIAL CONDOS	1	PORTLAND SQ	NORTH RIVER IV LLC	29,724,300	19,915.28
038 B001007	20:COMMERCIAL CONDOS	1	PORTLAND SQ	PS ONE REALTY LLC	18,566,400	12,439.49
038 B002001	22:OFFICE BUSINESS	2	PORTLAND SQ	NORTH RIVER IV LLC	34,048,300	22,812.36
038 B003001	25:PARKING LOTS	481	FORE ST	NORTH RIVER IV LLC	5,103,400	3,419.28
038 C008001	56:GOVERNMENTAL	28	COTTON ST	CITY OF PORTLAND	-00	-
038 C009001	25:PARKING LOTS	24	COTTON ST	CASCO VIEW HOLDINGS III LLC	1,459,000	977.53
038 C012001	27:MULTI-USE COMMERCIAL	8	COTTON ST	CASCO VIEW HOLDINGS III LLC	2,630,900	1,762.70
038 C030001	21:RETAIL SERVICES	59	CENTER ST	CASCO VIEW HOLDINGS III LLC	687,200	460.42
038 D015001	56:GOVERNMENTAL	82	FREE ST	CUMBERLAND COUNTY MAINE	-00	-
038 E009105	20:COMMERCIAL CONDOS	70	CENTER ST	105 STAPLES SCHOOL LLC	375,000	251.25

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
038 E009106	20:COMMERCIAL CONDOS	70	CENTER ST	APPLE REAL ESTATE	342,900	229.74
038 E009204	20:COMMERCIAL CONDOS	70	CENTER ST	70 CENTER LLC	372,300	249.44
038 E009205	20:COMMERCIAL CONDOS	70	CENTER ST	70 CENTER LLC	387,000	259.29
038 E009304	20:COMMERCIAL CONDOS	70	CENTER ST	EAST COAST CONSTRUCTION AND	390,100	261.37
038 E009305	20:COMMERCIAL CONDOS	70	CENTER ST	MCKERSIE FAMILY LLC	388,200	260.09
038 E009401	20:COMMERCIAL CONDOS	70	CENTER ST	ALDER RUN DEVELOPMENT	673,900	451.51
038 E009G07	20:COMMERCIAL CONDOS	70	CENTER ST	70 CENTER STREET BASEMENT LLC	353,800	237.05
038 E009G08	20:COMMERCIAL CONDOS	70	CENTER ST	MAINE BUSINESS SERVICES INC	347,600	232.89
038 E010001	20:COMMERCIAL CONDOS	17	SOUTH ST	LEVINE ROBERT A &	228,900	153.36
038 E010002	20:COMMERCIAL CONDOS	17	SOUTH ST	SOUTH STREET PARTNERS 2 LLC	228,900	153.36
038 E010003	20:COMMERCIAL CONDOS	17	SOUTH ST	PRESTIGE WORLD-WIDE	371,200	248.70
038 E012001	21:RETAIL SERVICES	52	CENTER ST	PICTURE ISLAND INC	683,300	457.81
038 E019001	21:RETAIL SERVICES	1	PLEASANT ST	ZENITH OPERATING GROUP LLC	1,669,000	1,118.23
038 E020001	27:MULTI-USE COMMERCIAL	7	PLEASANT ST	7-19 PLEASANT STREET LLC	783,100	524.68
038 E021001	25:PARKING LOTS	9	PLEASANT ST	7-19 PLEASANT STREET LLC	156,800	105.06
038 E022001	25:PARKING LOTS	9	PLEASANT ST	7-19 PLEASANT STREET LLC	22,800	15.28
038 E023001	27:MULTI-USE COMMERCIAL	15	PLEASANT ST	7-19 PLEASANT STREET LLC	1,506,700	1,009.49
038 E024001	27:MULTI-USE COMMERCIAL	21	PLEASANT ST	ANADILYA PROPERTIES LLC	1,190,500	797.64
038 E025001	13:THREE FAMILY	11	SOUTH ST	AMORY JONATHAN &	858,500	575.20
038 E026001	12:TWO FAMILY	9	SOUTH ST	HANSON ANJA-BRITT &	831,800	557.31
038 E027001	27:MULTI-USE COMMERCIAL	5	SOUTH ST	FIVE SOUTH STREET LLC	729,000	488.43
038 E029001	27:MULTI-USE COMMERCIAL	19	SOUTH ST	19 SOUTH STREET DEVELOPMENT LLC	1,535,200	1,028.58
038 E030001	25:PARKING LOTS	58	CENTER ST	STEELE DANIEL L	984,700	659.75
038 F004001	24:WHOLESALE	241	COMMERCIAL ST	SLM PROPERTIES INC	3,049,400	2,043.10

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038 F006001	22:OFFICE BUSINESS	245	COMMERCIAL ST	CASCO VIEW HOLDINGS LLC	6,931,500	4,644.11
038 F008001	22:OFFICE BUSINESS	470	FORE ST	DICTAR ASSOCIATES II	2,958,500	1,982.20
038 F009001	23:HOTEL & MOTEL	468	FORE ST	HARBOR PLAZA ASSOCIATES II	25,990,300	17,413.50
038 F009002	22:OFFICE BUSINESS	468	FORE ST	DICTAR ASSOCIATES II	5,400,000	3,618.00
038 F019001	22:OFFICE BUSINESS	19	CROSS ST	CASCO VIEW HOLDINGS II LLC	8,755,900	5,866.45
038 G001001	25:PARKING LOTS	486	FORE ST	NORTH RIVER IV LLC	4,151,800	2,781.71
038 G00202A	10:CONDOMINIUMS	269	COMMERCIAL ST	GOSSELIN EUGENE D &	244,100	163.55
038 G00202B	10:CONDOMINIUMS	269	COMMERCIAL ST	POE MAXWELL	248,200	166.29
038 G00202C	10:CONDOMINIUMS	269	COMMERCIAL ST	SCHNEIDER PAUL	244,500	163.82
038 G00202D	10:CONDOMINIUMS	269	COMMERCIAL ST	CUMMING JEAN S &	258,400	173.13
038 G00202E	10:CONDOMINIUMS	269	COMMERCIAL ST	DEVILLIER JACQUES K	227,100	152.16
038 G00202F	10:CONDOMINIUMS	269	COMMERCIAL ST	MCKENZIE ANNE-MARIE &	265,000	177.55
038 G00203A	10:CONDOMINIUMS	269	COMMERCIAL ST	SHULTZ RICHARD H &	253,600	169.91
038 G00203B	10:CONDOMINIUMS	269	COMMERCIAL ST	RICE LEE PRISCILLA TRUSTEE	241,900	162.07
038 G00203C	10:CONDOMINIUMS	269	COMMERCIAL ST	NORCHI CHARLES H	271,100	181.64
038 G00203D	10:CONDOMINIUMS	269	COMMERCIAL ST	DODGE MEREDITH	252,700	169.31
038 G00203E	10:CONDOMINIUMS	269	COMMERCIAL ST	CONKLIN HENRY C	254,900	170.78
038 G00203F	10:CONDOMINIUMS	269	COMMERCIAL ST	TUCKER HAROLD W III	258,700	173.33
038 G00204A	10:CONDOMINIUMS	269	COMMERCIAL ST	ROUSSEAU GREGORY MICHEL	254,000	170.18
038 G00204B	10:CONDOMINIUMS	269	COMMERCIAL ST	269 COMMERCIAL LLC	268,800	180.10
038 G00204C	10:CONDOMINIUMS	269	COMMERCIAL ST	GIOBBI ARCHIE &	336,800	225.66
038 G00204D	10:CONDOMINIUMS	269	COMMERCIAL ST	KIMBLE ELLEN SUE	230,800	154.64
038 G00204E	10:CONDOMINIUMS	269	COMMERCIAL ST	LOWRY KATE	255,200	170.98
038 G00204F	10:CONDOMINIUMS	269	COMMERCIAL ST	WONG ROCKET &	241,900	162.07

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
038 G00205A	10:CONDOMINIUMS	269	COMMERCIAL ST	BERG ERIC O JR TRUSTEE	285,600	191.35
038 G00205B	10:CONDOMINIUMS	269	COMMERCIAL ST	GLENNON THOMAS J	309,700	207.50
038 G00205C	10:CONDOMINIUMS	269	COMMERCIAL ST	CALDWELL ROBERT A	277,100	185.66
038 G00205D	10:CONDOMINIUMS	269	COMMERCIAL ST	MULLAHY CHRISTINE &	315,800	211.59
038 G00205E	10:CONDOMINIUMS	269	COMMERCIAL ST	FLAHERTY CHRISTOPHER F	308,500	206.70
038 G00205F	10:CONDOMINIUMS	269	COMMERCIAL ST	FOSTER ANTHONY W	269,500	180.57
038 G002267	20:COMMERCIAL CONDOS	269	COMMERCIAL ST	TEEDUCFRATAY LLC	671,800	450.11
038 G002271	20:COMMERCIAL CONDOS	269	COMMERCIAL ST	JKC LLC	604,700	405.15
038 G005001	23:HOTEL & MOTEL	9	CENTER ST	FATHOM CC LLC	37,475,500	25,108.59
038 I001001	27:MULTI-USE COMMERCIAL	28	FREE ST	40 FREE LLC	10,102,200	6,768.47
038 I003001	25:PARKING LOTS	15	SPRING ST	BROWN J B & SONS	1,783,900	1,195.21
038 I018001	21:RETAIL SERVICES	46	FREE ST	BROWN J B & SONS	4,542,400	3,043.41
039 A001001	21:RETAIL SERVICES	626	CONGRESS ST	PARK WONBAE &	1,844,400	1,235.75
039 A002001	21:RETAIL SERVICES	622	CONGRESS ST	WAYNE ENTERPISES LLC	2,298,400	1,539.93
039 A005001	21:RETAIL SERVICES	616	CONGRESS ST	614 CONGRESS STREET LLC	2,113,000	1,415.71
039 A006001	25:PARKING LOTS	143	PARK ST	614 CONGRESS STREET LLC	154,500	103.52
039 A007001	25:PARKING LOTS	612	CONGRESS ST	RICE GEOFFREY I	108,100	72.43
039 A008001	21:RETAIL SERVICES	610	CONGRESS ST	19 SOUTH STREET LLC	735,600	492.85
039 A009001	21:RETAIL SERVICES	608	CONGRESS ST	19 SOUTH STREET LLC	732,400	490.71
039 A010001	21:RETAIL SERVICES	606	CONGRESS ST	602 CONGRESS LLC	623,100	417.48
039 A011001	25:PARKING LOTS	141	PARK ST	WAYNE ENTERPRISES LLC	272,800	182.78
039 A013001	22:OFFICE BUSINESS	600	CONGRESS ST	602 CONGRESS LLC	2,909,500	1,949.37
039 A016001	40:VACANT LAND	122	HIGH ST	TEGNA EAST COAST	139,100	93.20
039 A016002	25:PARKING LOTS	122	HIGH ST	PACIFIC AND SOUTHERN LLC	1,349,600	904.23

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
039 A017001	22:OFFICE BUSINESS	128	HIGH ST	TEGNA EAST COAST	4,173,000	2,795.91
039 A027001	26:PRIVATE CLUBS	116	HIGH ST	CUMBERLAND CLUB	3,745,400	2,509.42
039 A028001	04:BED & BREAKFAST	135	SPRING ST	THE WREN LLC	1,202,000	805.34
039 A029001	27:MULTI-USE COMMERCIAL	133	SPRING ST	STADLER CECILE	652,000	436.84
039 A030001	27:MULTI-USE COMMERCIAL	131	SPRING ST	NOUVEAU-NE LLC	570,600	382.30
039 A031001	27:MULTI-USE COMMERCIAL	129	SPRING ST	129 SPRING STREET LLC	678,900	454.86
039 A032001	25:PARKING LOTS	127	SPRING ST	CUMBERLAND CLUB	325,600	218.15
039 A035001	27:MULTI-USE COMMERCIAL	110	HIGH ST	SOUTH 504 LLC	578,700	387.73
039 A037001	21:RETAIL SERVICES	106	HIGH ST	M2BM LLC	1,041,200	697.60
039 A038001	21:RETAIL SERVICES	612	CONGRESS ST	BLUE BAY LLC	768,500	514.90
039 B001001	55:LITERARY & SCIENTIFIC	97	SPRING ST	PORTLAND MUSEUM OF ART	-00	-
039 B003001	55:LITERARY & SCIENTIFIC	142	FREE ST	PORTLAND MUSEUM OF ART	-00	-
039 B004001	25:PARKING LOTS	130	FREE ST	MAINEHEALTH	1,447,600	969.89
039 B007001	21:RETAIL SERVICES	128	FREE ST	MAINEHEALTH	590,200	395.43
039 B008001	25:PARKING LOTS	120	FREE ST	MAINEHEALTH	1,145,200	767.28
039 B011001	20:COMMERCIAL CONDOS	44	OAK ST	EVERYTHING LLC	921,200	617.20
039 B011002	20:COMMERCIAL CONDOS	44	OAK ST	EVERYTHING LLC	497,000	332.99
039 B011003	20:COMMERCIAL CONDOS	44	OAK ST	44 OAK UNIT THREE LLC	486,900	326.22
039 B011004	10:CONDOMINIUMS	44	OAK ST	KEON MICHAEL P	1,030,400	690.37
039 B013001	55:LITERARY & SCIENTIFIC	148	FREE ST	PORTLAND MUSEUM OF ART	-00	-
039 B015001	55:LITERARY & SCIENTIFIC	87	SPRING ST	PORTLAND MUSEUM OF ART	-00	-
039 C001002	54:BENEVOLENT & CHARITABLE	110	FREE ST	MAINEHEALTH	-00	-
039 C00101A	54:BENEVOLENT & CHARITABLE	110	FREE ST	MAINEHEALTH	-00	-
039 C00101B	20:COMMERCIAL CONDOS	110	FREE ST	MAINEHEALTH	1,428,700	957.23

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
039 C00101C	20:COMMERCIAL CONDOS	110	FREE ST	MAINEHEALTH	2,019,400	1,353.00
039 C0010GB	54:BENEVOLENT & CHARITABLE	110	FREE ST	MAINEHEALTH	-00	-
039 C0010GC	54:BENEVOLENT & CHARITABLE	110	FREE ST	MAINEHEALTH	-00	-
039 C001301	54:BENEVOLENT & CHARITABLE	110	FREE ST	MAINEHEALTH	-00	-
039 C001302	54:BENEVOLENT & CHARITABLE	110	FREE ST	MAINEHEALTH	-00	-
039 C001GA1	54:BENEVOLENT & CHARITABLE	110	FREE ST	MAINEHEALTH	-00	-
039 C001GA2	54:BENEVOLENT & CHARITABLE	110	FREE ST	MAINEHEALTH	-00	-
039 C002001	56:GOVERNMENTAL	0	FREE ST	CITY OF PORTLAND	-00	-
039 D005001	56:GOVERNMENTAL	98	HIGH ST	CITY OF PORTLAND	-00	-
039 E001001	56:GOVERNMENTAL	94	SPRING ST ARTERIAL	CITY OF PORTLAND	-00	-
039 E008001	22:OFFICE BUSINESS	93	HIGH ST	SAFFORD HOUSE LLC	1,092,900	732.24
039 E009001	54:BENEVOLENT & CHARITABLE	87	HIGH ST	ST ELIZABETH'S ROMAN	-00	-
039 E010001	23:HOTEL & MOTEL	88	SPRING ST	LAFAYETTE PORTLAND LLC	22,546,500	15,106.16
039 F001001	25:PARKING LOTS	40	SPRING ST ARTERIAL	LAFAYETTE PORTLAND LLC	7,953,500	5,328.85
039 F013001	32:WAREHOUSE & STORAGE	59	PLEASANT ST	BAKERY LIMITED LIABILITY CO	2,121,300	1,421.27
039 F017001	12:TWO FAMILY	22	SOUTH ST	LOMBARDI BRIAN D	592,400	396.91
039 F018001	12:TWO FAMILY	20	SOUTH ST	SCHMIDT REMINGTON O	415,900	278.65
039 F019001	11:SINGLE FAMILY	18	SOUTH ST	LEWIS CLARENCE MICHAEL &	619,300	414.93
039 F020001	12:TWO FAMILY	14	SOUTH ST	MCLAUGHLIN KATHERINE A TRUSTEE	619,900	415.33
039 F021001	25:PARKING LOTS	10	SOUTH ST	BROWN J B & SONS	27,500	18.43
039 F022001	10:CONDOMINIUMS	37	PLEASANT ST	SWEENEY HILARY &	337,100	225.86
039 F022002	10:CONDOMINIUMS	37	PLEASANT ST	WEATHERFORD CLAUDINE &	334,700	224.25
039 F022003	10:CONDOMINIUMS	37	PLEASANT ST	WATSON MICHAEL P &	337,100	225.86
039 F022004	10:CONDOMINIUMS	37	PLEASANT ST	HOLT MYRA FUJIMOTO TRUSTEE	334,700	224.25

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
039 F022005	10:CONDOMINIUMS	37	PLEASANT ST	COMEAU PETER W &	337,100	225.86
039 F022006	10:CONDOMINIUMS	37	PLEASANT ST	HAAS JOHN E &	334,700	224.25
039 F023001	20:COMMERCIAL CONDOS	35	PLEASANT ST	35 PLEASANT ST LLC	299,500	200.67
039 F023002	10:CONDOMINIUMS	35	PLEASANT ST	REITER LAUREN J &	801,300	536.87
039 F025001	58:LAND BANKS	24	SOUTH ST	CITY OF PORTLAND	-00	-
039 F026001	40:VACANT LAND	22	SOUTH ST	LOMBARDI DEBRA &	70,100	46.97
040 A001001	16:11 TO 20 FAMILY	79	HIGH ST	AVESTA INGRAHAM HOUSE LLC	1,039,300	696.33
040 A002001	14:FOUR FAMILY	98	PLEASANT ST	O'SULLIVAN PATRICIA &	905,200	606.48
040 A003001	12:TWO FAMILY	92	PLEASANT ST	MCLARNON STEPHEN R JR &	725,400	486.02
040 A004001	15:5 TO 10 FAMILY	88	PLEASANT ST	C M SCRIBNER & CO LIMITED	1,366,900	915.82
040 A005001	25:PARKING LOTS	76	PLEASANT ST	LAFAYETTE PORTLAND LLC	423,200	283.54
040 A008001	25:PARKING LOTS	74	PLEASANT ST	BROWN J B & SONS	100,900	67.60
040 A009001	14:FOUR FAMILY	68	PLEASANT ST	SCHWARTZ DONNA L	915,400	613.32
040 A010001	27:MULTI-USE COMMERCIAL	54	MAPLE ST	AXE CAP LLC	558,200	373.99
040 A011001	11:SINGLE FAMILY	67	HIGH ST	BOURNE KATHERINE L &	751,400	503.44
040 A013001	17:21 PLUS FAMILY	53	DANFORTH ST	53 DANFORTH STREET LP	5,255,000	3,520.85
040 A014001	11:SINGLE FAMILY	52	MAPLE ST	ADLER BRENT	514,400	344.65
040 A015001	15:5 TO 10 FAMILY	65	HIGH ST	BRICKLIGHT PROPERTIES LLC	1,107,600	742.09
040 A016001	17:21 PLUS FAMILY	81	DANFORTH ST	DANFORTH ON HIGH LP	3,379,900	2,264.53
040 A017001	15:5 TO 10 FAMILY	77	DANFORTH ST	EAST DANFORTH LLC	1,044,300	699.68
040 A018001	15:5 TO 10 FAMILY	75	DANFORTH ST	EAST DANFORTH LLC	987,300	661.49
040 A019001	15:5 TO 10 FAMILY	71	DANFORTH ST	EAST DANFORTH LLC	1,230,300	824.30
040 A022001	15:5 TO 10 FAMILY	67	DANFORTH ST	EAST DANFORTH LLC	1,101,400	737.94
040 A024001	15:5 TO 10 FAMILY	63	DANFORTH ST	EAST DANFORTH LLC	721,000	483.07

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
040 A027001	11:SINGLE FAMILY	50	MAPLE ST	BRIGHAM JORDAN &	598,000	400.66
040 A028001	25:PARKING LOTS	46	MAPLE ST	BROWN J B & SONS	96,100	64.39
040 A030001	16:11 TO 20 FAMILY	69	HIGH ST	BRICKLIGHT PROPERTIES LLC	1,301,300	871.87
040 B001001	25:PARKING LOTS	55	MAPLE ST	BAKERY LIMITED LIABILITY CO	119,200	79.86
040 B002001	25:PARKING LOTS	58	PLEASANT ST	BROWN J B & SONS	89,200	59.76
040 B003001	13:THREE FAMILY	54	PLEASANT ST	JR SAPPERSTEIN HOLDINGS LLC	795,000	532.65
040 B004001	27:MULTI-USE COMMERCIAL	44	PLEASANT ST	44 PLEASANT STREET LLC	1,528,400	1,024.03
040 B006001	11:SINGLE FAMILY	40	PLEASANT ST	SPERRY ELISABETH &	972,600	651.64
040 B007001	27:MULTI-USE COMMERCIAL	23	DANFORTH ST	SCHWARTZ DONNA L	682,100	457.01
040 B008001	10:CONDOMINIUMS	32	PLEASANT ST	JOSEPH JOEY P	312,800	209.58
040 B008002	10:CONDOMINIUMS	32	PLEASANT ST	BROME CHRISTINE	327,300	219.29
040 B008003	10:CONDOMINIUMS	32	PLEASANT ST	CARLEY TESS &	475,000	318.25
040 B009001	10:CONDOMINIUMS	30	PLEASANT ST	LEVANDOSKI THERESE M	312,000	209.04
040 B009002	10:CONDOMINIUMS	30	PLEASANT ST	HANSON JUNE ANDREA	325,900	218.35
040 B009003	10:CONDOMINIUMS	30	PLEASANT ST	HOULE RONALD J &	400,800	268.54
040 B010001	12:TWO FAMILY	20	PLEASANT ST	WEST ERIK MARK	553,300	370.71
040 B012001	22:OFFICE BUSINESS	18	PLEASANT ST	18 PLEASANT ST ASSOC	250,500	167.84
040 B013001	11:SINGLE FAMILY	14	PLEASANT ST	GIOBBI CARLO A JR &	638,700	427.93
040 B015001	25:PARKING LOTS	10	PLEASANT ST	GIOBBI CARLO A JR &	43,100	28.88
040 B017001	21:RETAIL SERVICES	4	PLEASANT ST	SANTE LLC	114,300	76.58
040 B018001	40:VACANT LAND	51	MAPLE ST	BRIGHAM JORDAN &	16,100	10.79
040 B020001	21:RETAIL SERVICES	35	DANFORTH ST	TOBEY LINDA W	689,100	461.70
040 B021001	13:THREE FAMILY	33	DANFORTH ST	FOX STEPHEN H	574,600	384.98
040 B022001	40:VACANT LAND	29	DANFORTH ST	SCHAIR-CARDONA ERICA &	298,000	199.66

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
040 B023001	25:PARKING LOTS	13	DANFORTH ST	WRIGHT-RYAN REAL ESTATE LLC	200,800	134.54
040 B028001	21:RETAIL SERVICES	1	DANFORTH ST	SANTE LLC	652,500	437.18
040 B032001	21:RETAIL SERVICES	45	DANFORTH ST	CIGRI & DENG PROPERTIES LLC	506,200	339.15
040 B033001	10:CONDOMINIUMS	56	PLEASANT ST	O'BRIEN KAYLYN SHAY	339,000	227.13
040 B033002	10:CONDOMINIUMS	56	PLEASANT ST	MARCOUX VANESSA L &	374,800	251.12
040 B033003	10:CONDOMINIUMS	56	PLEASANT ST	RUNNING SALLY	358,300	240.06
040 C001001	16:11 TO 20 FAMILY	51	HIGH ST	GILLIS PETER J	1,374,800	921.12
040 C002001	15:5 TO 10 FAMILY	78	DANFORTH ST	WEST COMPANY	1,124,800	753.62
040 C005001	20:COMMERCIAL CONDOS	101	YORK ST	BROWN J B & SONS	2,962,000	1,984.54
040 C005201	10:CONDOMINIUMS	25	HIGH ST	VEALE PATRICK J &	482,400	323.21
040 C005202	10:CONDOMINIUMS	25	HIGH ST	ESCHBACH KELLY S &	340,500	228.14
040 C005203	10:CONDOMINIUMS	25	HIGH ST	KLEINLERER MICHAL FREDA	465,200	311.68
040 C005204	10:CONDOMINIUMS	25	HIGH ST	PARK KYUNG SAM	389,800	261.17
040 C005206	10:CONDOMINIUMS	25	HIGH ST	MYSA RENTALS LLC	341,800	229.01
040 C005207	10:CONDOMINIUMS	25	HIGH ST	CARRAHER DARIN L	337,900	226.39
040 C005208	10:CONDOMINIUMS	25	HIGH ST	LAGHAEI FARID &	452,200	302.97
040 C005209	10:CONDOMINIUMS	25	HIGH ST	GATOS PAMELA &	452,200	302.97
040 C005210	10:CONDOMINIUMS	25	HIGH ST	HEYMAN ADAM &	458,200	306.99
040 C005211	10:CONDOMINIUMS	25	HIGH ST	LIEBERMAN KYLE A ETAL JTS	457,300	306.39
040 C005212	10:CONDOMINIUMS	25	HIGH ST	WEATHERILL CAROLINE AVERY	432,300	289.64
040 C005213	10:CONDOMINIUMS	25	HIGH ST	PRICE JASON LLOYD &	432,300	289.64
040 C005214	10:CONDOMINIUMS	25	HIGH ST	DIRECTOR STEVEN &	457,300	306.39
040 C005215	10:CONDOMINIUMS	25	HIGH ST	CUSHMAN ROBIN MARI TRUSTEE	512,800	343.58
040 C005216	10:CONDOMINIUMS	25	HIGH ST	CHADBOURNE DENNIS S	458,700	307.33

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
040 C005301	10:CONDOMINIUMS	25	HIGH ST	LYONS THOMAS W &	457,400	306.46
040 C005302	10:CONDOMINIUMS	25	HIGH ST	HARROW DAVID	340,500	228.14
040 C005303	10:CONDOMINIUMS	25	HIGH ST	SMITH TEALE &	465,200	311.68
040 C005304	10:CONDOMINIUMS	25	HIGH ST	BROWN LAUREN HINSON &	389,800	261.17
040 C005305	10:CONDOMINIUMS	25	HIGH ST	DETER AMY &	471,200	315.70
040 C005306	10:CONDOMINIUMS	25	HIGH ST	LACOGNATA STUART A	341,800	229.01
040 C005307	10:CONDOMINIUMS	25	HIGH ST	GRIFFIN ALEXANDER &	337,900	226.39
040 C005308	10:CONDOMINIUMS	25	HIGH ST	MARTINEZ DANIEL M &	452,200	302.97
040 C005309	10:CONDOMINIUMS	25	HIGH ST	ADLER SUSAN	427,200	286.22
040 C005310	10:CONDOMINIUMS	25	HIGH ST	MORRIS AARON	433,200	290.24
040 C005311	10:CONDOMINIUMS	25	HIGH ST	LAMPNER GLENNA H &	457,300	306.39
040 C005312	10:CONDOMINIUMS	25	HIGH ST	DICKERSON NORVIN KENNEDY IV	457,300	306.39
040 C005313	10:CONDOMINIUMS	25	HIGH ST	GRIDLEY GUY G	457,300	306.39
040 C005314	10:CONDOMINIUMS	25	HIGH ST	PROFESSIONAL PROPERTIES LLC	457,300	306.39
040 C005315	10:CONDOMINIUMS	25	HIGH ST	INKOULOVA POLINA &	512,800	343.58
040 C005316	10:CONDOMINIUMS	25	HIGH ST	MILLER DEREK	433,700	290.58
040 C005401	10:CONDOMINIUMS	25	HIGH ST	KEELING MATTHEW R &	481,600	322.67
040 C005402	10:CONDOMINIUMS	25	HIGH ST	TAMASHIRO KASEY-KALEI	357,500	239.53
040 C005403	10:CONDOMINIUMS	25	HIGH ST	WOON ASHLEY HARDI	488,400	327.23
040 C005404	10:CONDOMINIUMS	25	HIGH ST	MORSE KRISTY M	384,300	257.48
040 C005405	10:CONDOMINIUMS	25	HIGH ST	CHEUNG PATRICIA K	494,800	331.52
040 C005406	10:CONDOMINIUMS	25	HIGH ST	SKACEL LAURA E	358,900	240.46
040 C005407	10:CONDOMINIUMS	25	HIGH ST	SHELLEY W KIRBY &	329,800	220.97
040 C005408	10:CONDOMINIUMS	25	HIGH ST	BAZINET JAYDE &	474,800	318.12

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
040 C005409	10:CONDOMINIUMS	25	HIGH ST	PIASIO GEOFF B	474,800	318.12
040 C005410	10:CONDOMINIUMS	25	HIGH ST	SADLER CLIFFORD H &	456,100	305.59
040 C005411	10:CONDOMINIUMS	25	HIGH ST	SCHAFER MORGAN &	480,200	321.73
040 C005412	10:CONDOMINIUMS	25	HIGH ST	KRONENBERG MARIANNE L &	480,200	321.73
040 C005413	10:CONDOMINIUMS	25	HIGH ST	DORNEMAN PENELOPE LEE &	480,200	321.73
040 C005414	10:CONDOMINIUMS	25	HIGH ST	MANSOURI ROZHIN YOUSEFVAND	480,200	321.73
040 C005415	10:CONDOMINIUMS	25	HIGH ST	REILLY KATHLEEN E	539,700	361.60
040 C005416	10:CONDOMINIUMS	25	HIGH ST	ROSS NATHAN T &	481,600	322.67
040 C005501	10:CONDOMINIUMS	25	HIGH ST	CRAWFORD MARK &	554,800	371.72
040 C005502	10:CONDOMINIUMS	25	HIGH ST	JOHNSTON EDWARD R &	391,500	262.31
040 C005503	10:CONDOMINIUMS	25	HIGH ST	BERRY RICHARD A	509,900	341.63
040 C005504	10:CONDOMINIUMS	25	HIGH ST	FREEDMAN PAUL R TRUSTEE	448,300	300.36
040 C005505	10:CONDOMINIUMS	25	HIGH ST	HIGH QUALITY RENTALS LLC	541,900	363.07
040 C005506	10:CONDOMINIUMS	25	HIGH ST	MARSDEN DAVID &	393,000	263.31
040 C005507	10:CONDOMINIUMS	25	HIGH ST	LADAN LUKA	388,500	260.30
040 C005508	10:CONDOMINIUMS	25	HIGH ST	CARTER DONALD D JR &	495,000	331.65
040 C005509	10:CONDOMINIUMS	25	HIGH ST	BROWN SARA J HUTCHINSON &	520,000	348.40
040 C005510	10:CONDOMINIUMS	25	HIGH ST	LARLEE BRENT A &	502,000	336.34
040 C005511	10:CONDOMINIUMS	25	HIGH ST	OSTERGAARD LLC	526,000	352.42
040 C005512	10:CONDOMINIUMS	25	HIGH ST	DANIELSEN KERRY E	526,000	352.42
040 C005513	10:CONDOMINIUMS	25	HIGH ST	CONRAD ERIC &	526,000	352.42
040 C005514	10:CONDOMINIUMS	25	HIGH ST	SHAW DAVID E &	526,000	352.42
040 C005515	10:CONDOMINIUMS	25	HIGH ST	PARK MIRI	618,500	414.40
040 C005516	10:CONDOMINIUMS	25	HIGH ST	BLOOM RYAN M ETAL JTS	527,500	353.43

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
040 C009001	31:MANUFACTURING	50	DANFORTH ST	BROWN J B & SONS	1,234,700	827.25
040 C014001	14:FOUR FAMILY	41	HIGH ST	SACRE LINDA &	675,000	452.25
040 C015001	10:CONDOMINIUMS	37	HIGH ST	MYBURGH ANDREW C &	272,600	182.64
040 C015002	10:CONDOMINIUMS	37	HIGH ST	SOLSTICE INVESTMENTS LLC	161,200	108.00
040 C015003	10:CONDOMINIUMS	37	HIGH ST	VADLA RAVI-KUMAR	312,400	209.31
040 C015004	10:CONDOMINIUMS	37	HIGH ST	THIS THYME AROUND LLC	216,900	145.32
040 C016001	12:TWO FAMILY	31	HIGH ST	BERNOTAVICZ JARAD	606,400	406.29
040 C021001	27:MULTI-USE COMMERCIAL	27	HIGH ST	BROWN J B & SONS	6,330,000	4,241.10
040 C026001	24:WHOLESALE	75	YORK ST	YORKSHIRE LLC	1,328,500	890.10
040 C030001	21:RETAIL SERVICES	53	YORK ST	CASTINE 53 LLC	2,133,900	1,429.71
040 D001001	22:OFFICE BUSINESS	20	DANFORTH ST	BROWN J B & SONS	6,121,100	4,101.14
040 D002001	22:OFFICE BUSINESS	10	DANFORTH ST	WRIGHT-RYAN REAL ESTATE LLC	1,667,900	1,117.49
040 E001001	25:PARKING LOTS	40	YORK ST	BROWN J B & SONS	1,176,500	788.26
040 E003001	10:CONDOMINIUMS	311	COMMERCIAL ST	SAMBATAKOS JOHN P &	537,700	360.26
040 E003002	10:CONDOMINIUMS	311	COMMERCIAL ST	HIGONNET CAMILLE	437,900	293.39
040 E003003	10:CONDOMINIUMS	311	COMMERCIAL ST	CUNHA GEORGE AYERS &	372,500	249.58
040 E003004	10:CONDOMINIUMS	311	COMMERCIAL ST	KASUBA PAUL F &	541,200	362.60
040 E003005	10:CONDOMINIUMS	311	COMMERCIAL ST	TAYLOR-CHIARELLO ROBIN	593,500	397.65
040 E003006	10:CONDOMINIUMS	311	COMMERCIAL ST	DODGE MEREDITH A &	532,300	356.64
040 E003007	10:CONDOMINIUMS	311	COMMERCIAL ST	KRUITHOFF CATHERINE H &	389,200	260.76
040 E003008	10:CONDOMINIUMS	311	COMMERCIAL ST	DODGE MEREDITH A &	453,300	303.71
040 E003009	10:CONDOMINIUMS	311	COMMERCIAL ST	KROON THOMAS J &	472,000	316.24
040 E00300H	20:COMMERCIAL CONDOS	311	COMMERCIAL ST	JBB HOSPITALITY I LLC	31,863,200	21,348.34
040 E00300R	20:COMMERCIAL CONDOS	311	COMMERCIAL ST	TIQA LEGACY LLC	1,315,000	881.05

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
040 E003010	10:CONDOMINIUMS	311	COMMERCIAL ST	GRIMM KRISTY &	714,000	478.38
040 E003011	10:CONDOMINIUMS	311	COMMERCIAL ST	CLANCY PAUL	498,500	334.00
040 E003012	10:CONDOMINIUMS	311	COMMERCIAL ST	HOUCK THOMAS K &	532,300	356.64
040 E003013	10:CONDOMINIUMS	311	COMMERCIAL ST	SNITE DEBORAH	425,500	285.09
040 E003014	10:CONDOMINIUMS	311	COMMERCIAL ST	HOBBS JANNA &	513,700	344.18
040 F009001	27:MULTI-USE COMMERCIAL	305	COMMERCIAL ST	BAXTER PLACE LLC	12,160,000	8,147.20
040 F011001	22:OFFICE BUSINESS	14	YORK ST	BROWN J B & SONS	4,195,700	2,811.12
041 A015001	24:WHOLESALE	260	COMMERCIAL ST	WATERFRONT MAINE BT LLC	2,270,600	1,521.30
041 A016001	22:OFFICE BUSINESS	252	COMMERCIAL ST	WATERFRONT MAINE	22,937,700	15,368.26
042 A001001	23:HOTEL & MOTEL	379	COMMERCIAL ST	APPLE NINE HOSPITALITY	42,168,900	28,253.16
042 A002140	20:COMMERCIAL CONDOS	383	COMMERCIAL ST	CENTRAL STREET STUDIOS LLC	245,400	164.42
042 A002141	20:COMMERCIAL CONDOS	383	COMMERCIAL ST	CENTRAL STREET STUDIOS LLC	128,600	86.16
042 A002143	20:COMMERCIAL CONDOS	383	COMMERCIAL ST	DEERING PROPERTY	202,500	135.68
042 A002144	20:COMMERCIAL CONDOS	383	COMMERCIAL ST	DEERING PROPERTY	239,500	160.47
042 A002145	20:COMMERCIAL CONDOS	383	COMMERCIAL ST	DEERING PROPERTY	85,500	57.29
042 A002146	20:COMMERCIAL CONDOS	383	COMMERCIAL ST	DEERING PROPERTY	1,140,000	763.80
042 A002200	10:CONDOMINIUMS	383	COMMERCIAL ST	BRUCE ELIZABETH B	595,000	398.65
042 A002201	10:CONDOMINIUMS	383	COMMERCIAL ST	LANDRY GAIL	362,600	242.94
042 A002202	10:CONDOMINIUMS	383	COMMERCIAL ST	JOHNSON SANDRA W &	415,600	278.45
042 A002203	10:CONDOMINIUMS	383	COMMERCIAL ST	ALEXANDER LORI &	408,700	273.83
042 A002204	10:CONDOMINIUMS	383	COMMERCIAL ST	YOUNG BRADLEY S &	433,400	290.38
042 A002300	10:CONDOMINIUMS	383	COMMERCIAL ST	STINSON MARTHA	691,800	463.51
042 A002301	10:CONDOMINIUMS	383	COMMERCIAL ST	LASALA BETH H	739,600	495.53
042 A002302	10:CONDOMINIUMS	383	COMMERCIAL ST	GALVIN ANDREW D &	542,400	363.41

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
042 A002303	10:CONDOMINIUMS	383	COMMERCIAL ST	LANE RYAN S	423,900	284.01
042 A002304	10:CONDOMINIUMS	383	COMMERCIAL ST	SKELLY ABIGAIL M &	538,300	360.66
042 A002305	10:CONDOMINIUMS	383	COMMERCIAL ST	THOMAS KYLE	423,900	284.01
042 A002306	10:CONDOMINIUMS	383	COMMERCIAL ST	LEE FRANK	395,400	264.92
042 A002307	10:CONDOMINIUMS	383	COMMERCIAL ST	HURST KATHRYN NICOLE	832,800	557.98
042 A002308	10:CONDOMINIUMS	383	COMMERCIAL ST	KAUFFMAN JENNIFER LOUISE	423,400	283.68
042 A002309	10:CONDOMINIUMS	383	COMMERCIAL ST	CHASE MARK C TRUSTEE	621,100	416.14
042 A002310	10:CONDOMINIUMS	383	COMMERCIAL ST	MUMME YVONNE B &	562,900	377.14
042 A002311	10:CONDOMINIUMS	383	COMMERCIAL ST	DIRKMAAT ERIK L &	812,400	544.31
042 A002312	10:CONDOMINIUMS	383	COMMERCIAL ST	SJY LLC	410,300	274.90
042 A002313	10:CONDOMINIUMS	383	COMMERCIAL ST	MUNDEHENK LEIGH &	419,700	281.20
042 A002314	10:CONDOMINIUMS	383	COMMERCIAL ST	DEVLIN ELIZABETH &	539,400	361.40
042 A002315	10:CONDOMINIUMS	383	COMMERCIAL ST	REISS GEORGE E &	431,500	289.11
042 A002316	10:CONDOMINIUMS	383	COMMERCIAL ST	FECHER RICHARD J &	537,300	359.99
042 A002317	10:CONDOMINIUMS	383	COMMERCIAL ST	KENNEDY TODD M	379,500	254.27
042 A002318	10:CONDOMINIUMS	383	COMMERCIAL ST	FAVREAU SCOTT A &	511,900	342.97
042 A002319	10:CONDOMINIUMS	383	COMMERCIAL ST	UZEE JOHN H	666,400	446.49
042 A002320	10:CONDOMINIUMS	383	COMMERCIAL ST	KALM HARBOUR LLC	440,800	295.34
042 A002321	10:CONDOMINIUMS	383	COMMERCIAL ST	HALLOCK BRADLEY L &	719,600	482.13
042 A002400	10:CONDOMINIUMS	383	COMMERCIAL ST	BRUENJES MICHAEL &	719,100	481.80
042 A002401	10:CONDOMINIUMS	383	COMMERCIAL ST	COOK RICHARD F JR	647,800	434.03
042 A002402	10:CONDOMINIUMS	383	COMMERCIAL ST	CARAMANDO ANTHONY N	593,000	397.31
042 A002403	10:CONDOMINIUMS	383	COMMERCIAL ST	TIDD PAULETTE S	487,800	326.83
042 A002404	10:CONDOMINIUMS	383	COMMERCIAL ST	EHLER MARLA G &	574,500	384.92

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
042 A002405	10:CONDOMINIUMS	383	COMMERCIAL ST	PALADINO CHRISTINE &	435,400	291.72
042 A002406	10:CONDOMINIUMS	383	COMMERCIAL ST	ARENSBERG LEE C TRUSTEE	435,400	291.72
042 A002407	10:CONDOMINIUMS	383	COMMERCIAL ST	ENRIGHT SARA &	911,900	610.97
042 A002408	10:CONDOMINIUMS	383	COMMERCIAL ST	RUGGLES PATRICIA WELLS	455,400	305.12
042 A002409	10:CONDOMINIUMS	383	COMMERCIAL ST	HOWARD PROPERTY GROUP LLC	756,800	507.06
042 A002410	10:CONDOMINIUMS	383	COMMERCIAL ST	HOLMES JOANNE C TRUSTEE	574,500	384.92
042 A002411	10:CONDOMINIUMS	383	COMMERCIAL ST	TOPPER DAVID C &	892,800	598.18
042 A002412	10:CONDOMINIUMS	383	COMMERCIAL ST	DARBY DOUGLAS M	460,900	308.80
042 A002413	10:CONDOMINIUMS	383	COMMERCIAL ST	DERRIEY LIONEL H	468,300	313.76
042 A002414	10:CONDOMINIUMS	383	COMMERCIAL ST	NEWMAN SUSANNE HICKS	716,600	480.12
042 A002415	10:CONDOMINIUMS	383	COMMERCIAL ST	O'NEIL TAMATHA SARCHI	435,400	291.72
042 A002416	10:CONDOMINIUMS	383	COMMERCIAL ST	SIMONDS MELISSA G	599,300	401.53
042 A002417	10:CONDOMINIUMS	383	COMMERCIAL ST	CEFALO KYLE J	490,900	328.90
042 A002419	10:CONDOMINIUMS	383	COMMERCIAL ST	PRATT CAROLYN R	647,900	434.09
042 A002420	10:CONDOMINIUMS	383	COMMERCIAL ST	PARK DIANA L &	1,031,400	691.04
042 A002421	10:CONDOMINIUMS	383	COMMERCIAL ST	DARBY CORINN A	783,500	524.95
042 A002500	10:CONDOMINIUMS	383	COMMERCIAL ST	CHILDRESS JAMES WOODROW &	786,100	526.69
042 A002501	10:CONDOMINIUMS	383	COMMERCIAL ST	HARVEY WHITNEY N	675,000	452.25
042 A002502	10:CONDOMINIUMS	383	COMMERCIAL ST	BRIKIATIS SYLVIE &	648,800	434.70
042 A002503	10:CONDOMINIUMS	383	COMMERCIAL ST	KOZLOWSKI BENJAMIN	540,400	362.07
042 A002504	10:CONDOMINIUMS	383	COMMERCIAL ST	GRADY JANET M	657,400	440.46
042 A002505	10:CONDOMINIUMS	383	COMMERCIAL ST	BIRKEL KATHERINE M &	493,300	330.51
042 A002506	10:CONDOMINIUMS	383	COMMERCIAL ST	BOCIAN THOMAS E &	495,300	331.85
042 A002507	10:CONDOMINIUMS	383	COMMERCIAL ST	LAFFERTY JEROME S &	966,000	647.22

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
042 A002509	10:CONDOMINIUMS	383	COMMERCIAL ST	NIERMAN MERYL E	1,133,100	759.18
042 A002510	10:CONDOMINIUMS	383	COMMERCIAL ST	NGUYEN DOUGLAS	603,500	404.35
042 A002511	10:CONDOMINIUMS	383	COMMERCIAL ST	DI RE BERNADETTE	907,300	607.89
042 A002512	10:CONDOMINIUMS	383	COMMERCIAL ST	COSTANTINO PAUL &	529,100	354.50
042 A002513	10:CONDOMINIUMS	383	COMMERCIAL ST	ROWLINGSON JACK	514,900	344.98
042 A002514	10:CONDOMINIUMS	383	COMMERCIAL ST	GLOVER DAWSON COLEMAN IV	724,400	485.35
042 A002515	10:CONDOMINIUMS	383	COMMERCIAL ST	DEERING PROPERTY	493,300	330.51
042 A002516	10:CONDOMINIUMS	383	COMMERCIAL ST	RITTENBERG RHONDA L &	650,900	436.10
042 A002517	10:CONDOMINIUMS	383	COMMERCIAL ST	HART JESSE P	512,800	343.58
042 A002519	10:CONDOMINIUMS	383	COMMERCIAL ST	FISH MICHAEL J &	691,100	463.04
042 A002520	10:CONDOMINIUMS	383	COMMERCIAL ST	OTTOLINI MARY C &	1,121,800	751.61
042 A002521	10:CONDOMINIUMS	383	COMMERCIAL ST	DAVIN CHRISTOPHER P &	862,900	578.14
042 A002600	10:CONDOMINIUMS	383	COMMERCIAL ST	WATKINS SUZANNE	1,327,500	889.43
042 A002601	10:CONDOMINIUMS	383	COMMERCIAL ST	WOODS STEPHEN &	1,364,300	914.08
042 A002602	10:CONDOMINIUMS	383	COMMERCIAL ST	MCPHERSON SUSAN	719,800	482.27
042 A002603	10:CONDOMINIUMS	383	COMMERCIAL ST	LEIBOWITZ SHELLEY	1,375,500	921.59
042 A002604	10:CONDOMINIUMS	383	COMMERCIAL ST	ANDERSON MARK C &	911,500	610.71
042 A002605	10:CONDOMINIUMS	383	COMMERCIAL ST	BIT OF PORTLAND LLC	706,100	473.09
042 A002606	10:CONDOMINIUMS	383	COMMERCIAL ST	DRIZLIKH NIMROD E	606,100	406.09
042 A002607	10:CONDOMINIUMS	383	COMMERCIAL ST	COSTELLO KARIN F &	1,080,500	723.94
042 A002608	10:CONDOMINIUMS	383	COMMERCIAL ST	SIMON GRANT F &	588,400	394.23
042 A002609	10:CONDOMINIUMS	383	COMMERCIAL ST	STAVISKY PETER &	1,519,300	1,017.93
042 A002610	10:CONDOMINIUMS	383	COMMERCIAL ST	SCHEINDEL MARILYS C &	1,282,500	859.28
042 A002611	10:CONDOMINIUMS	383	COMMERCIAL ST	HEARST JUDITH S TRUSTEE	2,114,600	1,416.78

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
042 A002701	10:CONDOMINIUMS	383	COMMERCIAL ST	ARROW-YASKO AMY S	2,806,300	1,880.22
042 A002702	10:CONDOMINIUMS	383	COMMERCIAL ST	WILLIAMS WAYNE COLBY &	2,109,500	1,413.37
042 A002704	10:CONDOMINIUMS	383	COMMERCIAL ST	CAIAZZO GREG &	2,140,100	1,433.87
042 A002705	10:CONDOMINIUMS	383	COMMERCIAL ST	FRANK MICHAEL P	1,192,800	799.18
042 A002706	10:CONDOMINIUMS	383	COMMERCIAL ST	SNELL EUGENE BRYAN &	2,754,900	1,845.78
042 A003001	17:21 PLUS FAMILY	387	COMMERCIAL ST	DPD LOT 3 LLC	12,773,500	8,558.25
042 A007001	22:OFFICE BUSINESS	54	YORK ST	54 YORK LLC	2,859,300	1,915.73
042 C001110	55:LITERARY & SCIENTIFIC	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	-00	-
042 C001120	55:LITERARY & SCIENTIFIC	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	-00	-
042 C001130	20:COMMERCIAL CONDOS	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	239,100	160.20
042 C00114A	20:COMMERCIAL CONDOS	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	167,700	112.36
042 C00114B	20:COMMERCIAL CONDOS	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	86,500	57.96
042 C00114C	20:COMMERCIAL CONDOS	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	41,000	27.47
042 C00114D	20:COMMERCIAL CONDOS	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	40,600	27.20
042 C001150	55:LITERARY & SCIENTIFIC	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	-00	-
042 C001160	20:COMMERCIAL CONDOS	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	38,500	25.80
042 C001170	20:COMMERCIAL CONDOS	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	38,200	25.59
042 C00118A	20:COMMERCIAL CONDOS	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	60,600	40.60
042 C00118B	55:LITERARY & SCIENTIFIC	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	-00	-
042 C001190	20:COMMERCIAL CONDOS	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	58,800	39.40
042 C001210	55:LITERARY & SCIENTIFIC	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	-00	-
042 C001310	55:LITERARY & SCIENTIFIC	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	-00	-
042 C001320	55:LITERARY & SCIENTIFIC	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	-00	-
042 C001330	55:LITERARY & SCIENTIFIC	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	-00	-

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
042 C001CCL	55:LITERARY & SCIENTIFIC	344	COMMERCIAL ST	GULF OF MAINE PROPERTIES INC	-00	-
045 A001001	27:MULTI-USE COMMERCIAL	660	CONGRESS ST	A K LONGFELLOW LLC	578,400	387.53
045 A002001	27:MULTI-USE COMMERCIAL	656	CONGRESS ST	RICE GEOFFREY I	2,155,300	1,444.05
045 A003001	27:MULTI-USE COMMERCIAL	638	CONGRESS ST	638 CONGRESS STREET	14,389,400	9,640.90
045 A033001	15:5 TO 10 FAMILY	177	STATE ST	RANS LLC	968,600	648.96
045 A034001	21:RETAIL SERVICES	664	CONGRESS ST	RANS LLC	919,900	616.33
045 A035001	21:RETAIL SERVICES	670	CONGRESS ST	LONGFELLOW SQUARE	896,300	600.52
046 C011001	27:MULTI-USE COMMERCIAL	675	CONGRESS ST	RITA LINDA LLC	698,500	468.00
046 C012001	21:RETAIL SERVICES	673	CONGRESS ST	DOUKAS ANDREW J	342,500	229.48
046 C013001	21:RETAIL SERVICES	671	CONGRESS ST	DOUKAS ANDREW J &	342,100	229.21
046 C019001	27:MULTI-USE COMMERCIAL	667	CONGRESS ST	REDFERN LONGFELLOW LLC	31,567,000	21,149.89
046 D008001	11:SINGLE FAMILY	15	AVON ST	WIEDERKEHR RYAN A	553,300	370.71
046 D017001	53:RELIGIOUS	156	HIGH ST	WILLISTON-IMMANUEL UNITED CHURCH	-00	-
046 D018001	21:RETAIL SERVICES	653	CONGRESS ST	RICE GEOFFREY TRUSTEE	437,500	293.13
046 D021001	27:MULTI-USE COMMERCIAL	655	CONGRESS ST	TRELAWNY 657 LLC	14,931,300	10,003.97
046 D022001	27:MULTI-USE COMMERCIAL	645	CONGRESS ST	GASTONIA LLC	7,816,700	5,237.19
046 D026001	27:MULTI-USE COMMERCIAL	633	CONGRESS ST	BURNHAM ARMS LLC	5,907,100	3,957.76
046 D027001	40:VACANT LAND	629	CONGRESS ST	BURNHAM ARMS ANNEX LLC	301,800	202.21
046 D028001	21:RETAIL SERVICES	625	CONGRESS ST	BURNHAM ARMS ANNEX LLC	568,500	380.90
046 D029001	22:OFFICE BUSINESS	619	CONGRESS ST	BAXTER BUILDING LLC	5,069,200	3,396.36
046 D031001	22:OFFICE BUSINESS	142	HIGH ST	CROSTONE PORTLAND LLC	5,438,500	3,643.80
055 E037001	27:MULTI-USE COMMERCIAL	190	STATE ST	HUCKSTER'S ROW PROPERTIES LLC	1,208,900	809.96
055 E039001	27:MULTI-USE COMMERCIAL	188	STATE ST	LONGFELLOW SQUARE	1,701,600	1,140.07
444 A001001	56:GOVERNMENTAL	54	COMMERCIAL ST	CITY OF PORTLAND	-00	-

PARCEL ID	LAND USE	NUMBER	STREET	OWNER	NET ASSESSMENT	FEE @ .00067
444 A00500A	56:GOVERNMENTAL	46	COMMERCIAL ST	CITY OF PORTLAND	-00	-
444 A00500B	20:COMMERCIAL CONDOS	46	COMMERCIAL ST	CASCO BAY MHR LLC	6,240,000	4,180.80
444 A011001	58:LAND BANKS	54	COMMERCIAL ST	CITY OF PORTLAND	-00	-
					1,864,485,900	1,249,205.55

AGREEMENT BETWEEN
THE CITY OF PORTLAND
AND
DOWNTOWN IMPROVEMENT DISTRICT, INC.
d/b/a PORTLAND DOWNTOWN

AGREEMENT made as of the 1st day of July, 2023, (the "Effective Date") by and between the **CITY OF PORTLAND**, a municipal corporation of the State of Maine, (the "**City**") and **DOWNTOWN IMPROVEMENT DISTRICT, INC., d/b/a PORTLAND DOWNTOWN**, a Maine non-profit corporation, having its office and place of business at Portland, Maine ("**Portland Downtown**" or "**PD")**.

WHEREAS, by Council Orders 306-91/92 dated March 16, 1992, 185-94/95 dated February 22, 1995, 158-03/04 dated March 1, 2004, and 242-18/19 dated June 18, 2018, the City has approved an economic development district designated as the "Downtown Improvement District" (hereinafter, the "District"), a description and map of which are attached hereto as Exhibits A and B respectively and incorporated herein; and

WHEREAS, in 1992 the private sector formed an independent, non-profit corporation that has since managed Portland Downtown in fulfilling its mission, which includes, in part, the administration of the provision of supplemental services to the District, as described herein; and

WHEREAS, Portland Downtown is in need of services within the District which supplement the baseline services provided by the City ("Supplemental Services") and the City is willing to provide Supplemental Services pursuant to the terms and conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the covenants herein contained, the parties hereto mutually agree as follows:

ARTICLE I. Term

a. The term of this Agreement shall commence on the Effective Date and expire on June 30, 2024 (the "Term").

ARTICLE II. Financial Considerations

a. The City will levy development district assessments ("Development District Assessments") on property in the District as authorized by the City Council and permitted by law. City-owned property, as well as property which is tax exempt under Maine law, shall not be assessed by the City.

b. For the period commencing on the Effective Date and ending June 30, 2024, the City will pay Portland Downtown in monthly installments, to reflect the Development District Assessments collected by the City net of the all-inclusive administrative fee defined below. Installment payments will be made on the 1st of each month beginning July 2023 through and including June 1, 2024. Portland Downtown agrees to an all-inclusive administrative fee, defined as direct and indirect costs, of Nine Thousand Six Hundred Fifty Dollars ($9,650.00). In addition, the City is entitled to withhold an estimate of uncollected development district assessments from payment to Portland Downtown. The estimate will be provided to Portland Downtown by 2/15/2024. Any difference between estimated and actual uncollected Development District Assessments will be trued up in the next fiscal year pursuant to subsection c below.

c. In addition to the foregoing, the City will pay in a lump sum, within thirty (30) days from the close of the fiscal year, any amount assessed in a prior year, but collected in a subsequent year. Said payment by City shall be in the amount of the net assessment collected as provided herein, less any amounts remaining to be reimbursed under a prior year Agreement with the City, and considering any prior payments made as per Section b. City will provide Portland Downtown with written detail as to any deductions taken from payments under this paragraph.

d. Notwithstanding the foregoing, Portland Downtown agrees that it will neither encumber funds which it anticipates receiving from development district assessments nor incur expenditures in anticipation of receipt of such funds except in accord with the line items in the budget attached hereto as Exhibit C, or any subsequent amendments thereto approved by the City.

e. Portland Downtown has approved Portland Downtown's budget and Development Program in Exhibit C, covering the period beginning on July 1, 2023, and ending on June 30, 2024, and the City Council has approved the special assessment mil rate that provides funding to support the Portland Downtown’s budget and Development Program.

f. Portland Downtown will provide the Director of Finance with an annual certified financial statement, including, but not limited to, a statement of its cash position. At a minimum, the statement shall list all income and expenses, and shall be provided to the Finance Director within six (6) months after the fiscal year ends.

g. Portland Downtown shall have reasonable access to the City's assessment collection records, and the City shall have reasonable access to the Portland Downtown's books and records.

Article III. Baseline Services To be Provided By City

a. The City will provide, at no expense to Portland Downtown, all of the services included on the list entitled Baseline City Services that is attached hereto as Exhibit D and made a part hereof (the "Baseline City Services"). The specific nature and amount of such Baseline City Services shall be determined in the City's reasonable discretion.

b. The City may reduce the Baseline City Services in its discretion at any time, but only as part of a City-wide reduction in such services.

Article IV. Supplemental Downtown District Services To Be Provided By City For A Fee

a. The City will provide all of the services included on the list entitled Supplemental Downtown District Services that is attached hereto as Exhibit E and made a part hereof. In consideration of the City's provision of the Supplemental Downtown District Services, Portland Downtown shall pay the City the total amount set forth in Exhibit F, Public Works Budget, in equal monthly installments during the term of this Agreement.

b. The City shall endeavor to assign the following City staff (the "City Downtown Staff") to perform the Supplemental Downtown District Services weekly during the term of this Agreement:

1 Public Works Supervisor – Daytime
1 Portland Downtown Steward – Daytime
4 Maintenance Workers – 3 Daytime and 1 Overnight
1 Seasonal Laborer, April 15 – October 31 - Days

The City Downtown Staff shall either be employees of or contractors for the City and shall not be considered to be employees of Portland Downtown. The City reserves the right to increase or decrease the number of City Downtown Staff and to change their hours and schedules if it determines that such increase or decrease is in the City's bests interests, provided that any decrease in such staff shall not result in a material decrease in the Supplemental Downtown District Services.

c. The City's Public Works Director and/or designee (the "City Director") and Portland Downtown's Executive Director and/or designee (the "PD Director") agree to meet and communicate on a monthly basis with meeting agendas to ensure quality control in service delivery is meeting expectations and to share updated information on service activities, programs and projects.

d. Portland Downtown and City Manager will meet annually on or around April of each year to discuss prioritization of larger projects within the District generally included in baseline services or CIP and managed by other City teams or departments. These include, but are not limited to, major sidewalk repairs, tree well rehabilitation, landscape installations and other reconstruction projects.

e. In the event Portland Downtown requests services from City in addition to those included herein, City shall have the option, in its sole discretion, to provide such services

with payment to be made by Portland Downtown for any such services on a time and materials basis, or such other basis as the parties may agree in writing. The budget for additional services must be agreed to in advance by the parties. "Time" as used herein shall mean all of the City's employee costs, i.e. hourly wages or salary, and “materials" as used herein shall mean the actual cost to the City of equipment, materials and/or supplies provided or used in connection with such services, with no additional markup. In such cases the City shall provide a detailed and itemized invoice of the individuals providing the service, the time spent by the individuals and the volume and unit cost of materials expended.

f. It is understood and agreed by the parties that City will adopt an expenditure budget, Exhibit F, which shall be provided to Portland Downtown for preliminary review no later than March 20, 2024, and which will include the cost of the Supplemental Downtown District Services, and that the City will adopt a revenue budget that will provide for the reimbursement of such costs by Portland Downtown as provided hereunder. In the event that either Portland Downtown or the City anticipates that there will be insufficient revenues to pay for such Supplemental Downtown District Services, said party will notify the other party of the anticipated shortfall, and the parties agree to meet promptly and confer to modify the level of Supplemental Downtown District Services that the City is able to provide. It shall be the responsibility of PD to notify City as soon as reasonably possible if such Supplemental Downtown District Services need to be modified or adjusted for anticipated revenue shortfalls or modifications. In the event of a revenue shortfall, the City will have no obligation to provide Supplemental Downtown District Services in excess of PD funds available to reimburse City. The City will have the right, but not the obligation, to continue to provide such Supplemental Downtown District Services to the extent provided in the City budget even in the event of a revenue shortfall. The parties agree to memorialize in writing any changes in the monthly payments due under this Agreement.

g. In addition to any required City work uniforms, City Downtown Staff will wear vests already purchased by the City, which include the Portland Downtown logo.

h. Prior to any discussion of modifying, adjusting or terminating this Agreement, Portland Downtown shall invite the City Manager or his designee to a meeting of the Board to discuss such contemplated modification, adjustment or termination.

Article V. Services To Be Provided By Portland Downtown.

a. Except for the Supplemental Services, which shall be provided by the City and paid for by Portland Downtown in accordance with Article IV, Portland Downtown, shall provide the services described in Exhibit C, Portland Downtown’s Budget and Development Plan.
b. In addition to the services described in Exhibit C, Portland Downtown may, at its own expense:

    i. Provide staff and administrative services for supervision of the daily activities and public space management of the District.

ii. Establish positions for administration and management of its programs;
iii. Recruit, hire, and pay and otherwise supervise its work force necessary such that it can successfully fulfill its responsibilities.
iv. Establish a corporate Board of Directors whose members fairly represent a cross section of taxpayers in the District.
v. Establish a mechanism for resolving any dispute to the kind and level of services which may arise between Portland Downtown and persons subject to development district assessments regarding the kind and level of services provided by Portland Downtown. As such time, a dispute cannot be resolved the City Manager will be notified.
vi. Provide liaison between the City, the District, property owners, civic groups, interested persons, and other groups and individuals, as necessary to carry out the mission of the Portland Downtown.
vii. Maintain all minutes and records of Portland Downtown proceedings as may be required.
viii. Participate in decoration, activation, and beautification of public places in the District.
ix. Sponsor and promote public events to take place on or in public places in the District, subject to the provisions in Exhibit E.
x. Provide advice or feedback to City staff about proposed events in public spaces within the District by sharing various permits the City approves in the District.
xi. Advertise and promote non-profit, cultural, educational and commercial business activities in the District.
xii. Maintain existing pedestrian way finding signage for the District in accordance with applicable City codes and ordinances.
xiii. Conduct public relations, generating favorable publicity for, and enhancing economic growth in, the District.
xiv. Facilitate management of the Visitor Information Booth in Tommy's Park.
xv. Wash, maintain and relocate street furniture, trash cans, street lanterns, and undertake minor repairs to street furniture in consultation with PD staff.
xvi. Engage in partnerships with other organizations to provide programs and services.
xvii. Install pole banners in the District, provided that Portland Downtown shall obtain the consent of the City's Director of Parks, Recreation and Facilities, or his or her designee, in consultation with Public Works crew, prior to the installation of any banners.
xviii. Monitor performance of City Downtown Staff through specific PD access to "See, Click, Fix" software. PD may also track and evaluate outcomes to ensure alignment with this Agreement. Data will be reported to the City's Director of Public Works by PD's staff during the monthly meeting as designated in Article IV, Section c.

Nothing in this Agreement is intended to or shall be construed to limit Portland Downtown's general powers, as set forth in the Maine Nonprofit Corporation Act, Title 13-B of the Maine Revised Statutes Annotated.

ARTICLE VI. Termination.

a. This Agreement may be terminated by either party for good cause. Good cause shall be deemed to be found by the City at such time as Portland Downtown's performance under this Agreement has been determined in the exclusive judgment of the City Manager to be unsatisfactory, which determination shall not be unreasonable.

b. If Portland Downtown should fail to perform any material covenant, obligation or agreement hereunder for a period of thirty (30) days after written notice from the City Manager specifying such failure, then, upon expiration of the thirty (30) day period, the City Manager may provide Portland Downtown with notice of his intention to terminate the Agreement as provided herein. Portland Downtown shall have a ninety (90) day period, computed from the date of receipt of the notice of intent to terminate, within which to provide satisfactory service. In the event the City Manager should determine, at the expiration of the ninety (90) day period, that Portland Downtown's performance is still unsatisfactory and declare that the Agreement is terminated, the City Manager shall provide Portland Downtown with a written notice of termination. Portland Downtown shall have the right to appeal his decision to the City Council. PD shall file such appeal with the City Manager within seven (7) business days from the date Portland Downtown receives the notice of termination. The terms and conditions of this Agreement shall remain in full force and effect and binding on both parties until the City Council has acted on the appeal.

c. Portland Downtown shall be deemed to have good cause to terminate this Agreement if (i) the City, pursuant to the provisions of Article II, should reduce its anticipated payments by more than 20% of the amount it would otherwise have paid during the periods from the Effective Date to December 31, 2023, and January 1, 2024 to June 30, 2024; (ii) if the City should be more than 30 days in arrears in any payment due hereunder; or (iii) the City should fail to provide the Supplemental Downtown District Services in a material and substantial way. In the event Portland Downtown should have "good cause" to terminate this Agreement, its relief shall be limited solely to termination of this Agreement, and it shall not be entitled to damages of any kind nor to equitable relief.

d. Nothing herein shall be construed as giving Portland Downtown the right to perform the work contemplated under this Agreement beyond the time when Portland Downtown's services become unsatisfactory as determined by the City Manager, following the ninety (90) day notice period, or, in the event of an appeal, beyond the time the City Council has affirmed the City Manager's decision. In case Portland Downtown should be discharged before all the services contemplated hereunder have been completed, or the services for any reason should be stopped, either because of the expiration of the term hereof or because of the inability of Portland Downtown to fulfill its obligations under this Agreement, Portland Downtown shall be reimbursed for all services satisfactorily

performed to the date of termination in accordance with Article II hereof. After notice of termination and completion of the appeal process, Portland Downtown shall:

1. With respect to existing activities, take only such actions as the City Manager shall direct;
2. Upon City's request, assign to the City in the manner, at the times and only to the extent the City, acting by and through its City Manager, may direct it to do so, all the rights, title and interest of Portland Downtown in and to all existing orders and agreements.
3. To the extent rights, title and interests of Portland Downtown in and to existing orders and agreements may be assigned to the City and accepted by it; obligations incurred on or after such assignment will be assumed by the City. Otherwise, Portland Downtown shall settle all outstanding liabilities and all claims arising out of any terminated orders or agreements.
4. Deliver to the City, in the manner, at the times and to the extent directed by the City Manager, all documents and data produced by Portland Downtown as part of or in connection with the work.

e. Either party may terminate or modify this Agreement in the event of a budget shortfall upon no less than Sixty (60) days prior written notice to the other party.

f. In the event Supplemental Downtown District Services are terminated for any reason by either party, it shall be in City's discretion as to whether it will continue or resume providing such Supplemental Downtown District Services.

ARTICLE VII. Assignment

Portland Downtown covenants and agrees that it will neither assign nor transfer any rights hereunder, either in whole or in part, without first obtaining the prior written consent of the City.

ARTICLE VIII. Performance of Services

All services performed under this Agreement shall be performed in a good, workmanlike fashion.

ARTICLE IX. Compliance with Law

Portland Downtown will comply with all applicable provisions of Federal, State, and local law, including, but not limited to, the Civil Rights Act of 1964, in its performance under this Agreement. Portland Downtown shall include a similar provision in each of its subcontracts.

ARTICLE X. Indemnification

a. Portland Downtown shall, at its own cost and expense, defend, indemnify, and hold harmless the City, its officers, agents, and employees, from and against the following:

1. to the fullest extent permitted by law, Portland Downtown shall defend, indemnify and hold harmless the City, its officers and employees, from and against all claims, damages, losses, and expenses, just or unjust, including but not limited to costs of defense, including attorney's fees, arising out of or resulting from the performance of this Agreement, provided that any such claims, damage, loss or expense is (1) attributable to bodily injury, sickness, disease, or death, or injury to or destruction of tangible property, including the loss or use thereof; and (2) is caused in whole or in part by any negligent act or omission of Portland Downtown, anyone directly or indirectly employed by it, or anyone for whose act it may be liable;

2. all claims and liens of Portland Downtown's consultants, subcontractors, and their laborers, mechanics, materialmen, and/or suppliers. Such obligation shall not be construed either to negate or abridge any other obligation of indemnification, and shall not be limited by any provision for insurance contained in this Agreement.

3. Notwithstanding the foregoing, nothing herein shall be construed as waiving or otherwise voiding the City's right to all protections under the Maine Tort Claims Act, 14 M.R.S. §§ 8101 et. seq., as the same may be amended from time to time.

ARTICLE XI. Insurance

a. Neither Portland Downtown nor any of its subcontractors shall commence work under this Agreement until they have provided the insurance coverage required by this Agreement and such coverage has been approved by the City.

b. Prior to the execution of this Agreement, Portland Downtown will procure and maintain occurrence-based Automobile Liability Insurance and Commercial General Liability Insurance coverage in amounts of not less than Four Hundred Thousand Dollars ($400,000.00) per occurrence for bodily injury, death and property damage, naming the City as an additional insured thereon, and also Workers' Compensation Insurance coverage to the extent required by law. With respect to the Automobile and Commercial General Liability Insurance, Portland Downtown shall name the City as an additional insured 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. This provision 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. Prior to execution of this Agreement, Portland Downtown shall furnish the City and thereafter maintain certificates evidencing all such coverages, which

certificates shall guarantee thirty (30) days' notice to the City of termination of insurance from the insurance provider or agent. Portland Downtown shall also provide a copy of any endorsement naming the City as additional insured. A certificate that merely has a box checked under "Addl Insr," or the like, or that merely states the City of Portland is named as an Additional Insured, will not be acceptable. The Workers' Compensation insurance shall include an endorsement waiving all rights of subrogation against the City of Portland, its officers or employees. Upon City's request, Portland Downtown shall provide City with a complete copy of any of the above-referenced policies. Portland Downtown shall be responsible for any and all deductibles and/or self-insured retentions.

Article XII. No Joint Venture; Independent Contractors

a. Nothing contained in this Agreement will constitute or be construed to be or create a partnership or joint venture between the parties or any of their respective officers, directors, employees, affiliates, successors or assigns. The parties understand and agree that this Agreement does not make either of them an agent or legal representative of the other for any purpose whatsoever. No party is granted, by this Agreement or otherwise, any right or authority to assume or create any obligation or responsibilities, express or implied, on behalf of or in the name of any other party, or to bind any other party in any manner whatsoever.

b. Each party will secure, at its own expense, all personnel, materials, and equipment required to perform its obligations under this Agreement. Each party, in accordance with its status as an independent contractor, covenants and agrees that its employees shall be regarded for all legal and tax purposes as its own employees during the term of this Agreement, and each party shall govern and supervise the work of its own employees. Each party shall discharge all applicable obligations imposed upon employers under the law, including without limitation payment of wages, social security taxes, withholding taxes, unemployment taxes and worker's compensation. Both parties' employees shall not be considered employees of the other party for any purpose and shall not be entitled to any retirement benefits, social security benefits, unemployment benefits, group health or life insurance, vacation, personal, or sick leave, worker's compensation, or any other similar benefits ("Employment Benefits") from the other party. Each party further covenants and agrees that its employees will conduct themselves consistent with such status, that they will neither hold themselves out as, nor claim to be, officers or employees of the other party by reason of this Agreement, and that its employees will not, by reason of this Agreement, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the other party, including but not limited to the Employment Benefits.

c. Nothing in this Agreement is intended to or does prohibit Portland Downtown or the City from entering into any other contractual relationship with each other or any third party.

Signature page follows.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the ____ day of _____, 2023.

WITNESS

_____

CITY OF PORTLAND

By:_____
Danielle P. West
Its City Manager

WITNESS

_____

DOWNTOWN IMPROVEMENT DISTRICT, INC.
d/b/a PORTLAND DOWNTOWN

By:_____
Gillian West
Its Board Chair

Approved as to Form:

_____
City Corporation Counsel

Approved as to Funds:

_____
City Finance Department

EXHIBIT A

(Insert Map of District)

Portland
Downtown District
Boundary Map
June 18, 2018
EXHIBIT A
Legend
Portland Downtown District a/o 7/1/2018
0
500
1,000
2,000
Feet
N

EXHIBIT B

(Insert Legal Description of District)

The following is a description of the boundary of Portland Downtown as of July 1, 2018:

Beginning at the intersection of the easterly side of State Street and the northerly side of Congress Street;

Thence easterly along the northerly side of Congress Street to the southwesterly side of High Street;

Thence northwesterly along the southwesterly side of High Street to the southerly side of Deering Street;

Thence northeasterly perpendicular to and crossing High Street to the northeasterly side of High Street;

Thence northwesterly along the northeasterly side of High Street to the southeasterly side of Cumberland Avenue;

Thence northeasterly along the southeasterly side of Cumberland Avenue to the southwesterly side of Franklin Street;

Thence southeasterly along the southwesterly side of Franklin Street to the northwesterly side of Commercial Street;

Thence easterly and diagonally across Commercial Street to the intersection of the southeasterly side of Commercial Street with the northeasterly boundary line of the Maine State Pier;

Thence southwesterly along the southeasterly side of Commercial Street to its intersection with the northeasterly side of the road to Wright’s Wharf;

Thence northwesterly perpendicular to and crossing Commercial Street to the northwesterly side of Commercial Street;

Thence southwesterly along the northwesterly side of Commercial Street to the northeasterly side of High Street;

Thence northwesterly along the northeasterly side of High Street to the northwesterly side of Spring Street;

Thence southwesterly along the northwesterly side of Spring Street to the northeasterly side of Park Street;

Thence northwesterly along the northeasterly side of Park Street to the southerly side of Congress Street;

Thence westerly along the southerly side of Congress Street to the easterly side of State Street;

Thence northerly along the easterly side of State Street to the northerly side of Congress Street and the Point of Beginning.

Meaning and intending to include all parcels fronting on the streets and contained within the perimeter of the figure as described.

All as shown on a map dated 6/18/2018 entitled Portland Downtown District Boundary Map on file in the City of Portland's Assessor Office and the Economic Development Office. Any inconsistencies between this description and the boundary map shall be controlled by the boundary map.

EXHIBIT C

(Insert Portland Downtown Budget)

PORTLAND'S DOWNTOWN DISTRICT
Budget FY_2023_2024
July 2023 - June 2024

	Total
Income	
ASSESSMENT REVENUE	1,249,349.00
CONTRIBUTIONS INCOME	750.00
DIRECTORY PARTNERSHIP CONTRIBUT	4,000.00
EVENT INCOME	41,500.00
GRANT INCOME	1,500.00
MURAL INCOME	3,000.00
P&W INCOME	2,400.00
Total Income	**1,302,499.00**
Gross Profit	**1,302,499.00**
Expenses	
CLEAN INITIATIVES	-
ALLEYWAY ACTIVATION EXPENSE	3,000.00
CLEAN & SAFE EXPERIENCE	4,800.00
ESTIMATED NONCOLLECTION	12,632.93
FIXED FEE FOR DID ADMIN	10,550.00
PUBLIC ART	26,250.00
PUBLIC RESTROOM MAINTENANCE, ETC	10,000.00
REPAIRS & IMPROVEMENTS	4,980.00
SUPPLEMENTAL SERVICES CONTRACT	474,349.00
Total CLEAN INITIATIVES	**546,561.93**
DAYS / EVENTS	-
207 DAY	3,000.00
DOWNTOWN WORKER APPR DAY (DWAD)	11,000.00
POLICE AWARDS BREAKFAST	4,500.00
Total DAYS / EVENTS	**18,500.00**
EMPLOYEE COSTS	360,669.17
INSURANCE	5,874.00
LIGHT UP YOUR HOLIDAY EXPENSES	44,700.00
MARKETING	27,000.00
OPERATIONS COSTS	53,287.60
ORGANIZATIONAL ACTIVITIES	12,700.00
PROFESSIONAL FEES	9,200.00
PROGRAMS AND PARTNERSHIPS	-
AUDET	30,000.00
MILESTONE HOMETEAM	9,000.00
PEER OUTREACH WORKER PROGRAM	7,500.00
POLICE CADET PROGRAM EXPENSE	40,000.00
VISITOR INFO BOOTH	7,500.00
WINTER LIGHTS	70,000.00
Total PROGRAMS AND PARTNERSHIPS	**164,000.00**
RENT AND UTILITIES	33,506.30
SPACE ACTIVATION	-
DANA STREET	6,000.00
EXCHANGE STREET	6,000.00
MILK STREET	4,500.00
MONUMENT SQUARE	10,000.00
Total SPACE ACTIVATION	**26,500.00**
Total Expenses	**1,302,499.00**
Net Income	**(0.00)**

EXHIBIT D

BASELINE CITY SERVICES

(To be provided City-wide by the City at no cost to Portland Downtown)

Capital Improvements and Maintenance

- Streetscape Amenity Maintenance - The City will repair and correct any defects, deficiencies or problems in the district as necessary. Items of focus include light and utility poles, sidewalks, curbstones, trash cans, signs, crosswalk markings, traffic signals, tree wells, planters, benches, trees, kiosks, shelters, bollards, and any other amenity that is now or at some point in the future may be installed. All repairs, etc., will take place within a reasonable time after notice of need.
- Sidewalks - To the extent it is funded, the City will undertake an on-going sidewalk maintenance program to repair existing sidewalks and replace bituminous repairs with permanent repairs.
- Lighting, maintenance, and replacement of all street lights and traffic signals and payment for necessary electrical energy.
- Parks, playgrounds, and trails.

Beautification

- Horticulture and tree care in parks, squares and streets.
    - In all public areas, the City will maintain and improve the condition of flowerbeds, trees, tree wells, bushes, plantings and other like horticultural amenities. Such activities shall include the initial planting, timely and appropriate maintenance, preventative and otherwise, and expeditious replacement of any damaged, destroyed or diseased horticultural products, including grass, flowers, and trees.
- Green space maintenance.
    - The City shall maintain and mow all public grassed areas.
- Holiday Decorations. The City will install and remove downtown Holiday decorations throughout the District to include Christmas trees at Monument Square and City Hall Plaza, string lights on light poles, and common area trees such as Tommy's Park, and provide for electrical energy related costs. This paragraph does not include installation or removal of, or any costs associated with, any of Pandora Lacasse's Winter Lights, which shall be installed and removed at Portland Downtown's sole expense.

Cleanliness

- Street sweeping - All streets or parts thereof included in the downtown improvement district zone will be swept from curb line to curb line on an as needed basis.
- Trash removal – Daily and when necessary emptying of all trash and recycling receptacles in the downtown improvement district zone and disposal of resulting waste.

- Street snow plowing and removal - The City will plow and remove snow as necessary from all streets and parts thereof in the downtown improvement district zone.
- Graffiti removal on public property.
- Downtown Blitz - This is a two-week program for time duration. Each year the City shall undertake a dedicated effort to repair, repaint, replace and correct any defects, deficiencies or problems in the district. Items of focus shall include light and utility poles, sidewalks, curbstones, trash cans, benches, signs, crosswalk markings, traffic signals, tree wells, planters, benches, trees, kiosks, shelters, bollards, and any other amenity that is now or at some point in the future may be installed. This program will be undertaken as early as possible each Spring and conclude as rapidly as possible. Performance of some activities, i.e. painting, will take place annually as conditions permit. Major capital activity or the reconstruction and/or repair of significant infrastructure (street paving, sewer work, etc.) would not be considered part of this blitz program.

Safety

- Police protection.
    - A minimum of 4 uniformed patrol officers will intersect all or part of the downtown improvement district area. The actual number of officers will vary depending upon time of day and day of week. During periods when calls for service are typically at their peak, the number of officers assigned will increase significantly, for example during weekend evenings and the summer months. This increase will include foot and bicycle patrols. Officers will be supported with additional personnel (supervisors, detectives, evidence technicians) as necessary.
    - As long as the Community Policing Officer Program is in effect, at least one Community Police Officer will be assigned to the Downtown Improvement District area.
    - Holiday Patrol—from the Friday following Thanksgiving to New Year's Day, patrol efforts will be supplemented by use of a foot patrol. The number of officers and hours of the assignment is dependent upon staffing levels.
- Fire protection.

EXHIBIT E

SUPPLEMENTAL DOWNTOWN DISTRICT SERVICES

(To be provided in the District by City at an annual fixed fee)

Cleanliness, Maintenance, Snow Removal

- Litter patrol, collection, and disposal on streets, sidewalks, tree wells and public areas within the District.
- Graffiti removal from City property within 5 days of notification.
- Removal of posters from PD poster boards.
- Check condition, catalogue, and if necessary paint or clean all public furniture and fixtures twice a year, at minimum. Furniture and fixtures shall include (but not be limited to) the following items:
    - Benches;
    - Trash/recycling receptacles;
    - Light pole bases; and,
    - Planters.
- Sidewalks will be cleaned on a daily basis, weather and season permitting.
- Sidewalk snow removal: All property owners in the District are responsible for maintaining their sidewalks and property in the winter pursuant to Portland City Code §§25-171 to 25-180. Following a snow storm, the City will provide a clear walkway no less than the width of a sidewalk tractor's capability. To the extent reasonable, the City will clear the sidewalk area, but it is not the intent of the parties that the City will clear the snow from the full width of the sidewalk area. The City will provide ice control to the extent possible. If weather conditions are so severe that the area cannot be plowed due to equipment capability, the City, in its discretion, may choose to delay clearing of the sidewalks but must complete the work within 24 hours of the storm being complete.
- Clean and maintain bathrooms located at Fore Street Parking Garage.
- Maintenance and cleaning of Visitor Information Booth in Tommy's Park at least once per month during season (May-October). "Quick response" repairs, such as missing bricks or landscaping damage shall be performed by City Downtown Staff as soon as possible.

Beautification

- In addition to horticultural obligations of the City under Exhibit D, the City shall plant flowers and other plants in all flower urns in the District, regularly remove weeds from tree wells, and improve and maintain the same. In performing such services, the City shall pay particular attention to Longfellow Square, Congress square, Monument Square, Tommy's Park, Post Office Park, Boothby Square, Lincoln Park, Pleasant Street Park, and Bell Buoy Park.

Events in the District

- Portland Downtown provides events as described in its Budget and Development Program attached as Exhibit C.
- In connection with these events, the City will provide, at no expense to Portland Downtown, the following:
    - Waived event permit fees.
    - "No Parking" signs, wooden barricades, recycling services.
    - Access to City electricity service in public spaces.
    - Police and Fire Department services for Portland Downtown's annual Tree Lighting event.
- Notwithstanding the above, Portland Downtown shall be required to comply with all Public Assembly Facilities Division permit requirements and shall be responsible for the City's costs of the following services at the City's standard rates:
    - Street closure expenses, including threat prevention;
    - Event personnel, including staff and managers;
    - Police and Fire personnel directly related to an event.
- The City will invoice Portland Downtown for all such services at its then current rates, and Portland Downtown shall pay the City all amounts due within 30 days after receipt of such invoices. Portland Downtown shall also be responsible for paying the City's Permitting and Inspections Department for any applicable fees associated with licenses required for its events, including, without limitation, licenses for temporary food service, street goods, and liquor.

Exhibit F

Public Works Budget

CITY OF PORTLAND, ME
FY24 ORG CATEGORY SUMMARY EXPENDITURE REPORT

	ACCOUNT DESCRIPTION	FY23 REVISED APPRO (12/31/22)	FY23 TOTAL PROJECTION	FY24 DEPT REQUEST	FY24 MGR RECOMM	INCR / (DECR) FY24 / FY23	APPRO % CHG FY24 / FY23
Portland Downtown District 10031205							
*	**Payroll**	$387,355	$353,000	$422,239	$422,239	$34,884	9.01%
*	**Benefits**	$3,450	$9,900	$3,450	$3,450	$0	0.00%
*	**Administrative Svcs**	$390	$250	$400	$400	$10	2.56%
*	**Contractual Services**	$300	$50,325	$20,400	$20,400	$20,100	6700.00%
*	**Maintenance & Repair**	$300	$300	$300	$300	$0	0.00%
*	**Rentals**	$360	$200	$360	$360	$0	0.00%
*	**Supplies**	$14,900	$14,200	$18,600	$18,600	$3,700	24.83%
*	**Minor Capital Items**	$0	$0	$6,600	$6,600	$6,600	---
*	**Utilities**	$4,000	$1,000	$2,000	$2,000	($2,000)	-50.00%
**	**Portland Downtown District**	**$411,055**	**$429,175**	**$474,349**	**$474,349**	**$63,294**	**15.40%**

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 22, 2023

SUBJECT: Order 243-22/23 Establishing Maintenance and Implementation Assessments for Portland Downtown for Fiscal Year 2023-2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(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 action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: n/a

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

I. SUMMARY

II. AGENDA DESCRIPTION

This is a companion order with the order above.

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is $50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Establishing FY2024 Portland Downtown Assessments 6.5.2023

Prepared by:

Date: 05/22/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER ESTABLISHING MAINTENANCE AND IMPLEMENTATION ASSESSMENTS FOR PORTLAND DOWNTOWN FOR FISCAL YEAR 2023-2024

ORDERED, pursuant to 30-A M.R.S. § 5228, after public hearing thereon, that the sum of $1,249,349 be raised and appropriated from the special assessments on all real estate situated within the boundaries of the Downtown Improvement District, Inc. doing business as Portland Downtown, to fund maintenance and implementation costs for such district for the period beginning July 1, 2023 and ending on June 30, 2024; and

BE IT FURTHER ORDERED, that the said sum be assessed on all real estate within the Downtown Improvement District, which real estate listing is attached hereto as Exhibit A; and

BE IT FURTHER ORDERED, that the said assessments shall be due July 1, 2023 and payable to the City of Portland at the same time that taxes on other real estate are due; and

BE IT FURTHER ORDERED, that the interest on unpaid assessments shall be at the same rate as interest on other unpaid real estate taxes; and

BE IT FURTHER ORDERED, that the said assessments are hereby committed to the tax collector of the City of Portland for collection, pursuant to 30-A M.R.S. § 5228(5); and

BE IT FURTHER ORDERED, that the tax collector is hereby authorized and directed to take all necessary action for the collection of said assessment.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 22, 2023

SUBJECT: Order 244-22/23 Approving Agreement between the City of Portland and Portland Downtown for Fiscal Year 2023-2024 - Sponsored by the Finance Committee, Councilor Mark Dion, Chair

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(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 action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: n/a

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

I. SUMMARY

II. AGENDA DESCRIPTION

This is a companion order with the two orders above.

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is $50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Approving FY2024 Portland Downtown Agreement 6.5.2023

Prepared by:

Date: 05/22/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER APPROVING THE AGREEMENT BETWEEN THE CITY OF PORTLAND AND PORTLAND DOWNTOWN

ORDERED, that the Agreement between the City of Portland and the Downtown Improvement District, Inc. doing business as Portland Downtown is hereby approved; and

BE IT FURTHER ORDERED, that the City Manager or designee is hereby authorized to enter into said Agreement in substantially in the form attached, and any other documents necessary to effect the intent of this order, to carry out the Development Plan for the Downtown Improvement District, Inc. for the period from and after its Effective Date and ending June 30, 2024.

MEMORANDUM
City Council Agenda Item

FROM: Rachel Millette

DATE: May 17, 2023

SUBJECT: Order 245-22/23 Approving the Amended Wage Scale to the Collective Bargaining Agreement with the Police Benevolent Association -- Sponsored by Danielle P. West, City Manager

SPONSOR: Danielle P. West, 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 6/5/2023 **Final Action 6/26/2023**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: This amendment has been approved as to form by Corporation Counsel.

PRESENTATION: Tom Caiazzo will be available for questions.

I. SUMMARY

This order increases the wage scale for members of the Police Benevolent Association by 14.5% in the second half of 2023.

II. AGENDA DESCRIPTION

This item amends the negotiated collective bargaining agreement between the City and the Portland Police Benevolent Association ("PBA") which is currently in effect for the period of January 1, 2021 through December 31, 2023. The proposed amendment would increase wages for all PBA employees by 14.5% effective as of July 2, 2023, to bring wages in line with surrounding communities. This proposal is presented after previously receiving guidance from the Finance Committee in executive session on two separate occasions and following negotiations with the PBA.

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

The PBA represents all police officers in the Portland Police Department below the rank of sergeant. When fully staffed, the PBA would represent approximately 121 police officers. Currently, the City is experiencing a significant number of vacancies in the police department, including 27 vacant police officer positions.

The proposed wage increase is intended to make the City a competitive employer in the law enforcement industry. Communities across the state have recently reopened their law enforcement collective bargaining agreements to increase wages in order to attract and retain law enforcement officers. The proposed wage increase would align the City's wages with those communities and is intended to assist the City in recruiting and retaining police officers, particularly in light of the current number of existing vacancies.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

To amend the existing collective bargaining agreement in order to allow the City to recruit and retain excellent police officers.

V. FINANCIAL IMPACT

Please see the attached fiscal note.

VI. STAFF ANALYSIS AND BACKGROUND

Staff has conducted a wage survey of surrounding communities and their wages for police officers; has negotiated diligently with the PBA; consulted the Finance Committee for guidance on two separate occasions; and worked with the administration to arrive at a proposed wage scale that is fair and competitive.

VII. RECOMMENDATION

To approve the proposed amended wage scale as presented.

VIII. LIST ATTACHMENTS

1. Police Benevolent Association amended wage scale 6.5.2023
2. PBA Fiscal Impact Note 6.5.2023

Prepared by:
Rachel Millette
Date: 05/17/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER APPROVING THE AMENDED WAGE SCALE TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE POLICE BENEVOLENT ASSOCIATION

ORDERED, that the existing wage scale in the current Collective Bargaining Agreement with the Police Benevolent Association effective July 1, 2021 through December 31, 2023 be replaced with an amended wage scale, effective July 2, 2023, in substantially the form attached hereto; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or designee to execute said document and any other related documents necessary or convenient to carry out the intent of this order.

MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF PORTLAND AND THE PORTLAND POLICE BENEVOLENT ASSOCIATION

The City of Portland (the "City") and the Portland Police Benevolent Association (the "PBA"), having entered into a collective bargaining agreement covering the time period from January 1, 2021 through December 31, 2023 (the "CBA"), now wish to enter into this Memorandum of Understanding regarding the wage scales included in the CBA.

WHEREAS, the Portland Police Department currently has a substantial number of vacant positions;

WHEREAS, the present job market is extremely competitive for applicants, with many local communities having reopened their own collective bargaining agreements to increase wages for police officers;

WHEREAS, the City desires to recruit new police officers and retain its existing police officers;

NOW, THEREFORE, the parties agree as follows:

1. The PBA Pay Plan, contained in Exhibit A, of the CBA, shall be amended to include the wage increases reflected in the attached wage scales, effective July 2, 2023.

PORTLAND POLICE BENEVOLENT ASSOCIATION	CITY OF PORTLAND
_____	_____
By:	By: Danielle West, City Manager
Date:	Date:

Approved as to Form: _____
Corporation Counsel

Approved as to Funds: _____
Brendan O'Connell, Finance Director

Effective					Effective
1/1/2023		**Police Officer**			7/2/2023
$ 25.33		1	0 - 3		$29.00
$1,013.20					$1,160.00
$ 27.07		2	3 - 5		$31.00
$1,082.80					$1,240.00
$ 28.14		3	5 - 8		$32.22
$1,125.60					$1,288.80
$ 28.95		4	8 - 10		$33.15
$1,158.00					$1,326.00
$ 30.07		5	10 - 12		$34.43
$1,202.80					$1,377.20
$ 30.97		6	12 - 18		$35.46
$1,238.80					$1,418.40
$ 32.54		7	18+		$37.26
$1,301.60					$1,490.40
Detective, Court Officers, Evidence Technicians, Traffic Investigator					
					Effective
$ 26.58		1	0-3		$30.43
$1,063.20					$1,217.20
$ 28.42		2	3-5		$32.54
$1,136.80					$1,301.60
$ 29.54		3	5-8		$33.82
$1,181.60					$1,352.80
$ 30.41		4	8-10		$34.82
$1,216.40					$1,392.80
$ 31.57		5	10-12		$36.15
$1,262.80					$1,446.00
$ 32.53		6	12-18		$37.25
$1,301.20					$1,490.00
$ 34.18		7	18+		$39.14
$1,367.20					$1,565.60

* Starting the scale at $29.00 per hour is a 14.5% increase from the current scale.
I used that factor (14.5%) across all steps

PBA

The table below reflects incremental costs to future city budgets when compared to a 0% salary increase for upcoming years. The full year 1 cost is already reflected in the current City Manager's Recommended budget so approval of this item would not increase the existing proposed FY24 budget. The actual incremental cost of this proposal is likely to be much lower than the amounts per table below as the City expects significant additional resignations if there is inaction on raising Police Department wages. If this occurred there would be significant additional overtime costs and many of these dollars would be expended anyway. The table below assumes no additional wage increases will be approved for FY24.

FISCAL IMPACT NOTE New Program Cost Data:	Year 1 City Rate	Year 1 City / Sch Combined Rate	Year 2 City Rate	Year 2 City / Sch Combined Rate	Year 3 City Rate	Year 3 City / Sch Combined Rate
Example:						
ADD: NEW ITEM ANNUAL EXPENDUTURES		$888,581		$915,238		$942,696
LESS: TOTAL NEW ITEM ANNUAL REVENUES		$0		$0		$0
=NEW ITEM NET TAX RATE IMPACT PROJECTION	$888,581	$888,581	$915,238	$915,238	$942,696	$942,696
New Program Impact to the Tax Rate	$0.0607	$0.0607	$0.0625	$0.0625	$0.0644	$0.0644
New Program % Impact on Tax Rate	1.0031%	0.4459%	1.0332%	0.4593%	1.0642%	0.4731%
Tax Rate Inlcuding New Program	*$13.67*	*$13.67*	*$13.67*	*$13.67*	*$13.67*	*$13.67*

Full FY24 cost of proposal is already reflected in FY24 City Manager's Recommende Budget.
Costs above are likely overstated as there is significant cost expected if there is no action taken (increase in overtime costs)

MEMORANDUM
City Council Agenda Item

FROM: Rachel Millette

DATE: May 17, 2023

SUBJECT: Order 246-22/23 Approving the Amended Wage Scale to the Collective Bargaining Agreement with the Portland Police Superior Officers Association - Sponsored by Danielle P. West, City Manager

SPONSOR: Danielle P. West, 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 6/5/2023 **Final Action 6/26/2023**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: This amendment has been approved by Corporation Counsel.

PRESENTATION: Tom Caiazzo will be available for questions.

I. SUMMARY

This order increases the wages for the members of the Portland Police Superior Officers Association by 14.5% during the second half of 2023.

II. AGENDA DESCRIPTION

This item amends the negotiated collective bargaining agreement between the City and the Portland Police Superior Officers Association ("PPSOA") which is currently in effect for the period of January 1, 2021 through December 31, 2023. The proposed amendment would increase wages for all PPSOA employees by 14.5% effective as of July 2, 2023, in accordance with the proposed wage increases for the Portland Police Benevolent Association, and to make wages more competitive with the surrounding communities. This proposal is presented after previously receiving guidance from the Finance Committee in executive session on two separate occasions and following negotiations with the PPSOA.

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

The PPSOA represents all sergeants and lieutenants in the Portland Police Department. Currently, the City is experiencing a significant number of vacancies in the police department, including 27 vacant police officer positions.

The proposed wage increase is intended to make the City a competitive employer in the law enforcement industry. Communities across the state have recently reopened their law enforcement collective bargaining agreements to increase wages in order to attract and retain law enforcement officers. The proposed wage increase would align the City's starting police officer wages with those communities and is intended to assist the City in recruiting and retaining police officers, particularly in light of the current number of existing vacancies.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

To amend the existing collective bargaining agreement in order to allow the City to recruit and retain excellent police officers.

V. FINANCIAL IMPACT

Please see the attached fiscal note.

VI. STAFF ANALYSIS AND BACKGROUND

Staff has conducted a wage survey of surrounding communities and their wages for police officers; has negotiated diligently with the PPSOA; consulted the Finance Committee for guidance on two separate occasions; and worked with the administration to arrive at a proposed wage scale that is fair and competitive.

VII. RECOMMENDATION

To approve the proposed amended wage scale as presented.

VIII. LIST ATTACHMENTS

1. Police Superior Officers Association amended wage scale 6.5.2023
2. PSOBA Fiscal Impact Note 6.5.2023

Prepared by:
Rachel Millette
Date: 05/17/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER APPROVING THE AMENDED WAGE SCALE TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE PORTLAND POLICE SUPERIOR OFFICERS ASSOCIATION

ORDERED, that the existing wage scale in the current Collective Bargaining Agreement with the Portland Police Superior Officers Association effective July 1, 2021 through December 31, 2023 be replaced with an amended wage scale, effective July 2, 2023, in substantially the form attached hereto; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or designee to execute said document and any other related documents necessary or convenient to carry out the intent of this order.

MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF PORTLAND AND THE PORTLAND POLICE SUPERIOR OFFICERS ASSOCIATION

The City of Portland (the "City") and the Portland Police Superior Officers Association (the "PPSOA"), having entered into a collective bargaining agreement covering the time period from January 1, 2021 through December 31, 2023 (the "CBA"), now wish to enter into this Memorandum of Understanding regarding the wage scales included in the CBA.

WHEREAS, the Portland Police Department currently has a substantial number of vacant positions;

WHEREAS, the present job market is extremely competitive for applicants, with many local communities having reopened their own collective bargaining agreements to increase wages for police officers;

WHEREAS, the City desires to recruit new police officers and retain its existing police officers;

NOW, THEREFORE, the parties agree as follows:

1. The PPSOA Pay Plan, contained in Appendix A, of the CBA, shall be amended to include the wage increases reflected in the attached wage scales, effective July 2, 2023.

PORTLAND POLICE SUPERIOR OFFICERS ASSOCIATION

_____
By:
Date:

CITY OF PORTLAND

_____
By: Danielle West, City Manager
Date:

Approved as to Form: _____
Corporation Counsel

Approved as to Funds: _____
Brendan O'Connell, Finance Director

Top detective hourly rate -	$39.14		
Sergeant			
	1*	0-3 Yrs	$41.10
			$1,644.00
	2	3-5 Yrs	$42.33
			$1,693.20
	3	5-8 Yrs	$43.60
			$1,744.00
	4	8+ Yrs	$44.91
			$1,796.40
Lieutenant			
	1**	0-3 Yrs	$48.05
			$1,922.00
	2	3-5 Yrs	$49.49
			$1,979.60
	3	5-8 Yrs	$50.97
			$2,038.80
	4	8+	$52.50
			$2,100.00

* 1st step is 5% above top detective pay, all other steps are 3% higher than the previous step

** 1st step is 7% higher than top step Sergeant pay, all other steps are 3% higher than the previous step

PSOBA

The table below reflects incremental costs to future city budgets when compared to a 0% salary increase for upcoming years. The full year 1 cost is already reflected in the current City Manager's Recommended budget so approval of this item would not increase the existing proposed FY24 budget. The actual incremental cost of this proposal is likely to be much lower than the amounts per table below as the City expects significant additional resignations if there is inaction on raising Police Department wages. If this occurred there would be significant additional overtime costs and many of these dollars would be expended anyway. The table below assumes no additional wage increases will be approved for FY24.

FISCAL IMPACT NOTE New Program Cost Data:	Year 1 City Rate	Year 1 City / Sch Combined Rate	Year 2 City Rate	Year 2 City / Sch Combined Rate	Year 3 City Rate	Year 3 City / Sch Combined Rate
Example:						
ADD: NEW ITEM ANNUAL EXPENDUTURES		$315,759		$325,232		$334,989
LESS: TOTAL NEW ITEM ANNUAL REVENUES		$0		$0		$0
=NEW ITEM NET TAX RATE IMPACT PROJECTION	$315,759	$315,759	$325,232	$325,232	$334,989	$334,989
New Program Impact to the Tax Rate	$0.0216	$0.0216	$0.0222	$0.0222	$0.0229	$0.0229
New Program % Impact on Tax Rate	0.3565%	0.1585%	0.3672%	0.1632%	0.3782%	0.1681%
Tax Rate Inlcuding New Program	*$13.63*	*$13.63*	*$13.63*	*$13.63*	*$13.63*	*$13.63*

Full FY24 cost of proposal is already reflected in FY24 City Manager's Recommende Budget.
Costs above are likely overstated as there is significant cost expected if there is no action taken (increase in overtime costs)