

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

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

MAY 20, 2019 CITY COUNCIL AGENDA

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

PLEDGE OF ALLEGIANCE:

ROLL CALL:

PRESENTATIONS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the draft May 6, 2019 City Council Minutes.

PROCLAMATIONS:

Proc 32-18/19 Proclamation Honoring Laurie Carlson, Assessor's Office, as Employee of the Month for April 2019 - Sponsored by Mayor Ethan K. Strimling.

BUDGET ITEMS:

SECOND READING AND FINAL PUBLIC HEARING OF THE FISCAL YEAR 2020 SCHOOL BUDGET:

Order 227-18/19 Approving State/Local EPS Funding Allocation for Public Education from Kindergarten to Grade 12 for Portland Public Schools for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Chair.

Order 227-18/19 to Order 232-18/19 are orders required by 20-A M.R.S. §15690 in order to comply with what is known as LD1, a set of state laws passed to control increases in property taxes.

This order provides \$84,658,230 as the amount determined by state law to be the minimum amount the city must appropriate in order to receive the full amount of state funding under the Essential Programs and Services Funding Act.

This order requires the city to raise \$70,510,824 as the city's contribution to the total cost of funding public education from K-12 as described in the EPS law. The City's Tax levy based on the budget submitted by the Portland Board of Public Education for the total for school budget programs of \$117,833,270 will be \$93,795,139.

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

Order 228-18/19 Order Approving Non-State Funded School Construction Debt Service for Portland Schools for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

Non-state funded debt service is the amount of money needed for the annual payments on the City's long-term debt for major capital school construction projects and portions of school construction projects that are not approved for state funding. The bonding of this long-term debt was previously approved by the voters or the City Council.

This order appropriates \$577,882 for the annual payments on debt service previously approved by the voters or the City Council for non-state (local-only) funded school construction projects. The state no longer includes minor capital projects in this calculation.

The \$577,882 is in addition to the funds appropriated as the EPS required local share (amount of the city's contribution to the total cost of funding public education from kindergarten to grade 12).

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

Order 229-18/19 Order Raising and Appropriating Additional Local Funds for Portland Schools for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr.

This order appropriates \$20,863,552 in additional city funds over and above regional Essential Programs and Services amount and the non-state funded debt service amount.

This exceeds the EPS funding model by \$20,863,552 and funds the cost of city schools, Kindergarten-12, which are not covered by the state funding model established by the Essential Programs and Services Funding Act.

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

Order 230-18/19 Approving Total School Operating Budget For Portland Schools for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

This order is required by 20-A M.R.S.A. §15690(4)(A). It sets the School Budget required by state law. The total amount recommended for that budget is \$111,628,495.

That is the amount based on the budget submitted by the Portland Board of Public Education and would be sent to the voters for approval at a citywide Referendum Election on June 11, 2019. \$91,952,258 of the \$111,628,495 would come from property taxes, \$16,645,909 would come from state subsidy, and \$2,530,328 from other revenues.

This order does not provide money unless the other General Fund budget orders are passed.

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

Order 231-18/19 Appropriating and Raising Funds for Adult Education for Fiscal Year 2020 as Required by the Maine Revised Statutes, Title 20-A M.R.S. §8603-A(1) - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

This order appropriates \$2,432,506 for Adult Education for Fiscal Year 2019-2020 and raises the sum of \$1,718,435 as the local share with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well being of the adult education program.

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

Order 232-18/19 to Raise and Appropriate Local Funds for Food Service in the Portland Public Schools for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

This order raises and appropriates \$124,445 for the Food Service Program for Fiscal Year 2019-2020. The Portland School Department is authorized to expend any unexpended balances and additional, incidental or miscellaneous receipts in the interest and for the well being of the food service program.

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

Order 232A-18/19 Order Authorizing the Disposition of Any Additional State Subsidy Received for Portland Schools in Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

Disposition of Any Additional State Subsidy Received: In the event that Portland Public Schools receives more state education subsidy than the amount included in its budget, that the City authorizes the Portland Board of Education to use all or part of the additional state subsidy to increase expenditures for school purposes in cost center categories approved by the Portland Board of Education, subject only to approval by the City Council.

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

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

SECOND READING AND FINAL PUBLIC HEARING ON FISCAL YEAR 2020 MUNICIPAL BUDGET:

Order 233-18/19 Approving Fiscal Year 2020 Administrative Fees - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

This order authorizes certain administrative charges.

The increases and new fees are located in the following departments and/or divisions: Parking (Parking Violations), Fire (MEDCU), Public Works (Trash Bags) and Parks Recreation and Facilities (Athletic Fields, Camps, Aquatics & PAF Event Permit Fees).

At the May 6, 2019 Council meeting this order was postponed to this meeting to coincide with consideration of the Appropriation Resolve. Five affirmative votes are required for passage after public comment.

Order 234-18/19 Authorizing City Manager to Enter into Certain Agreements to Implement the Fiscal Year 2020 Human Resources and Certain Fringe Benefits Budgets – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

This order authorizes the City Manager to enter into standard agreements and amendments to standard agreements with providers of services for the fiscal year 2020 in order to implement portions of human resources, medical, workers' compensation, and liability budgets.

This item must be read on two separate days. It was given a first reading on May 6, 2019. This item must be read on two separate days. Five affirmative votes are required for passage after public comment.

Order 235-18/19 Re: Fiscal Year 2020 Self-Insured Liability Program - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

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.

At the May 6, 2019 Council meeting this order was postponed to this meeting to coincide with consideration of the Appropriation Resolve. Five affirmative votes are required for passage after public comment.

Order 236-18/19 Authorizing the Director of Parks, Recreation and Facilities to Set Fees and Enter Rental Agreements for City Facilities - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

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 or his designee to continue to sign such agreements and reaffirm this long-standing practice.

Venues/programs such as the Public Assembly, Recreation Division before and afterschool, Riverside Golf Course, Riverside Grill, Cemeteries and 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.

At the May 6, 2019 Council meeting this order was postponed to this meeting to coincide with consideration of the Appropriation Resolve. Five affirmative votes are required for passage after public comment.

Order 237-18/19 Authorizing the City Manager to Enter into Certain Agreements to Implement Fiscal Year 2020 Health and Human Services Budget –Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

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 was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

Order 238-18/19 Authorizing the City Manager to Accept Scholarship and Trust Donations and Bequests and Enter into Trust Agreements - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

This order authorizes the City Manager to accept and appropriate donations up to \$50,000 for existing and new scholarship trusts and enter into standard form trust agreements as approved by Corporation Counsel.

At the May 6, 2019 Council meeting this item was postponed to this meeting to coincide with consideration of the Appropriation Resolve. Five affirmative votes are required for passage after public comment.

Order 239-18/19 Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Chair.

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.

At the May 6, 2019 Council meeting this item was postponed to this meeting to coincide with consideration of the Appropriation Resolve. Five affirmative votes are required for passage after public comment.

Order 240-18/19 Authorizing Non-Union Wage Adjustment - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

This order authorizes the City Manager to utilize a 2.5% COLA for pay adjustments for non-union employees and approves the new pay plan.

This item must be read on two separate days. It given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

Order 241-18/19 Designating Fiscal Year 2020 Funds for Specific Island Services - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr.-Chair.

The municipal budget includes \$40,000 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 FY20:

Item A:	Peaks Island Summer Bike Ticket Program	\$500
Item B:	PI Needs-Based Boat Tickets	\$3,800
Item C:	PI Portland Public Middle & High School Student Boat Passes	\$5,000
Item D:	PI Full-time College Students (Portland Area) 3 Monthly Stickers	\$247
Item E:	PI Children Attending Private Schools Vouchers	\$330
Item F:	PI Police Cadet Funding	\$2,067
Item G:	PI ITS (Island "Taxi"): Island Transportation System	\$20,000
Item H:	PI PITEA (Heating): Peaks Island Tax & Energy Assistance	\$4,750
Item I:	PI PEAT Brochure: Peaks Island Environmental Team	\$750
Item J:	PI Administrative Expenses	\$2,056
Item K:	Peaks Island Website (Friends of the Peaks Island Library)	\$500
TOTAL:		\$40,000

This item must be read on two separate days. It received its first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

Order 242-18/19 Appropriating \$1,000,000 from the Sale of 0 Hancock Street with \$200,000 to the Housing Trust Fund and \$800,000 to the Portland Land Project - Sponsored by the Finance Committee, Councilor Nicolas M. Mavodones, Jr. Chair.

The final \$1,000,000 of sale proceeds from the 0 Hancock Street sales proceeds are allocated as follows: \$200,000 to the Housing Trust Fund and \$800,000 to the Portland Landing capital improvement plan project.

This item must be read on two separate days. It received its first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

Order 243-18/19 Appropriating \$750,000 from Assigned Fund Balance for Workers' Compensation and Self Insurance – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

The sum of Seven Hundred Fifty Thousand Dollars (\$750,000) of Assigned Fund Balance is hereby appropriated for use within the City's Workers' Compensation and Self Insurance program. This funding is in lieu of an FY20 operating budget request and will be used to pay one-time expenses related to workers compensation claims.

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

RELATED ORDINANCE AMENDMENT:

Order 244-18/19 Amendment to Portland City Code RE: Various Fee Increases for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

Part 1 adds definitions and a new license in **Chapter 3 §§31-33**

Chapter 3	Description	Current Fee	Current Fee
Sec.(New)			
§§31-33	Small and Large Brewery, Winery, and Distilling Manufacturing License	NA	NA

Part 2 adds the following new fees in **Chapter 6 (§6-152):**

Chapter 6	Description	Current Fee	Proposed Fee
Sec.(New)			
	Rental Registration more than 30 days expired	NA	\$10 / Unit
Total revenue increase for FY20: \$32,360			

Part 3 adds the following new fees in in **Chapter 15 in §15-12:**

Chapter 15	Description	Current Fee	Proposed Fee
Sec. 15-12			
	Small Breweries (50,000 Gal & Less)	NA	\$250
	Large Breweries (More than 50,000 Gal)	NA	\$2,000
	Small Wineries (50,000 Gal & Less)	NA	\$250
	Large Wineries (More than 50,000 Gal)	NA	\$2,000
	Small Distilleries (50,000 Gal & Less)	NA	\$250
	Large Distilleries (More than 50,000 Gal)	NA	\$2,000
Total revenue increase for FY20: \$26,250			

CONTINUATION OF RELATED ORDINANCE AMENDMENT:

Part 4 amends the following fees in **Chapter 24** in §24-72 and §24-84.

The proposed sewer rate for July 1, 2019 is \$10.40 per hundred cubic feet (hcf), up from the July 1, 2018 rate of \$9.95 hcf.

Chapter 24	Description	Current Fee	Proposed Fee
Sec. 24-72	Sanitary sewer user charges		
24-72 (c)	Sewer user fees	\$9.95/ hcf	\$10.40/ hcf
Total revenue increase for FY20: \$1,132,574			

Part 5 adds the following new fees in **Chapter 25** in §25-27:

Chapter 25	Description	Current Fee	Proposed Fee
Streets, Sidewalks, and Other Public Places			
Sec. 25-27	Fees and fines		
25-27 (a) (3)	Parking Space Permit	\$20/day	\$25/day
Total revenue increase for FY20: \$85,000			

All fee increases are effective July 1, 2019.

This item must be read on two separate days. It received its first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

APPROPRIATION RESOLVE

Order 245-18/19 Fiscal Year 2019-2020 Appropriation Resolve - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Chair.

This item brings forward the Appropriation Resolve for Fiscal Year (FY) 2020 for action by the City Council.

The Resolve contains the City Manager's recommended budget for FY2020 for general municipal purposes in the amount of \$263,392,070. In addition it contains the Portland Board of Education's recommended budget for FY2020 for school purposes in the amount of \$117,833,270

The tax levy based upon the City Manager's recommended budget is \$93,184,789 and \$93,795,139 for the Portland Board of Education's recommended School Budget. The Portland Board of Education's recommended School Budget and the City Manager's budget recommendations for municipal purposes results in a combined tax levy of \$186,979,928 for Fiscal Year 2020. The tax rate based on the combined levies would be \$23.42 per \$1,000 of assessed value, a 4.2% increase.

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, 2019 and sets September 13, 2019, as the tax due date, which may be paid in two installments due on September 13, 2019, and March 8, 2020.

The delinquency rate of interest is set at 9.0% per year, and the abatement rate of interest is set at 5.0% per year.

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 246-18/19 Approving Firefighters Local 740, International Association of Firefighters Contract - Sponsored by Jon P. Jennings, City Manager.

This order approves the contract with Firefighters Local 740, International Association of Firefighters Contract Staff has reached a tentative agreement with the Local 740, International Association of Firefighters on a successor one (1) year contract. The prior contract expired on December 31, 2018. Local 740 has ratified the tentative agreement and the Administration will seek your support for the agreement on May 20, 2019. The tentative agreement is within guidance received from the Council. This order will require a second reading on June 3, 2019. This memorandum reflects the substantive changes to the expired collective bargaining agreement. The parties have tentatively negotiated a one year contract with just a wage adjustment. The cost summary for the tentative agreement is also included as an attachment. Article 25 - Salaries Base Wages 3% increase, effective January 6, 2019, retroactive Article 38 – Term. The new contract term is January 1, 2019, through December 31, 2019.

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

Order 247-18/19 Approving a Homeless Services Center at Angelo's Acre, 431 Commercial Street - Sponsored by the Health & Human Services and Public Safety Committee, Councilor Belinda S. Ray, Chair.

The Health & Human Services and Public Safety Committee met on April 16th and voted 3 - 0 to forward this order and the following order to the City Council for consideration of two potential homeless services center sites. It intended that the City Council as a whole would consider both and determine which one is the best option for the City.

This order approves Angelo's Acre, 431 Commercial Street, as the location for the Homeless Services Center.

A public hearing on this item will be held this evening.

Mayor Strimling is requesting that final action on this item be postponed to the June 3, 2019 City Council meeting.

**Order 248-18/19 Approving a Homeless Services Center at 654 Riverside Street -
Sponsored by the Health & Human Services and Public Safety Committee, Councilor
Belinda S. Ray, Chair.**

The Health & Human Services and Public Safety Committee met on April 16, 2019 and voted 3 - 0 to forward this order to the City Council for consideration of two potential homeless services center sites. It intended that the City Council as a whole would consider both and determine which one was the best option for the City.

This order approves 654 Riverside Street as the location for the Homeless Services Center.

A public hearing on this item will be held this evening.

Mayor Strimling is requesting that final action on this item be postponed to the June 3, 2019 City Council meeting.

AMENDMENTS:

Order 249-18/19 Amendments to Portland City Code Chapter 14 Re: Division 18, Waterfront Central Zone - Sponsored by the Planning Board, Sean Dundon, Chair.

The Planning Board met on May 14, 2019 and voted 4-2 (Dundon and Stanley opposed, Dunfey absent) to forward this item to the City Council with a recommendation for passage.

In December, 2018, the Portland City Council enacted a six-month moratorium on non-marine development within the Waterfront Central Zone (WCZ), to provide time for the City to address concerns raised by members of the fishing community and other interests related to recent development proposals. The City Manager's Office convened the "Waterfront Working Group", a task force representing various stakeholders, with representation from the fishing community, pier and business owners within the zone and other engaged residents. As of the writing of this request, the group has met eleven (11) times, providing feedback on a variety of issues including traffic, parking, waterfront access, marine infrastructure investment and the incompatibility of certain non-marine uses.

The proposed zoning amendments, now before the Council, reflect this feedback and are the synthesis of this months' long discussion with intent of redressing the balance between marine and non-marine use. All sections of the WCZ zoning text considered by the Planning Board featured some level of amendment, with the most substantive changes being reduction of the overlay zone extent, restriction of high traffic generating uses (such as general retail and restaurant) to the overlay zone, elimination of contract and conditional rezoning as a tool permitted within the zone, and a strengthening of the performance standards through a new requirement for an 'Operations and Access Management Plan' (please see attached summary sheet for complete overview of proposed amendments). The resulting text improves the document's interpretability and enforceability, and helps to mitigate legitimate concerns regarding the future success of Portland's working waterfront.

The Planning Board reviewed the proposed text amendments generated by City staff and is forwarding a recommendation, 4-2 (Dundon and Stanley opposed, Dunfey absent) to the City Council to adopt the revised Division 18 Waterfront Central Zone, excluding changes to the overlay zone's extent. Board members voting opposed were supportive of the entire suite of amendments as presented by staff, including reductions to the overlay zone.

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

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

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

MAY 6, 2019 CITY COUNCIL AGENDA MINUTES

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

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Mayor Strimling called the meeting to order at 5:30 P.M. All Councilors present.

ANNOUNCEMENTS:

Councilor Ray announced that at the next City Council meeting, May 20th, there will be two orders taken up for the Shelter site. There will be Public Comment and a vote on both orders.

RECOGNITIONS:

PRESENTATIONS:

Arts in the Chamber - Marcia Minter, President, Indigo Arts Alliance

ANNUAL MEETING:

SPECIAL MEETING:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the Draft April 22, 2019 City Council Minutes.

Motion was made by Councilor Ray and seconded by Councilor Thibodeau for approval of the April 22nd City Council Minutes. Passage 9-0.

PROCLAMATIONS:

Proc 31-18/19 Proclamation Recognizing the 50th Anniversary of Municipal Clerks Week May 5-11, 2019 - Sponsored by Mayor Ethan K. Strimling.

APPOINTMENTS:

Order 224-18/19 Appointing Constables for the Police Department - Sponsored by Jon P. Jennings, City Manager.

Motion was made by Councilor Ray and seconded by Councilor Thibodeau for passage. Passage 9-0.

Order 225-18/19 Appointing Wardens and Ward Clerks for the 2019 Election Year - Sponsored by Katherine Jones, City Clerk.

Motion was made by Councilor Ray and seconded by Councilor Thibodeau for passage. Passage 9-0.

CONSENT ITEMS:

Order 226-18/19 Setting the Time for Opening of Polls on June 11, 2019 Re: School Budget Referendum - Sponsored by Katherine Jones, City Clerk.

Motion was made by Councilor Ray and seconded by Councilor Costa for passage. Passage 9-0.

RESOLUTIONS:

Resolve 12-18/19 Re: Consent Decree with Global Partners, LP - Sponsored by Mayor Ethan K. Strimling.

Motion was made by Councilor Thibodeau and seconded by Councilor Batson for passage. Passage 9-0.

BUDGET ITEMS:

THE CITY COUNCIL WILL HOLD A FIRST READ AND PUBLIC HEARING ON THE FISCAL YEAR 2020 SCHOOL BUDGET AT THIS COUNCIL MEETING. THE SECOND READ AND FINAL PUBLIC HEARING ON THE SCHOOL BUDGET WILL BE HELD ON MAY 20 AT 5:30 P.M. IN CITY COUNCIL CHAMBERS. THE PUBLIC HEARING REFERENDUM ON THE SCHOOL BUDGET WILL BE HELD ON TUESDAY, JUNE 11, 2019.

Order 227-18/19 Approving State/Local EPS Funding Allocation for Public Education from Kindergarten to Grade 12 for Portland Public Schools for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Chair.

This is a first reading.

Order 228-18/19 Order Approving Non-State Funded School Construction Debt Service for Portland Schools for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

This is a first reading.

Order 229-18/19 Order Raising and Appropriating Additional Local Funds for Portland Schools for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr.

This is a first reading.

Order 230-18/19 Approving Total School Operating Budget For Portland Schools for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

This is a first reading.

Order 231-18/19 Appropriating and Raising Funds for Adult Education for Fiscal Year 2020 as Required by the Maine Revised Statutes, Title 20-A M.R.S. §8603-A(1) - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

This is a first reading.

Order 232-18/19 to Raise and Appropriate Local Funds for Food Service in the Portland Public Schools for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

This is a first reading.

Order 232A-18/19 Order Authorizing the Disposition of Any Additional State Subsidy Received for Portland Schools in Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

This is a first reading.

THE CITY COUNCIL WILL HOLD A FIRST READ OF THE RECOMMENDED FISCAL YEAR 2020 BUDGET AT THIS MEETING. THEY WILL HOLD A WORKSHOP TO DISCUSS THE BUDGET ON MAY 13 AT 5:30 P.M. THE SECOND READ AND FINAL PUBLIC HEARING ON THE BUDGET WILL BE HELD ON MAY 20 20, 2019 AT 5:30 P.M. IN CITY COUNCIL CHAMBERS.

Order 233-18/19 Approving Fiscal Year 2020 Administrative Fees - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

Motion was made by Councilor Cook and seconded by Councilor Duson to postpone Order 233 to the May 20th City Council meeting. Passage 9-0.

Order 234-18/19 Authorizing City Manager to Enter into Certain Agreements to Implement the Fiscal Year 2020 Human Resources and Certain Fringe Benefits Budgets – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

This is a first reading.

Order 235-18/19 Re: Fiscal Year 2020 Self-Insured Liability Program - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

Motion was made by Councilor Ray and seconded by Councilor Batson to postpone Order 235 to the May 20th City Council meeting. Passage 9-0

Order 236-18/19 Authorizing the Director of Parks, Recreation and Facilities to Set Fees and Enter Rental Agreements for City Facilities - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

Motion was made by Councilor Cook and seconded by Councilor Ray to postpone Order 236 to the May 20th City Council meeting. Passage 9-0.

Order 237-18/19 Authorizing the City Manager to Enter into Certain Agreements to Implement Fiscal Year 2020 Health and Human Services Budget –Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

This is a first reading.

Order 238-18/19 Authorizing the City Manager to Accept Scholarship and Trust Donations and Bequests and Enter into Trust Agreements - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

Motion was made by Councilor Batson and seconded by Councilor Ray to postpone Order 238 to the May 20th City Council meeting. Passage 9-0.

Order 239-18/19 Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Chair.

Motion was made by Councilor Cook and seconded by Councilor Batson to postpone Order 239 to the May 20th City Council meeting. Passage 9-0.

Order 240-18/19 Authorizing Non-Union Wage Adjustment - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

This is a first reading.

Order 241-18/19 Designating Fiscal Year 2020 Funds for Specific Island Services - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr.- Chair.

This is a first reading.

Order 242-18/19 Appropriating \$1,000,000 from the Sale of 0 Hancock Street with \$200,000 to the Housing Trust Fund and \$800,000 to the Portland Land Project - Sponsored by the Finance Committee, Councilor Nicolas M. Mavodones, Jr. Chair.

This is a first reading.

Order 243-18/19 Appropriating \$750,000 from Assigned Fund Balance for Workers' Compensation and Self Insurance – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

This is a first reading.

RELATED ORDINANCE AMENDMENT:

Order 244-18/19 Amendment to Portland City Code RE: Various Fee Increases for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

This is a first reading.

CONTINUATION OF RELATED ORDINANCE AMENDMENT:

APPROPRIATION RESOLVE

Order 245-18/19 Fiscal Year 2019-2020 Appropriation Resolve - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Chair.

This is a first reading.

UNFINISHED BUSINESS:

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

Motion was made by Councilor Batson and seconded by Councilor Ray to amend Order 191 by striking out the entire language in section "(c) 5. (g)" and adding, "An employer may meet the requirements of this chapter by providing paid leave that may be used by the employee interchangeably as either sick leave or vacation time, as long as this paid leave is in accordance with the accrual of earned paid sick leave in this section."

Motion failed 4-5 (Duson, Mavodones, Cook, Costa, Thibodeau).

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

Motion failed 4-5 (Duson, Mavodones, Cook, Costa, Thibodeau).

Motion was made by Councilor Duson and seconded by Councilor Cook to postpone Order 191 indefinitely. Passage 5-4 (Ali, Ray, Batson, Strimling).

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

Motion was made by Councilor Ray and seconded by Councilor Thibodeau to postpone Order 192 to the June 17th City Council meeting. Passage 8-0 (Strimling out).

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

Motion was made by Councilor Batson and seconded by Councilor Ray to postpone Order 213 to the October 7th City Council meeting. Passage 9-0

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

Motion was made by Councilor Duson and seconded by Councilor Ray for passage. Passage 9-0.

BUDGET MESSAGE:

MAYOR STRIMLING WILL MAKE HIS REMARKS ON THE FISCAL YEAR 2020 MUNICIPAL BUDGET.

Motion was made by Councilor Cook and seconded by Councilor Duson to adjourn. Passage 8-0, at 9:25 P.M. (Strimling out).

A TRUE COPY.

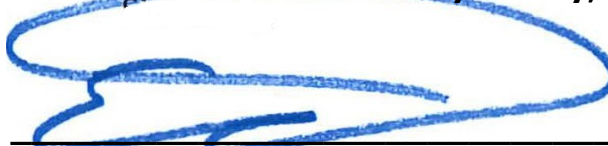
Katherine L. Jones, City Clerk

PROCLAMATION

Honoring Laurie Carlson Employee of the Month March 2019

- WHEREAS:** **Laurie Carlson** of the Assessor's Office has been named the City of Portland Employee of the Month by a committee of her peers and selected for this distinct honor from a workforce of over 1,300; and
- WHEREAS:** This award is presented in recognition of **Laurie's** work with over 19 years of City service and in her current role as Personal Property Appraiser. **Laurie** is recognized for her exemplary customer service with both customers and co-workers alike. **Laurie's** dedication to serving the public is demonstrated by her interactions with them; and
- WHEREAS:** Whether **Laurie** is in the office, in the hallway of City Hall or out in the city and recognized from the Assessor's Office; she does not hesitate to answer questions or direct people to the proper resources. In the office **Laurie** makes every effort to ensure that customer needs and questions are fully met and answered. Additionally, **Laurie** is always available and provides assistance to City staff in tracking down answers to challenging questions on assessment related issues; and
- WHEREAS:** **Laurie** has a positive attitude in everything she does that is infectious and lifts up those around her. **Laurie's** combined job knowledge and work ethic show she is a natural leader in her field. **Laurie's** leadership skills have developed with her consistent ability to get the job done. **Laurie** is a team player who always encourages teamwork in the office.
- NOW, THEREFORE, BE IT RESOLVED, THAT I,** Ethan K. Strimling, Mayor of the City of Portland, Maine, and the members of the Portland City Council do hereby proclaim honor and recognition to **Laurie Carlson** as **City Employee of the Month, March 2019.**

Signed and Sealed this 20th day of May, 2019



Ethan K. Strimling, Mayor
City of Portland, Maine

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 7, 2019

**SUBJECT: SECOND READING AND FINAL PUBLIC HEARING OF THE FISCAL
YEAR 2020 SCHOOL BUDGET:**

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

None

Prepared by:

Date: 5/7/2019

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 3, 2019

SUBJECT: **Order 227-18/19 Approving State/Local EPS Funding Allocation for Public Education from Kindergarten to Grade 12 for Portland Public Schools for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Chair.**

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

Order 227-18/19 to Order 232-18/19 are orders required by 20-A M.R.S. §15690 in order to comply with what is known as LD1, a set of state laws passed to control increases in property taxes.

This order provides \$84,658,230 as the amount determined by state law to be the minimum amount the city must appropriate in order to receive the full amount of state funding under the Essential Programs and Services Funding Act.

This order requires the city to raise \$70,510,824 as the city's contribution to the total cost of funding public education from K-12 as described in the EPS law. The City's Tax levy based on the budget submitted by the Portland Board of Public Education for the total for school budget programs of \$117,833,270 will be \$93,795,139.

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. State and Local EPS Funding 5.6.2019

Prepared by:

Date: 5/3/2019

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

**CITY OF PORTLAND
IN THE CITY COUNCIL**

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

**ORDER APPROVING STATE/LOCAL EPS FUNDING ALLOCATION
FOR PUBLIC EDUCATION FROM KINDERGARTEN TO GRADE 12
FOR PORTLAND PUBLIC SCHOOLS FOR FISCAL YEAR 2020**

ORDERED, that under and pursuant to the City's Fiscal Year 2019-2020 Appropriation Resolve Order 245-18/19 and applicable state law the City hereby approves the following school budget article for Fiscal Year 2019-2020:

Appropriation for State/Local EPS funding Allocation: That the City appropriates the amount of \$84,658,230 for the total cost of funding public education from kindergarten to grade 12, and raises the amount of \$70,510,824 as the City's contribution to the total cost of funding public education from kindergarten to grade 12, both as described in the Essential Programs and Services Funding Act, in accordance with Maine Revised Statutes, Title 20-A, section 15688.

State Mandated Explanation: The City's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined under state law annually to be the minimum amount that the City must raise in order to receive the full amount of state dollars.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 3, 2019

SUBJECT: Order 228-18/19 Order Approving Non-State Funded School Construction Debt Service for Portland Schools for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

Non-state funded debt service is the amount of money needed for the annual payments on the City's long-term debt for major capital school construction projects and portions of school construction projects that are not approved for state funding. The bonding of this long-term debt was previously approved by the voters or the City Council.

This order appropriates \$577,882 for the annual payments on debt service previously approved by the voters or the City Council for non-state (local-only) funded school construction projects. The state no longer includes minor capital projects in this calculation.

The \$577,882 is in addition to the funds appropriated as the EPS required local share (amount of the city's contribution to the total cost of funding public education from kindergarten to grade 12).

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2. Non-state funded School Construction Debt 5.6.2019

Prepared by:

Date: 5/3/2019

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

**CITY OF PORTLAND
IN THE CITY COUNCIL**

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

**ORDER APPROVING NON-STATE FUNDED SCHOOL CONSTRUCTION DEBT
SERVICE FOR PORTLAND SCHOOLS FOR FISCAL YEAR 2020**

ORDERED, that under and pursuant to the City's Fiscal Year 2019-2020 Appropriation Resolve Order 245-18/19 and applicable state law the City hereby approves the following school budget article for Fiscal Year 2019-2020:

Appropriation for Non-State Funded Debt Service (20-A M.R.S.A. §15690(2)(A)).
That the City raise and appropriate \$577,882 for the annual payments on debt service previously approved by the legislative body for non-state funded school construction projects and non-state funded portions of school construction projects, in addition to the funds appropriated as the local share of the City's contribution to the total cost of funding public education from kindergarten to grade 12.

State Mandated Explanation: *Non-state funded debt service is the amount of money needed for the annual payments on the City's long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or the City Council.*

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 3, 2019

SUBJECT: Order 229-18/19 Order Raising and Appropriating Additional Local Funds for Portland Schools for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr.

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

This order appropriates \$20,863,552 in additional city funds over and above regional Essential Programs and Services amount and the non-state funded debt service amount.

This exceeds the EPS funding model by \$20,863,552 and funds the cost of city schools, Kindergarten-12, which are not covered by the state funding model established by the Essential Programs and Services Funding Act.

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 3. Appropriating additional Local Funds for Schools in FY2020 5.6.2019

Prepared by:

Date: 5/3/2019

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

**CITY OF PORTLAND
IN THE CITY COUNCIL**

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

**ORDER RAISING AND APPROPRIATING ADDITIONAL LOCAL FUNDS FOR
PORTLAND SCHOOLS FOR FISCAL YEAR 2020**

ORDERED, that under and pursuant to the City's Fiscal Year 2019-2020 Appropriation Resolve Order 245-18/19 and applicable state law the City hereby approves the following school budget article for Fiscal Year 2019-2020:

Authorization to Exceed the Portland School Department's Maximum State and Local Spending Target Established Pursuant to Maine Revised Statutes, Title 20-A § 15671-A(4) and Appropriating Additional Local Funds: That the City raises and appropriates \$20,863,552 in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$20,863,552 as required to fund the budget recommended by the Portland Board of Public Education.

That amount is needed to cover the School Department's costs that the state's funding model does not recognize or recognize fully, including costs to maintain class size; Special Education costs; Regular Instruction costs; Facilities Maintenance costs to address deferred maintenance; technology costs; transportation costs; professional development costs; debt service for pension obligation; and debt service capital renovation costs.

State Mandated Explanation: *The additional local funds are those locally raised funds over and above the City's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the City's budget for educational programs.*

[NOTE: City council approval of this order requires 5 affirmative votes, see 20-A M.R.S.A. section 15671-A(5)(B)(2)(requiring for council approval "a majority of the entire membership of the council") and see Article II, section 11 of the City Charter (requiring 5 affirmative votes for final passage).]

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 3, 2019

SUBJECT: Order 230-18/19 Approving Total School Operating Budget For Portland Schools for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

This order is required by 20-A M.R.S.A. §15690(4)(A). It sets the School Budget required by state law. The total amount recommended for that budget is \$111,628,495.

That is the amount based on the budget submitted by the Portland Board of Public Education and would be sent to the voters for approval at a citywide Referendum Election on June 11, 2019. \$91,952,258 of the \$111,628,495 would come from property taxes, \$16,645,909 would come from state subsidy, and \$2,530,328 from other revenues.

This order does not provide money unless the other General Fund budget orders are passed.

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 4. Total School Operating Budget FY2020 5.6.2019

Prepared by:

Date: 5/3/2019

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

**CITY OF PORTLAND
IN THE CITY COUNCIL**

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

**ORDER APPROVING TOTAL SCHOOL OPERATING BUDGET
FOR PORTLAND SCHOOLS FOR FISCAL YEAR 2020**

ORDERED, that under and pursuant to the City's Fiscal Year 2019-2020 Appropriation Resolve Order 245-18/19 and applicable state law the City hereby approves the following school budget article for Fiscal Year 2019-2020:

Total School Budget Summary (20-A M.R.S.A. §15690(4)(A)): That the City authorizes the School Committee to expend \$111,628,495 for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020 from the City's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 6, 2019

SUBJECT: Order 231-18/19 Appropriating and Raising Funds for Adult Education for Fiscal Year 2020 as Required by the Maine Revised Statutes, Title 20-A M.R.S. §8603-A(1) - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

This order appropriates \$2,432,506 for Adult Education for Fiscal Year 2019-2020 and raises the sum of \$1,718,435 as the local share with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well being of the adult education program.

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 5. Funds for Adult Education FY2020 5.6.2019

Prepared by:

Date: 5/6/2019

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

**CITY OF PORTLAND
IN THE CITY COUNCIL**

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

**ORDER APPROPRIATING AND RAISING FUNDS
FOR ADULT EDUCATION FOR FISCAL YEAR 2020 AS REQUIRED
BY THE MAINE REVISED STATUTES, TITLE 20-A M.R.S. §8603-A(1)**

ORDERED, that the sum of \$2,432,506 is hereby appropriated for Adult Education for Fiscal Year 2019-2020 and that the sum of \$1,718,435 is hereby raised as the local share with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program.

***Explanation:** Under state law, the appropriation for adult education falls outside the total annual budget for public schools addressed in the prior order when it passes the Appropriation Resolve.*

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 6, 2019

SUBJECT: Order 232-18/19 to Raise and Appropriate Local Funds for Food Service in the Portland Public Schools for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

This order raises and appropriates \$124,445 for the Food Service Program for Fiscal Year 2019-2020. The Portland School Department is authorized to expend any unexpended balances and additional, incidental or miscellaneous receipts in the interest and for the well being of the food service program.

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 6. Funds for Food Service 5.6.2019

Prepared by:

Date: 5/6/2019

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

**CITY OF PORTLAND
IN THE CITY COUNCIL**

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

**ORDER TO RAISE AND APPROPRIATE LOCAL FUNDS
FOR FOOD SERVICE IN THE PORTLAND PUBLIC SCHOOLS FOR FY2020**

ORDERED, that the sum of \$124,445 is hereby raised and appropriated for the Food Service Program for Fiscal Year 2019-2020; and that the Portland School Department is authorized to expend any unexpended balances, and additional, incidental, or miscellaneous receipts in the interest and for the well-being of the food service program.

***Explanation:** This order raises and appropriates local tax revenues for the food service program.*

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 9, 2019

SUBJECT: **Order 232A-18/19 Order Authorizing the Disposition of Any Additional State Subsidy Received for Portland Schools in Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.**

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

Disposition of Any Additional State Subsidy Received: In the event that Portland Public Schools receives more state education subsidy than the amount included in its budget, that the City authorizes the Portland Board of Education to use all or part of the additional state subsidy to increase expenditures for school purposes in cost center categories approved by the Portland Board of Education, subject only to approval by the City Council.

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

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

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 7. Order re Disposition of Additional State Subsidy 5.6.2019

Prepared by:

Date: 5/9/2019

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

**CITY OF PORTLAND
IN THE CITY COUNCIL**

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

**ORDER AUTHORIZING THE DISPOSITION OF
ANY ADDITIONAL STATE SUBSIDY RECEIVED
FOR PORTLAND SCHOOLS IN FISCAL YEAR 2020**

ORDERED, that under and pursuant to the City's Fiscal Year 2020 Appropriation Resolve Order 245-18/19 and applicable state law the City hereby approves the following school budget article for Fiscal Year 2020:

Disposition of Any Additional State Subsidy Received: In the event that Portland Public Schools receives more state education subsidy than the amount included in its budget, that the City authorizes the Portland Board of Education to use all or part of the additional state subsidy to increase expenditures for school purposes in cost center categories approved by the Portland Board of Education, subject only to approval by the City Council.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 9, 2019

**SUBJECT: SECOND READING AND FINAL PUBLIC HEARING ON FISCAL YEAR
2020 MUNICIPAL BUDGET:**

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

None

Prepared by:

Date: 5/9/2019

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 6, 2019

SUBJECT: Order 233-18/19 Approving Fiscal Year 2020 Administrative Fees - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

This order authorizes certain administrative charges.

The increases and new fees are located in the following departments and/or divisions: Parking (Parking Violations), Fire (MEDCU), Public Works (Trash Bags) and Parks Recreation and Facilities (Athletic Fields, Camps, Aquatics & PAF Event Permit Fees).

At the May 6, 2019 Council meeting this order was postponed to this meeting to coincide with consideration of the Appropriation Resolve. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Administrative Fees FY2020
2. Administrative Fee Increase _2
3. Public Works Fee Increases

Prepared by:

Date: 5/6/2019

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

ORDER APPROVING FISCAL YEAR 2020 ADMINISTRATIVE FEES

ORDERED, that Parking Violation fees, Hazardous Area and No Parking for Commercial Vehicles fees and Loading Zone Violation fees, as shown in the schedule attached hereto from the Parking Division as Exhibit 1, are hereby approved; and

BE IT FURTHER ORDERED, that a new fee for billable non-transport for Medical Crisis Units in the Fire Department, as shown in the schedule attached hereto as Exhibit 2, is hereby approved; and

BE IT FURTHER ORDERED, that an increase in the fee for Portland trash bags for the Public Works Department, as shown in the schedule attached hereto as Exhibit 3, is hereby approved; and

BE IT FURTHER ORDERED, that increased facilities fees, as shown in the schedule attached hereto from the Parks, Recreation and Facilities Department as Exhibit 4, are hereby approved; and

BE IT FURTHER ORDERED, that all other administrative fees currently in effect that are not otherwise changed herein shall remain in effect for Fiscal Year 2020; and

BE IT FURTHER ORDERED, that this amendment shall be effective on July 1, 2019.

CITY OF PORTLAND

MEMORANDUM

TO: JENNIFER LODGE, BUDGET ANALYST
FROM: JOHN PEVERADA, PARKING MANAGER
DATE: MARCH 21, 2018
RE: FY20 REVENUE PROPOSALS

Per the result of the Budget Review with the City Manager, attached is the FY20 Revenue Fee Schedule Change for the Parking Division. Listed below are the affected revenue codes and the amount of increase.

Revenue Code		Increase
<u>Parking</u>		
10018100-351200	Code Violations / Parking Tickets	
	Various No Parking Violation Fees: \$30 to <u>\$35</u>	\$121,350
	Hazardous Area & No Parking / Commercial Vehicle	
	Loading Zones: \$35 to <u>\$40</u>	<u>\$3,650</u>
	Parking Code Violations Additional Projected Revenue:	\$125,000

CC Jon Jennings, City Manager
Brendan O'Connell, Finance Director
Anne Bilodeau, Assistant Finance Director

FY20 REVENUE FEE SCHEDULE CHANGE

Administrative Fees

Department: Parking

Parking Ticket Violations: Acct# 10018100-351200

Violation Type	FY 20	
	Current Fee	Proposed Fee
I Expired Meter	\$20	\$20
C Prolonged Parking (includes feeding meter)	\$25	\$25
D Overtime Parking in Time Zone	\$15	\$15
T No Parking More Than One Meter	\$20	\$20
*3 Overnight Parking (Odd/Even)	Elim during FY18	---
4 No Parking This Side of Street	\$30	\$35
E No Parking Zone	\$30	\$35
F No Parking Between Signs	\$30	\$35
G No Parking Here to Corner	\$30	\$35
H No Parking Taxi Stand	\$30	\$35
J No Parking Intersection	\$30	\$35
K No Parking Sidewalk	\$30	\$35
L No Parking / Overtime / Commerical Vehicle Zone	\$35	\$40
M No Parking Against Traffic Flow	\$30	\$35
N Posted Emergency No Parking Zone	\$30	\$35
P No Parking More than 18" from Curb	\$30	\$35
Q No Stopping or Standing	\$30	\$35
R No Parking City Lot or Property (Permit Required)	\$30	\$35
S No Parking on Esplanade	\$30	\$35
8 No Parking Bus Stop	\$30	\$35
9 Blocking or Obstructing Driveway	\$30	\$35
5 Double parking	\$30	\$35
6 Parking in Hazardous Area	\$35	\$40
7 Snow Removal or Plowing Area	\$35	\$35
A Parking In Disabled Zone	\$200	\$200
10 Displaying Vehicle For Sale	\$25	\$25
11 Washing, Greasing or repr for sale	\$25	\$25
12 Advertising Purposes	\$25	\$25
13 Storage /Abandon Vehicles 10 days	\$25	\$25
14 Angle Parking Only	\$25	\$25
15 Parking a vehicle 20' or more in a Res. Area	\$25	\$25
16 Camper, Trailer, Boat, over 24 hrs in any 7 cal days	\$25	\$25
17 Driver to remain with vehicle in Taxi Stand	\$25	\$25

*3 Overnight Parking (Odd/Even): Eliminated during FY18 (CO #109-17/18 (Tab 17)



Keith N. Gautreau
Fire Chief, Fire Department

To: Brendan O'Connell, Finance Director
Jennifer Lodge, Budget Analyst
Anne Bilodeau, Deputy Finance Director
From: Benjamin Bettez, Principal Financial Officer
Date: 2/7/2019
RE: Fee Changes for Fire Department – Billable Non-Transport

The Fire Department is proposing creating an administrative fee of \$160.00 for **Billable Non-Transport**. This is defined as a call for emergency medical service response by a patient, or person representing a patient, to which an emergency medical services unit responds and it is determined on scene or subsequently that an emergency response was not medically necessary. This will serve as a deterrent to facilities or individuals which may abuse the city emergency services and generate a modest amount of revenue.

Fee Type	Current Fee	Proposed Fee	Est Additional Revenue
Billable Non-Transport	\$0.00	\$160.00	\$8,000-\$16,000 50-100 per FY

Sincerely,

Benjamin Bettez
Principal Financial Officer
Fire Department

FY20 REVENUE FEE SCHEDULE CHANGE

Department: Fire

MEDCU Administrative Fees

Account #	Revenue Description	Current Fee	FY20 Proposed Fee
10022300-342000	Billable Non-Transport	NA	\$160.00
10022300-342000	ALS Non-Emergency Transport	\$ 600.00	\$ 600.00
10022300-342000	BLS Non-Emergency Transport	\$ 500.00	\$ 500.00
10022300-342000	BLS Emergency Transport	\$ 800.00	\$ 800.00
10022300-342000	ALS Emergency Transport	\$ 950.00	\$ 950.00
10022300-342000	ALS 2 Emergency Transport	\$ 1,350.00	\$ 1,350.00
10022300-342000	Specialty Care Transport	\$ 1,625.00	\$ 1,625.00
10022300-342000	ALS Mileage	\$ 19.32	\$ 19.32
10022300-342000	BLS Mileage	\$ 19.32	\$ 19.32
10022300-342000	Oxygen	\$ 117.70	\$ 117.70
10022300-342000	Airways	\$ 158.36	\$ 158.36
10022300-342000	IV Therapy	\$ 220.00	\$ 220.00
10022300-342000	EKG	\$ 220.00	\$ 220.00
10022300-342000	Intercept	\$ 482.00	\$ 482.00
10022300-342000	Defibrillation	\$ 207.50	\$ 207.50
10022300-342000	Critical Care Transfer	\$ 900.00	\$ 900.00
10022300-342000	Non-Emergency Mileage	\$ 19.32	\$ 19.32
10022300-342000	Capnography	\$ 158.00	\$ 158.00
10022300-342000	EZ IO/Intraosseous Access	\$ 295.00	\$ 295.00
10022300-342000	ALS on Scene Care	\$ 950.00	\$ 950.00
10022300-342000	ALS 2 on Scene Care	\$ 1,350.00	\$ 1,350.00

A

FY20 REVENUE FEE SCHEDULE CHANGE

Administrative Fees

Department Public Works/Street Openings

<u>Account #</u>	<u>Revenue Description</u>	<u>current fee</u>	<u>proposed fee</u>
10031203 343000	Solid Waste Recycling Program		
	15 Gallon Bag	\$1.35	\$1.50
	30 Gallon Bag	\$2.70	\$3.00

Editor's Note: (Sec 12-16 Definitions): Pursuant to council order 240-05/06 passed on 5/15/06 (effective July 1, 2006), council order 208-09/10 passed on 5/17/10 (effective July 1, 2010) and council order 235-14/15 passed on June 24, 2105 (effective July 4, 2015), the purple trash bag fees are as follows:

15 Gallon: \$1.35

30 Gallon: \$2.70

April 30, 2019

Memo

To: Jon Jennings, City Manager
From: Joanna Coey, Financial Administrator
CC: Jennifer Lodge, Budget Analyst
Sally Deluca, Director of Parks, Recreation & Facilities
Date: April 25, 2019
Re: Parks, Recreation Facilities Fee Increases for FY20

Athletic Fields:

Artificial Turf Adult Fee increase of \$10/hr. Additional income \$3,000.

Grass Field Adult Fee increase of \$10 hour. Additional Income \$ 3090

New: For Profit Youth Groups -Grass Field of \$30/hr. Additional income \$3,000.

Recreation:

Summer Camps: increase of \$25 per week. Additional \$35,000.

Aquatics:

Increase of lessons .50/\$100. Additional income \$ 30,000

Public Assemblies:

Increase Wedding permits, & Film Shoots \$50 (fROM \$100 TO \$150)

Increase Block party & Electricity by \$10 (from \$40 to \$50)

Increase Banner permit by \$25 week (from \$50 to \$75/week)

Increase Single concert license by \$14 (from \$36 to \$50)

FY20 REVENUE FEE SCHEDULE CHANGE

Administrative Fees

Recreation & Facilities Mgmt: Athletic Fields

Account #	Revenue Description	FY20	
		Current Fee	Proposed Fee
	Fitzpatrick & Memorial Stadiums with out lights, per hour		
10033204-367000	Resident youth groups	\$45	\$45
	Resident adult groups	\$85	\$95
	Non-Resident youth groups	\$85	\$85
	Non-Resident adult groups	\$165	\$165
	Fitzpatrick & Memorial Stadiums with lights, per hour		
10033204-367000	Resident youth groups	\$120	\$120
	Resident adult groups	\$160	\$160
	Non-Resident youth groups	\$160	\$160
	Non - Resident adult groups	\$240	\$240
	All Other Athletic Fields without lights, per hour		
10033204-367000	Resident Adult groups	\$30	\$40
	Non-Resident Adult groups	\$60	\$70
	Baseball/Softball Weekend Surcharge	\$10	\$10
	For Profit Youth groups	\$0	\$30
	All Other Atheltic Fields with lights, per hour		
10033204-367000	Resident groups	\$75	\$75
	Non-Resident groups	\$125	\$125
	Baseball/Softball Weekend Surcharge	\$10	\$10
10033204-367000	Tennis Court Rental (Tournaments, Camps, Clinics)		
	Resident (if reserved)	\$10	\$10
	Non-Resident (if reserved)	\$20	\$20

FY20 REVENUE FEE SCHEDULE CHANGE

Administrative Fees

Recreation & Facilities Mgmt: Recreation

Account #	Revenue Description	FY20	
		Current Fee	Proposed Fee
	Camp Fees		
10033302-347100	Camp Play All Day (K - 1st grade), per week	\$175.00	\$200.00
	Camp Xperience (2rd -5th grade), per week	\$175.00	\$200.00
	Camp Cast Away (6th grade - 8th grade), per 3 day week	\$190.00	\$215.00
	Before and After The Bell Program Fees*		
10033302-347200	Before and After the Bell Combination	\$109.00	\$109.00
	After School Program, per week	\$84.00	\$84.00
	Before School Program, per week	\$25.00	\$25.00
	Community Center Fees		
	Community Center Gyms (for profit):		
10033302-363000	East End, Riverton Adult Resident per Hour	\$80.00	\$80.00
	East End, Riverton Adult Non Resident per Hour	\$85.00	\$85.00
	East End, Riverton Youth Hourly	\$25.00	\$25.00
	Reiche Adult Resident per Hour	\$60.00	\$60.00
	Reiche Adult Non-Resident per Hour	\$85.00	\$85.00
	Reiche Youth Hourly	\$20.00	\$20.00
	Community Center Gyms (non Profit):		
10033302-363000	East End, Riverton Portland Non-profit per hour	\$40.00	\$40.00
	East End, Riverton Non Portland per hour	\$45.00	\$45.00
	Reiche Portland non-profit per hour	\$30.00	\$30.00
	Reiche Non Portland non profit per hour	\$35.00	\$35.00
	Community Center Room Rental:		
10033302-363000	Large Recreation Community Center Room hourly	\$50.00	\$50.00
	Small Recreation Community Center Room hourly	\$30.00	\$30.00
	Recreational Staff fees if needed hourly rate	\$25.00	\$25.00
	School Custodial fees if needed hourly rate	\$81.00	\$81.00
	three hour minimum		

Parks, Rec & Facilities
FY20 REVENUE FEE SCHEDULE CHANGE
Administrative Fees

Division: Aquatics

Account #	Revenue Description	FY20	
		Current Fee	Proposed Fee
10033303 -347080	Child - Resident	\$1.00	\$1.00
	Child - Non- Resident	\$2.00	\$2.00
	Teen - Resident	\$1.00	\$1.00
	Teen - Non Resident	\$2.00	\$2.00
10033303 -347080	Kiwanis Adult - Resident	\$4.50	\$5.50
	Kiwanis Adult - Non- Resident	\$5.00	\$6.00
10033303 -347080	<u>Reiche & Riverton</u>		
	Adult - Resident	\$4.00	\$5.00
	Adult - Non- Resident	\$4.50	\$5.50
	Senior - Resident (62 & Older)	\$3.00	\$3.50
	Senior - Non- Resident (62 & Older)	\$3.50	\$4.00
	Master's - Resident	\$5.75	\$6.75
	Master's - Non - Resident	\$6.25	\$7.25
10033303 -347080	Punch Cards		
	Adult - Resident - 12 punch pass	\$48.00	\$60.00
	Adult - Non - Resident - 12 punch pass	\$54.00	\$66.00
	Adult - Resident - 20 - punch pass	\$80.00	\$100.00
	Adult - Non - Resident - 20 punch pass	\$90.00	\$110.00
	Adult - Resident - 40 punch pass	\$160.00	\$200.00
	Adult - Non - Resident - 40 punch pass	\$180.00	\$220.00
	Senior Adult - Resident - 12 punch pass (62 & older)	\$30.00	\$42.00
	Senior Adult - Non - Resident - 12 punch pass (62 & older)	\$36.00	\$48.00
	Senior Adult - Resident - 20 punch pass (62 & older)	\$50.00	\$70.00
	Senior Adult - Non - Resident - 20 punch pass (62 & older)	\$60.00	\$80.00
	Senior Adult - Resident - 40 punch pass (62 & older)	\$100.00	\$120.00
	Senior Adult - Non - Resident - 40 punch pass (62 & older)	\$120.00	\$160.00
	Senior Adult - Resident - 6 month pass (62 & older)	\$140.00	\$160.00
	Senior Adult - Resident - yearly pass (62 & older)	\$240.00	\$280.00
	Adult Aerobics - Resident - 12 punch pass	\$54.00	\$60.00
	Adult Aerobics - Non - Resident - 12 punch pass	\$60.00	\$66.00
	Senior Aerobics - Resident - 12 punch pass (62 & older)	\$36.00	\$48.00
	Senior Aerobics - Non-Resident - 12 punch pass (62 & older)	\$45.00	\$57.00
	Masters - Resident - 10 punch pass	\$57.50	\$67.50
	Masters - Non - Resident - 10 punch pass	\$62.50	\$72.50
	Swimming Instruction		

10033303 -347080	Infant/ Toddler / Preschool - Resident	\$7.00	\$8.00
	Infant/ Toddler / Preschool - Non - Resident	\$7.50	\$8.50
	Level 1- Level 3 - Resident	\$7.75	\$8.75
	Level 1- Level 3 - Non Resident	\$8.25	\$9.25
	Level 4 - Level 6 - Resident	\$8.00	\$9.00
	Level 4 - Level 6 - Non- Resident	\$8.50	\$9.50
	Adult Aerobics - Daily - Resident	\$4.50	\$5.00
	Adult Aerobics - Daily - Non - Resident	\$5.00	\$5.50
	Senior Adult Aerobics - Daily - Resident (62 & older)	\$3.50	\$4.00
	Senior Adult Aerobics - Daily - Non - Resident (62 & older)	\$4.25	\$4.75
10033303 -347080	Water Safety Instruction course - Resident	\$302.00	\$302.00
	Water Safety Instruction course - Non - Resident	\$332.00	\$332.00
	Private Lessons - 1/2 hour - Resident	\$30.00	\$30.00
	Private Lessons - 1/2 hour - Non - Resident	\$35.00	\$35.00
	Private Lessons - 1 hour - Resident	\$50.00	\$50.00
	Private Lessons - 1 hour - Non - Resident	\$60.00	\$60.00
	Lifeguard Course - Resident	\$200.00	\$200.00
	Lifeguard Course - Non - Resident	\$215.00	\$215.00
10033303 -347080	Pool Rental		
	Pool Rental - Portland Porpoise, per hour	\$20.00	\$20.00
	Pool Rental - Portland Porpoise, gaurd per hour	\$20.00	\$20.00
	Pool Rental - Resident, per hour / Additional Guard \$25 hr	\$85.00	\$85.00
	Pool Rental - Non - Resident, per hour / Additional guard \$25 hr	\$95.00	\$95.00

Parks, Recreation & Facilities

FY20 REVENUE FEE SCHEDULE CHANGE

Division: Public Assemblies

<u>Account #</u>	<u>Revenue Description</u>	<u>Current Fee</u>	<u>FY20 Proposed Fee</u>
Event Permit Fees			
10033401-321000	Application Fee (transferrable/non-refundable)	\$25.00	\$25.00
10033401-321000	Administrative Fee (Based on 1 hr, increase if excessive time spent)	\$40.00	\$40.00
10033401-321000	Special Event Permit (Park or Public Space)	\$75.00/hr	\$75.00
10033401-321000	Event w/registration or pledgea & attendance 25-300	\$125.00/hr	\$150.00
10033401-321000	Event w/registration or pledgea & attendance 300 +	\$225.00/hr	\$250.00
10033401-321000	Impact/Street Closure Fee (variable based on impact)	\$100-\$500	\$100-\$500
10033401-321000	Admin/Staff Fee (Eventy manager support at events)	\$37.00/h	\$40.00
10033401-321000	Wedding Permit (Fort Allen Park and/or Gazebo)	\$250.00 /hr	\$250.00 /hr
10033401-321000	Wedding Permit (other locations)	\$100.00	\$150.00
10033401-321000	Block Party Permit	\$40.00	\$50.00
10033401-321000	Banner Permit (Large hanging, 2 locations)	\$50.00/week	\$75.00/week
10033401-321000	Banner Permit (pole, multiple locations)	0/month per banner	\$50.00/month per banner
10033401-321000	City Porta Restroom User Fee	\$25.00	\$25.00
10033401-321000	Film Shoot	\$100.00 /day	\$150.00 /day
10033401-321000	Electricity (activation/de-activation charge)	\$40.00	\$50.00
10033401-321000	Single Concert License	\$36.00	\$50.00

CITY OF PORTLAND, MAINE

Memorandum

TO: Jon P. Jennings, City Manager

FROM: Gina Tapp, Director of Human Resources

DATE: April 24, 2019

RE: FY20 Budget Order Re: Implementing Human Resources and Fringe Benefit Budgets

Please have the attached Council Order accompany the FY20 budget. This item should be given a first reading on May 6, 2019 and postponed to the May 20, 2019 meeting along with other budget related items.

STATEMENT OF FACT:

ORDER AUTHORIZING THE CITY MANAGER TO ENTER INTO CERTAIN AGREEMENTS TO IMPLEMENT THE HUMAN RESOURCES AND CERTAIN FRINGE BENEFIT BUDGETS.

Each year the City of Portland enters into agreements to provide services contained in budgets tied to departmental programs.

Human Resources contracts for professional training services, physical fitness testing and services for the Civil Service Commission (written examinations, job suitability assessments and medical examinations).

The Medical budget contains contracted services for claims administration.

The Worker's Compensation budget contains contracted services for claims administration and drug and alcohol testing.

This order will authorize the City Manager to enter into such agreements.

cc: Danielle West-Chuhta, Corporate Counsel
Jennifer Lodge, Budget Analyst

CITY OF PORTLAND, MAINE

Memorandum

TO: Jon P. Jennings, City Manager

FROM: Danielle West-Chuhta, Corporate Counsel 

DATE: April 24, 2019

RE: RESOLUTION RE: SELF-INSURED LIABILITY PROGRAM

STATEMENT OF FACT:

This item is requested upon the recommendation of the Office of the Corporation Counsel. The intent is to clearly indicate 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. This item should be given a first reading on May 6, 2019 and then postponed to the May 20, 2019 meeting along with other budget related items.

cc: Nancy English, Paralegal / Legal Assistant
Jennifer Lodge, Budget Analyst

MEMORANDUM
City Council Agenda Item

TO: Mayor & Members of the City Council

FROM: Sally Deluca, Director of Recreation & Facilities Management

DATE: April 24, 2019

DISTRIBUTION: City Manager, Mayor, Sonia Bean, Danielle West-Chuhta,
Nancy English, Jennifer Lodge

SUBJECT: 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, for such as the Riverside Golf Course, Riverside Grill, Cemeteries, and 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.

City of Portland, Maine

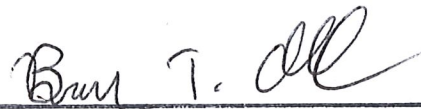
Memorandum

To: Jon P. Jennings, City Manager
From: Brendan O'Connell, Finance Director
Date: 04/24/19
Re: FY20 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 6th agenda.



Finance Director
City of Portland, Maine

City of Portland

Memo

To: Jon P. Jennings, City Manager

From: Brendan O'Connell, Finance Director

Date: April 24, 2019

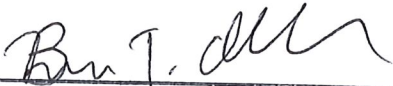
Re: FY20 Budget Council Order Agenda Item Request – Authorizing Collection Actions

Please place the attached order on the City Council agenda for first reading and public hearing on May 6th and second reading and passage on May 20, 2019. 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 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.

I have asked Corporation Counsel to prepare the necessary order for inclusion on the May 6th agenda.



Finance Director
City of Portland, Maine

CITY OF PORTLAND, MAINE

MEMORANDUM

TO: Jon P. Jennings, City Manager

FROM: Gina Tapp, Director of Human Resources

DATE: April 24, 2019

RE: FY20 Budget Order Re: Implementing Non-Union Wage Adjustment

Please have the attached Council Order accompany the FY20 budget. This item should be given a first reading on May 6, 2019 and a second reading on the May 20, 2019 meeting along with other budget related items.

ORDER APPROVING SALARY INCREASE FOR NON-UNION PERSONNEL

This Order authorizes the City Manager to make a 2.5% pay adjustment for all non-union employees effective July 7, 2019.

Each year, budgets permitting, the City of Portland increases the wages and salaries of non-union employees by an amount generally comparable to the amount given to employees covered by collective bargaining agreements.

This order will authorize the City Manager to increase the wages and salaries of non-union employees accordingly.

cc: Danielle West-Chuhta, Corporate Counsel
Jennifer Lodge, Budget Analyst



**Peaks Island Council
FY 2020 Budget Request
As Approved for Submission
February 27, 2019**

Motion: The Peaks Island Council requests the Portland City Council to allocate the following funds to the **Peaks Island Council FY2020** Parking and Transportation Fund in the amount of \$40,000 in accordance with the following items:

Item A: The Peaks Island Council requests the City Manager or his 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 \$500.00.

Jon Jennings, Portland City Manager

Date

Item B: The Peaks Island Council requests the City Manager or his 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 \$3,800.

Jon Jennings, Portland City Manager

Date

Item C: The Peaks Island Council requests the City Manager or his designee to transfer to the Portland School Department \$5,000.00 to cover the cost of extending Portland School Department issued 10-month Casco Bay Lines **passes for Peaks Island public middle and high schools students** to 12-month passes.

Jon Jennings, Portland City Manager

Date

Item D: The Peaks Island Council requests the City Manager or his 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 \$247.00 . 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.

Jon Jennings, Portland City Manager

Date

Item E: The Peaks Island Council requests the City Manager or his designee to issue vouchers in the amount of \$84 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 \$330.00 .

Jon Jennings, Portland City Manager

Date

Item F: Police Cadet

The Peaks Island Council requests that the Portland City Manager allow the allocation of \$2,067 to reimburse the Portland Police Department for a portion of the cost of establishing a Police Cadet on Peaks Island for the period from ***July 1, 2019 – Sept 17, 2019, and for the period from May 25, 2020-June 30, 2020.*** The Cadet will focus on the Island Avenue/Welch Street area. The Cadet will assist with congestion issues in and around the Peaks Island ferry landing.

Jon Jennings, Portland City Manager

Date

Item G: ITS: a.k.a., Island "Taxi" The Peaks Island Council requests the City Manager or his designee to provide an allocation of \$20,000.00 to the **Island Transportation System** for continued support of the only transportation service available to residents.

Jon Jennings, Portland City Manager

Date

Item H: The Peaks Island Council requests the City Manager or his designee to provide an allocation of \$4,750.00 to **Peaks Island Tax & Energy Assistance (PITEA)** for the express purposes of assisting eligible island residents with heating costs. Applications for eligibility approved by Peaks Island Clergy, and monies are paid by PITEA directly to the fuel company.

Jon Jennings, Portland City Manager

Date

Item I: The Peaks Island Council requests the City Manager or his designee to provide an allocation of \$750 to the **Peaks Island Environmental Team (PEAT)** for the purposes of printing visitor-education materials.

Jon Jennings, Portland City Manager

Date

Item J: The Peaks Island Council requests the City Manager, or his designee to provide an allocation of \$2056.00 to the Peaks Island Council for **Administrative Expenses**.

Jon Jennings, Portland City Manager

Date

Item K: The Peaks Island Council requests the City Manager, or his designee provide an allocation of \$500.00 in support of the **Peaks Island Website** to Friends of the Peaks Island Library, a 501c3 organization, serving as fiscal agent for the website effort.

Jon Jennings, Portland City Manager

Date



CITY OF PORTLAND
Department of Public Works
Christopher C. Branch, P.E., Director

To: Brendan O'Connell, Finance Director
From: Christopher C. Branch, P.E., Director of Public Works *CB*
Date: May 7, 2019
Re: Proposed FY 20 Budget Public Works Fee Increases

The Department of Public Works is proposing one Administrative fee increase as part of our FY 20 budget. It is an increase in the "pay as you throw" trash bag fees. The cost of a 15-gallon bag is proposed to go from \$1.35 each to \$1.50 each and the cost of a 30-gallon bag is proposed to go from \$2.70 each to \$3.00 each. This will increase revenues by \$220,000. However, we included an adjustment for decreased bag sales of \$204,000 in the budget for a net increase of \$16,000. The adjustment is to reflect a trend over the past few years of decreasing sales and an expected decrease this year due to the fee increase.

The reason for the increase is the increased tipping fees being charged to us by ecomaine. Due to the significant downturn in the recycling market particularly in mixed paper, ecomaine as of July 1, 2019 will be charging a \$35.00 per ton fee for recyclables. In addition, the fee for trash will be increased by \$2.50 to \$73.00 per ton. The trash tipping fee has been flat at \$70.50 per ton for several years and there is a need to increase it to offset increased operating cost at ecomaine. These will increase our costs by \$192,500.

If you have questions, please let me know.

Cc: Pat Handrahan



CITY OF PORTLAND
Department of Public Works
Christopher C. Branch, P.E., Director

To: Brendan O'Connell, Finance Director
From: Christopher C. Branch, P.E., Director of Public Works 
Date: May 7, 2019
Re: Proposed FY 20 Budget Public Works Fee Increases

The Department of Public Works is proposing one Ordinance fee increases as part of our FY 20 budget.

The proposed increase is for occupancy of a parking space. It is proposed to increase the cost by \$5.00 from \$20.00 per space to \$25.00 per space. This will increase revenue by \$85,000.

If you have questions, please let me know.

Cc: Pat Handrahan

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 6, 2019

SUBJECT: **Order 234-18/19 Authorizing City Manager to Enter into Certain Agreements to Implement the Fiscal Year 2020 Human Resources and Certain Fringe Benefits Budgets – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.**

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

This order authorizes the City Manager to enter into standard agreements and amendments to standard agreements with providers of services for the fiscal year 2020 in order to implement portions of human resources, medical, workers' compensation, and liability budgets.

This item must be read on two separate days. It was given a first reading on May 6, 2019. This item must be read on two separate days. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

- 1.
2. Implement FY20 Human Resources and Benefits Budgets 5.6.2019

Prepared by:

Date: 5/6/2019

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

**ORDER AUTHORIZING THE CITY MANAGER TO ENTER INTO CERTAIN
AGREEMENTS TO IMPLEMENT THE FISCAL YEAR 2020 HUMAN RESOURCES
AND CERTAIN FRINGE BENEFITS BUDGETS**

ORDERED, that the City Manager is authorized to enter into standard agreements and amendments to standard agreements with providers of services for Fiscal Year 2020 as needed in order to implement the Human Resources, Medical, Worker's Compensation and Liability budgets.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 6, 2019

SUBJECT: Order 235-18/19 Re: Fiscal Year 2020 Self-Insured Liability Program -
Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr.
Chair.

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

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.

At the May 6, 2019 Council meeting this order was postponed to this meeting to coincide with consideration of the Appropriation Resolve. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 3. FY20 Self-insured Liability Budget

Prepared by:

Date: 5/6/2019

Order 235-18/19

Motion to postpone to May 20, 2019: 9-0 on 5/6/2019

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

ORDER RE: FISCAL YEAR 2020 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.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 6, 2019

SUBJECT: **Order 236-18/19 Authorizing the Director of Parks, Recreation and Facilities to Set Fees and Enter Rental Agreements for City Facilities - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.**

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

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 or his designee to continue to sign such agreements and reaffirm this long-standing practice.

Venues/programs such as the Public Assembly, Recreation Division before and afterschool, Riverside Golf Course, Riverside Grill, Cemeteries and 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.

At the May 6, 2019 Council meeting this order was postponed to this meeting to coincide with consideration of the Appropriation Resolve. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 4. FY20 Director of Parks, Rec. and Fac. Authorized

Prepared by:

Date: 5/6/2019

Order 236-18/19

Motion to postpone to May 20, 2019: 9-0 on 5/6/2019

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

**ORDER 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 his or her designee is hereby authorized to set fees, enter and sign rental lease agreements or contracts for City facilities.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 6, 2019

SUBJECT: **Order 237-18/19 Authorizing the City Manager to Enter into Certain Agreements to Implement Fiscal Year 2020 Health and Human Services Budget –Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.**

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

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 was given a first reading on May 6, 219. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 5. FY20 Health and Human Services Budget

Prepared by:

Date: 5/6/2019

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

**ORDER AUTHORIZING THE CITY MANAGER
TO ENTER INTO CERTAIN AGREEMENTS TO IMPLEMENT
FISCAL YEAR 2020 HEALTH & HUMAN SERVICES BUDGET**

ORDERED, that the City Manager or his or her designee be and hereby is authorized to enter into:

1. Standard agreements and amendments to standard agreements with other governmental agencies for Fiscal Year 2020 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.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 6, 2019

SUBJECT: Order 238-18/19 Authorizing the City Manager to Accept Scholarship and Trust Donations and Bequests and Enter into Trust Agreements - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

This order authorizes the City Manager to accept and appropriate donations up to \$50,000 for existing and new scholarship trusts and enter into standard form trust agreements as approved by Corporation Counsel.

At the May 6, 2019 Council meeting this item was postponed to this meeting to coincide with consideration of the Appropriation Resolve. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 6. FY20 Accept Scholarship Trust Donations, Bequests from Wills and Trusts, and Enter into Trust Agreements

Prepared by:

Date: 5/6/2019

Order 238-18/19

Motion to postpone to May 20, 2019: 9-0 on 5/6/2019

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

**ORDER 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 donations for existing and new scholarship funds, and bequests from wills and trusts in amounts of up to \$50,000 in Fiscal Year 2020; 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.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 7, 2019

SUBJECT: **Order 239-18/19 Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Chair.**

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

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.

At the May 6, 2019 Council meeting his item was postponed to this meeting to coincide with consideration of the Appropriation Resolve. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 7. FY20 Authorizing Corp Counsel ...Collect Delinquent Personal Property Taxes

Prepared by:

Date: 5/7/2019

Order 239-18/19

Motion to postpone to May 20, 2019: 9-0 on 5/6/2019

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

**ORDER 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.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 7, 2019

SUBJECT: Order 240-18/19 Authorizing Non-Union Wage Adjustment - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

This order authorizes the City Manager to utilize a 2.5% COLA for pay adjustments for non-union employees and approves the new pay plan.

This item must be read on two separate days. It given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 8. FY20 Non-Union Wage Adjustment
2. FY20 CO Non-Union CM Proposed Pay Plan Backup Material (05-03-19)

Prepared by:

Date: 5/7/2019

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

ORDER AUTHORIZING NON-UNION WAGE ADJUSTMENT

ORDERED, that an overall wage increase of two and one-half percent (2.5 %) for non-union employees is hereby approved effective July 1, 2019; and

BE IT FURTHER ORDERED, that the updated updated non-union pay plan in substantially the form attached hereto is hereby approved, and

BE IT FURTHER ORDERED, that the Mayor, the City Council, the City Clerk and Corporation Counsel shall receive a two and one-half percent (2.5%) wage increase effective July 1, 2019.

FY20
NON-UNION BASE PAY PLAN
City Manager's Proposed
(07/07/19 - 06/30/20)

Groups: 1100 & 2000 (01 & 02)

COLA Estimated: **2.50%**

Tyler Grade / Step		0	1	2	3	4	5	6	7	8	9	10
PAY	STEP	1	2	3	4	5	6	7	8	9	10	MAX
GRADE	STEP	1	2	3	4	5	6	7	8	9	10	11
B21 2002	Annual	34,749	35,802	36,875	37,986	39,117	40,287	41,516	42,744	44,031	45,357	46,703
	Weekly	668.25	688.50	709.13	730.50	752.25	774.75	798.38	822.00	846.75	872.25	898.13
	Hourly	<u>17.82</u>	<u>18.36</u>	<u>18.91</u>	<u>19.48</u>	<u>20.06</u>	<u>20.66</u>	<u>21.29</u>	<u>21.92</u>	<u>22.58</u>	<u>23.26</u>	<u>23.95</u>
B22 ---	Annual	37,908	39,059	40,229	41,438	42,666	43,953	45,279	46,625	48,029	49,472	50,973
	Weekly	729.00	751.13	773.63	796.88	820.50	845.25	870.75	896.63	923.63	951.38	980.25
	Hourly	<u>19.44</u>	<u>20.03</u>	<u>20.63</u>	<u>21.25</u>	<u>21.88</u>	<u>22.54</u>	<u>23.22</u>	<u>23.91</u>	<u>24.63</u>	<u>25.37</u>	<u>26.14</u>
B23 2004	Annual	41,067	42,315	43,583	44,889	46,235	47,619	49,043	50,525	52,026	53,586	55,205
	Weekly	789.75	813.75	838.13	863.25	889.13	915.75	943.13	971.63	1,000.50	1,030.50	1,061.63
	Hourly	<u>21.06</u>	<u>21.70</u>	<u>22.35</u>	<u>23.02</u>	<u>23.71</u>	<u>24.42</u>	<u>25.15</u>	<u>25.91</u>	<u>26.68</u>	<u>27.48</u>	<u>28.31</u>
B24 2006	Annual	45,026	46,391	47,775	49,218	50,681	52,202	53,762	55,380	57,038	58,773	60,528
	Weekly	865.88	892.13	918.75	946.50	974.63	1,003.88	1,033.88	1,065.00	1,096.88	1,130.25	1,164.00
	Hourly	<u>23.09</u>	<u>23.79</u>	<u>24.50</u>	<u>25.24</u>	<u>25.99</u>	<u>26.77</u>	<u>27.57</u>	<u>28.40</u>	<u>29.25</u>	<u>30.14</u>	<u>31.04</u>
B31 ---	Annual	45,026	46,391	47,775	49,218	50,681	52,202	53,762	55,380	57,038	58,773	60,528
	Weekly	865.88	892.13	918.75	946.50	974.63	1,003.88	1,033.88	1,065.00	1,096.88	1,130.25	1,164.00
	Hourly	<u>23.09</u>	<u>23.79</u>	<u>24.50</u>	<u>25.24</u>	<u>25.99</u>	<u>26.77</u>	<u>27.57</u>	<u>28.40</u>	<u>29.25</u>	<u>30.14</u>	<u>31.04</u>
B25 2008	Annual	49,764	51,266	52,806	54,386	56,024	57,701	59,417	61,230	63,044	64,935	66,905
	Weekly	957.00	985.88	1,015.50	1,045.88	1,077.38	1,109.63	1,142.63	1,177.50	1,212.38	1,248.75	1,286.63
	Hourly	<u>25.52</u>	<u>26.29</u>	<u>27.08</u>	<u>27.89</u>	<u>28.73</u>	<u>29.59</u>	<u>30.47</u>	<u>31.40</u>	<u>32.33</u>	<u>33.30</u>	<u>34.31</u>
B32 2010	Annual	49,764	51,266	52,806	54,386	56,024	57,701	59,417	61,230	63,044	64,935	66,905
	Weekly	957.00	985.88	1,015.50	1,045.88	1,077.38	1,109.63	1,142.63	1,177.50	1,212.38	1,248.75	1,286.63
	Hourly	<u>25.52</u>	<u>26.29</u>	<u>27.08</u>	<u>27.89</u>	<u>28.73</u>	<u>29.59</u>	<u>30.47</u>	<u>31.40</u>	<u>32.33</u>	<u>33.30</u>	<u>34.31</u>

Tyler Step		0	1	2	3	4	5	6					MAX
PAY	STEP	1	2	3	4	5	6	Control Point					13
GRADE	STEP	1	2	3	4	5	6	7	8	9	10	11	12
C41 2020	Annual	59,826	61,620	63,473	65,384	67,334	69,362	71,429					85,313
	Weekly	1,150.50	1,185.00	1,220.63	1,257.38	1,294.88	1,333.88	1,373.63					1,640.63
	Hourly	<u>30.68</u>	<u>31.60</u>	<u>32.55</u>	<u>33.53</u>	<u>34.53</u>	<u>35.57</u>	<u>36.63</u>					<u>43.75</u>
C42 2022	Annual	62,829	64,701	66,632	68,640	70,688	72,833	75,017					89,564
	Weekly	1,208.25	1,244.25	1,281.38	1,320.00	1,359.38	1,400.63	1,442.63					1,722.38
	Hourly	<u>32.22</u>	<u>33.18</u>	<u>34.17</u>	<u>35.20</u>	<u>36.25</u>	<u>37.35</u>	<u>38.47</u>					<u>45.93</u>
C43 2024	Annual	65,969	67,938	69,986	72,072	74,237	76,479	78,761					94,049
	Weekly	1,268.63	1,306.50	1,345.88	1,386.00	1,427.63	1,470.75	1,514.63					1,808.63
	Hourly	<u>33.83</u>	<u>34.84</u>	<u>35.89</u>	<u>36.96</u>	<u>38.07</u>	<u>39.22</u>	<u>40.39</u>					<u>48.23</u>
C44	Annual	69,576	71,663	73,808	76,031	78,312	80,652	83,070					99,197
	Weekly	1,338.00	1,378.13	1,419.38	1,462.13	1,506.00	1,551.00	1,597.50					1,907.63
	Hourly	<u>35.68</u>	<u>36.75</u>	<u>37.85</u>	<u>38.99</u>	<u>40.16</u>	<u>41.36</u>	<u>42.60</u>					<u>50.87</u>
C44/DC 42 hrs ---	Annual	77,925	80,262	82,664	85,154	87,709	90,330	93,038					111,100
	Weekly	1,498.56	1,543.50	1,589.70	1,637.58	1,686.72	1,737.12	1,789.20					2,136.54
	Hourly	<u>35.68</u>	<u>36.75</u>	<u>37.85</u>	<u>38.99</u>	<u>40.16</u>	<u>41.36</u>	<u>42.60</u>					<u>50.87</u>
C51 2032	Annual	69,576	71,663	73,808	76,031	78,312	80,652	83,070					99,197
	Weekly	1,338.00	1,378.13	1,419.38	1,462.13	1,506.00	1,551.00	1,597.50					1,907.63
	Hourly	<u>35.68</u>	<u>36.75</u>	<u>37.85</u>	<u>38.99</u>	<u>40.16</u>	<u>41.36</u>	<u>42.60</u>					<u>50.87</u>
C45 2030	Annual	74,588	76,830	79,151	81,510	83,967	86,483	89,057					106,353
	Weekly	1,434.38	1,477.50	1,522.13	1,567.50	1,614.75	1,663.13	1,712.63					2,045.25
	Hourly	<u>38.25</u>	<u>39.40</u>	<u>40.59</u>	<u>41.80</u>	<u>43.06</u>	<u>44.35</u>	<u>45.67</u>					<u>54.54</u>
C52 2034	Annual	74,588	76,830	79,151	81,510	83,967	86,483	89,057					106,353
	Weekly	1,434.38	1,477.50	1,522.13	1,567.50	1,614.75	1,663.13	1,712.63					2,045.25
	Hourly	<u>38.25</u>	<u>39.40</u>	<u>40.59</u>	<u>41.80</u>	<u>43.06</u>	<u>44.35</u>	<u>45.67</u>					<u>54.54</u>

FY20
NON-UNION BASE PAY PLAN
City Manager's Proposed
(07/07/19 - 06/30/20)

Groups: 1100 & 2000 (01 & 02)

COLA Estimated: **2.50%**

Tyler Step		0	1	2	3	4	5	6								
PAY								Control								MAX
GRADE	STEP	1	2	3	4	5	6	Point	7	8	9	10	11	12		13
D61	Annual	79,073	81,432	83,870	86,385	88,979	91,670		94,400							112,730
2040	Weekly	1,520.63	1,566.00	1,612.88	1,661.25	1,711.13	1,762.88		1,815.38							2,167.88
	Hourly	40.55	41.76	43.01	44.30	45.63	47.01		48.41			Open Range				57.81
D62	Annual	83,012	85,508	88,062	90,695	93,444	96,233		99,119							118,365
2042	Weekly	1,596.38	1,644.38	1,693.50	1,744.13	1,797.00	1,850.63		1,906.13							2,276.25
	Hourly	42.57	43.85	45.16	46.51	47.92	49.35		50.83			Open Range				60.70
D63	Annual	87,165	89,778	92,489	95,238	98,105	101,049		104,072							124,274
2044	Weekly	1,676.25	1,726.50	1,778.63	1,831.50	1,886.63	1,943.25		2,001.38							2,389.88
	Hourly	44.70	46.04	47.43	48.84	50.31	51.82		53.37			Open Range				63.73
D64	Annual	91,943	94,692	97,539	100,484	103,467	106,587		109,785							131,099
2047	Weekly	1,768.13	1,821.00	1,875.75	1,932.38	1,989.75	2,049.75		2,111.25							2,521.13
	Hourly	47.15	48.56	50.02	51.53	53.06	54.66		56.30			Open Range				67.23
D71	Annual	91,943	94,692	97,539	100,484	103,467	106,587		109,785							131,099
---	Weekly	1,768.13	1,821.00	1,875.75	1,932.38	1,989.75	2,049.75		2,111.25							2,521.13
	Hourly	47.15	48.56	50.02	51.53	53.06	54.66		56.30			Open Range				67.23
D65	Annual	98,573	101,537	104,579	107,718	110,955	114,290		117,702							140,556
2045	Weekly	1,895.63	1,952.63	2,011.13	2,071.50	2,133.75	2,197.88		2,263.50							2,703.00
	Hourly	50.55	52.07	53.63	55.24	56.90	58.61		60.36			Open Range				72.08
D72	Annual	98,573	101,537	104,579	107,718	110,955	114,290		117,702							140,556
2048	Weekly	1,895.63	1,952.63	2,011.13	2,071.50	2,133.75	2,197.88		2,263.50							2,703.00
	Hourly	50.55	52.07	53.63	55.24	56.90	58.61		60.36			Open Range				72.08
E81	Annual	104,481	107,621	110,858	114,173	117,585	121,134		124,761							148,961
1101	Weekly	2,009.25	2,069.63	2,131.88	2,195.63	2,261.25	2,329.50		2,399.25							2,864.63
	Hourly	53.58	55.19	56.85	58.55	60.30	62.12		63.98			Open Range				76.39
E82	Annual	109,707	112,983	116,396	119,886	123,455	127,179		131,001							156,410
1102	Weekly	2,109.75	2,172.75	2,238.38	2,305.50	2,374.13	2,445.75		2,519.25							3,007.88
	Hourly	56.26	57.94	59.69	61.48	63.31	65.22		67.18			Open Range				80.21
E83	Annual	115,187	118,638	122,207	125,853	129,636	133,536		137,534							164,229
1103	Weekly	2,215.13	2,281.50	2,350.13	2,420.25	2,493.00	2,568.00		2,644.88							3,158.25
	Hourly	59.07	60.84	62.67	64.54	66.48	68.48		70.53			Open Range				84.22
E84	Annual	121,505	125,151	128,895	132,776	136,754	140,849		145,080							173,238
---	Weekly	2,336.63	2,406.75	2,478.75	2,553.38	2,629.88	2,708.63		2,790.00							3,331.50
	Hourly	62.31	64.18	66.10	68.09	70.13	72.23		74.40			Open Range				88.84
E91	Annual	121,505	125,151	128,895	132,776	136,754	140,849		145,080							173,238
---	Weekly	2,336.63	2,406.75	2,478.75	2,553.38	2,629.88	2,708.63		2,790.00							3,331.50
	Hourly	62.31	64.18	66.10	68.09	70.13	72.23		74.40			Open Range				88.84
E85	Annual	130,280	134,180	138,216	142,350	146,621	151,028		155,552							185,738
---	Weekly	2,505.38	2,580.38	2,658.00	2,737.50	2,819.63	2,904.38		2,991.38							3,571.88
	Hourly	66.81	68.81	70.88	73.00	75.19	77.45		79.77			Open Range				95.25
E92	Annual	130,280	134,180	138,216	142,350	146,621	151,028		155,552							185,738
1104	Weekly	2,505.38	2,580.38	2,658.00	2,737.50	2,819.63	2,904.38		2,991.38							3,571.88
	Hourly	66.81	68.81	70.88	73.00	75.19	77.45		79.77			Open Range				95.25

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 7, 2019

SUBJECT: **Order 241-18/19 Designating Fiscal Year 2020 Funds for Specific Island Services - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr.-Chair.**

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

The municipal budget includes \$40,000 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 FY20:

Item A:	Peaks Island Summer Bike Ticket Program	\$500
Item B:	PI Needs-Based Boat Tickets	\$3,800
Item C:	PI Portland Public Middle & High School Student Boat Passes	\$5,000
Item D:	PI Full-time College Students (Portland Area) 3 Monthly Stickers	\$247
Item E:	PI Children Attending Private Schools Vouchers	\$330
Item F:	PI Police Cadet Funding	\$2,067
Item G:	PI ITS (Island "Taxi"): Island Transportation System	\$20,000
Item H:	PI PITEA (Heating): Peaks Island Tax & Energy Assistance	\$4,750
Item I:	PI PEAT Brochure: Peaks Island Environmental Team	\$750

Item J:	PI Administrative Expenses	\$2,056
Item K:	Peaks Island Website (Friends of the Peaks Island Library)	\$500
TOTAL:		\$40,000

This item must be read on two separate days. It received its first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 9. FY20 Funds for Specific Island Services

Prepared by:

Date: 5/7/2019

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

**ORDER DESIGNATING FISCAL YEAR 2020 FUNDS FOR
SPECIFIC ISLAND SERVICES**

ORDERED, that \$40,000 from the Fiscal Year 2020 municipal budget is hereby designated to pay for the Peaks Island services specified in list attached hereto.

Item A:	Peaks Island (PI) Summer Bike Ticket Program	\$500
Item B:	PI Needs-Based Boat Tickets	\$3,800
Item C:	PI Portland Public Middle & High School Student Boat Passes	\$5,000
Item D:	PI Full-time College Students (Portland Area) 3 Monthly	\$247
Item E:	PI Children Attending Private Schools Vouchers	\$330
Item F:	PI Police Cadet Funding	\$2,067
Item G:	PI ITS (Island "Taxi"): Island Transportation System	\$20,000
Item H:	PI PITEA (Heating): Peaks Island Tax & Energy Assistance	\$4,750
Item I:	PI PEAT Brochure: Peaks Island Environmental Team	\$750
Item J:	PI Administrative Expenses	\$2,056
Item K:	Peaks Island Website (Friends of the Peaks Island Library)	\$500
TOTAL:		\$40,000

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 7, 2019

SUBJECT: Order 242-18/19 Appropriating \$1,000,000 from the Sale of 0 Hancock Street with \$200,000 to the Housing Trust Fund and \$800,000 to the Portland Land Project - Sponsored by the Finance Committee, Councilor Nicolas M. Mavodones, Jr. Chair.

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

The final \$1,000,000 of sale proceeds from the 0 Hancock Street sales proceeds are allocated as follows: \$200,000 to the Housing Trust Fund and \$800,000 to the Portland Landing capital improvement plan project.

This item must be read on two separate days. It received its first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 10. Appropriating \$1M from sale of 0 Hancock Street to Housing Trust and Portland Land Project
5.6.2019

Prepared by:

Date: 5/7/2019

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

**ORDER APPROPRIATING \$1,000,000 FROM
THE SALE OF 0 HANCOCK STREET WITH \$200,000 TO THE HOUSING TRUST
FUND AND \$800,000 TO THE PORTLAND LAND PROJECT**

ORDERED, that \$200,000 from the sale of city-owned 0 Hancock Street is hereby appropriated to the Housing Trust Fund; and

BE IT FURTHER ORDERED, that \$800,000 from the sale of city-owned 0 Hancock Street is hereby appropriated to the Portland Landing Capital Improvement Plan Project; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or his or her designee to execute said document and any other related documents necessary or convenient to carry out the intent of said document.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 7, 2019

SUBJECT: Order 243-18/19 Appropriating \$750,000 from Assigned Fund Balance for Workers' Compensation and Self Insurance – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

The sum of Seven Hundred Fifty Thousand Dollars (\$750,000) of Assigned Fund Balance is hereby appropriated for use within the City's Workers' Compensation and Self Insurance program. This funding is in lieu of an FY20 operating budget request and will be used to pay one-time expenses related to workers compensation claims.

This item must be read on two separate days. It was given a first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 11. Order Appropriating \$750,000 from Assigned Fund Balance for Workers' Compensation Self-Insurance

Prepared by:

Date: 5/7/2019

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

**ORDER APPROPRIATING \$750,000 FROM ASSIGNED FUND BALANCE FOR
WORKERS' COMPENSATION SELF INSURANCE**

ORDERED, that \$750,000 from the Assigned Fund Balance is hereby appropriated to the City's
Workers' Compensation and Self-Insurance program; and

BE IT FURTHER ORDERED, that the City Manager or his or her designee is hereby
authorized to sign whatever documents are necessary to effect the intent and
purpose of this order.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 7, 2019

SUBJECT: RELATED ORDINANCE AMENDMENT:

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

None

Prepared by:

Date: 5/7/2019

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 7, 2019

SUBJECT: Order 244-18/19 Amendment to Portland City Code RE: Various Fee Increases for Fiscal Year 2020 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

Part 1 adds definitions and a new license in **Chapter 3 §§31-33**

Chapter 3	Description	Current Fee	Current Fee
Sec.(New)			
§§31-33	Small and Large Brewery, Winery, and Distilling Manufacturing License	NA	NA

Part 2 adds the following new fees in **Chapter 6 (§6-152):**

Chapter 6	Description	Current Fee	Proposed Fee
Sec.(New)			
	Rental Registration more than 30 days expired	NA	\$10 / Unit
Total revenue increase for FY20: \$32,360			

Part 3 adds the following new fees in in Chapter 15 in §15-12:

Chapter 15	Description	Current Fee	Proposed Fee
<i>Sec. 15-12</i>			
	Small Breweries (50,000 Gal & Less)	NA	\$250
	Large Breweries (More than 50,000 Gal)	NA	\$2,000
	Small Wineries (50,000 Gal & Less)	NA	\$250
	Large Wineries (More than 50,000 Gal)	NA	\$2,000
	Small Distilleries (50,000 Gal & Less)	NA	\$250
	Large Distilleries (More than 50,000 Gal)	NA	\$2,000
Total revenue increase for FY20: \$26,250			

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Fee Increases for FY2020 5.1.2019
2. City Code Fee Amendments

Prepared by:

Date: 5/7/2019

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

**CITY OF PORTLAND
IN THE CITY COUNCIL**

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

AMENDMENT TO PORTLAND CITY CODE

**Re: VARIOUS NEW FEES AND FEE INCREASES FOR FISCAL YEAR 2020
IN CHAPTERS 3, 6, 15, 24 and 25**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. *That Sections 3-31 and 3-32 are hereby amended and Chapter 3 of the Portland City Code is hereby amended by adding a section, to be numbered 3-33, which said sections reads as follows:*

Sec. 3-31 Definitions

(a) For the purposes of this Article, the terms ~~small~~ ~~brewery~~, ~~B~~brewery, ~~small~~ ~~d~~distillery, ~~distillery~~, ~~M~~malt liquor, ~~Spirits~~~~spirits~~, ~~Win~~wine, ~~winery~~ and ~~small~~ ~~W~~winery shall have the same meanings as provided in 28-A M.R.S. §2, as amended hereafter.

(b) A large brewery, distillery or winery shall mean a brewery, distillery or winery that manufactures more than 50,000 gallons of its defined product per year.

Sec. 3-32 Brewery, Winery and Distillery Alcohol License.

(a) No brewery, winery, or distillery shall serve or sell spirits, wine, or malt liquor for on-premises consumption unless it is licensed pursuant to this section and Chapter 15. This division shall apply to those who serve or sell based on a license issued pursuant to 28-A M.R.S. §1355-A(I), as amended hereafter.

(b) A brewery, winery, or distillery that is properly licensed to serve or sell spirits, wine, or malt liquor for consumption as part of its City of Portland Chapter 11 Food Service Establishment license is not required to obtain a license under this section. A brewery, winery, or distillery that is required to be licensed as a Food Service Establishment

pursuant to Chapter 11, however, does not satisfy that requirement by obtaining a license under this section.

Sec. 3-33 Brewery, Winery and Distillery Manufacturing License

(a) No small brewery, large brewery, small winery, large winery, small distillery, or large distillery, that is required to be licensed pursuant to Title 28-A of the Maine Revised Statutes shall brew, distill, produce, or sell spirits, wine, or malt liquor unless it is licensed pursuant to this section and Chapter 15.

(b) This license shall be in addition to any license required under Sec. 3-32 of this Code.

2. *That Section 6-152 is hereby amended to read as follows:*

Sec. 6-152. Registration Fees.

(a) *Annual Registration Fee.* Upon initial registration and by January 1st of each year, registrants shall pay the City a registration fee for each rental unit, in the amounts set forth below. A rental unit shall not be considered registered unless and until this fee is paid in full.

...

(e) Registrations that are not renewed by February 1 shall be subject to a late fee of \$10 per unit. Registrations shall not be renewed unless and until the registrant pays any applicable late fee. The Permitting and Inspections Director may waive a late fee upon a showing of good cause as to why the renewal was not timely.

3. *That Section 15-12 is hereby amended to read as follows:*

Sec. 15-12. Fees and expiration dates.

(a) Unless specified elsewhere in this Code, fees for licenses issued pursuant to this Code and the expiration date of each license shall be as follows:

Location in Code	Description	Fee	Expiration Date
---------------------	-------------	-----	--------------------

Location in Code	Description	Fee	Expiration Date
Ch. 3, Art. II	Bottle clubs (must obtain FSE and special entertainment if applicable)	\$940.00	June 30
Ch. 3, Art. III	Brewery, Winery and Distillery <u>On-Premises Consumption</u> License (must obtain FSE and/or special entertainment if applicable)	\$525.00	Concurrent with state liquor license
<u>Ch. 3, Art. III</u>	<u>Small Brewery, Winery and Distillery Manufacturing License</u>	<u>\$250.00</u>	<u>Concurrent with state liquor license</u>
<u>Ch. 3, Art. III</u>	<u>Large Brewery, Winery and Distillery Manufacturing License</u>	<u>\$2,000</u>	<u>Concurrent with state liquor license</u>

...

4. That Section 25-27 is hereby amended to read as follows:

Sec. 25-27. Fees and fines.

(a) The following fees are hereby established for the issuance of a revocable street and sidewalk occupancy permit:

- (1) Objects other than portable signs, including but not limited to tables, chairs, barricades and bollards, twenty-two dollars (\$22.00) for one (1) fiscal year or any portion thereof;
- (2) Portable signs, twenty-five dollars (\$25.00) plus twenty cents (\$0.20) per square foot of signage. Square footage is calculated pursuant to section 14-369(b) of the land use ordinance. Permits remain valid until there is a change:

- a. In the sign dimensions; or
 - b. In the use, lessee or ownership of the business causing a change in the business name, design or dimensions.
- (3) Vehicles, equipment, or construction materials, as follows:
- a. The Parking Space Permit shall be ~~\$20.00~~\$25.00 per day or any portion thereof;
 - b. The Sidewalk Permit shall be \$20.00 per day or any portion thereof;
 - c. The Single Lane Closure Permit shall be \$50.00 per day or any portion thereof; and
 - d. the Street Closure Permit shall be \$100.00 per day or any portion thereof.

...

5. That Section 24-72 is hereby amended to 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, ~~2018~~2019, user charges under this section for both dwelling units and commercial units shall be ~~nine dollars and ninety-five ten dollars and forty centseents~~ (~~\$9.95~~\$10.40) 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.

...

BE IT FURTHER ORDERED, that this amendment shall be effective on
July 1, 2018.



Permitting and Inspections Department

Memorandum

To: Keri Ouellette, Interim Director of Permitting and Inspections
Jessica B. Hanscombe, Licensing and Registration Coordinator

From: Samantha Chapin, Principal Administrative Officer 

Date: March 13, 2019

RE: Late Fees - Rental Housing Registration

Currently our ordinance allows for Civil Penalties of \$100 per day for each day a rental property goes unregistered. This fee is only collectable by civil action through the court system, and therefore is only collected on a minimal number of properties. The majority of delinquent property owners register in advance of this final step.

We are proposing a late fee, imposed on rental property registrations that are late in renewal, but would be collectable outside of the civil court. These fees would go into effect when the registration has lapsed for 30 days or more, and would be imposed without regard for continuing enforcement action through civil action. The fee we are proposing is \$10 per unit, therefore affecting large property owners proportionally to small property owners.

These fees would go into a violations account in the Housing Safety Division, and we are proposing this go into effect for the 2020 registration year.

Potential revenue as based on 2019 registration status.

Late fees	Fee Proposed	2019 Rental units renewed after 30 days, or still pending	Proposed Revenue
Rental Registration more than 30 days expired	\$10 / unit	3,236	\$32,360
	Additional Revenue		\$32,360

FY20 REVENUE FEE SCHEDULE CHANGE

Department: Permitting and Inspections

Ordinance Chapter 6

Account #	Revenue Description	FY20	
		Current Fee	Proposed Fee
10025300-351000	Late Fees – Rental Registration (30+ days past due)	0	\$10 / Unit



Permitting and Inspections Department

Memorandum

To: Keri Ouellette, Interim Director of Permitting and Inspections

From: Jessica B. Hanscombe, Licensing and Registration Coordinator

Date: March 12, 2019

RE: Creating a Manufacturing license for Breweries, Wineries and Distilleries

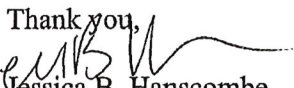
Currently we license the tasting room only for Breweries, Wineries and Distilleries in Chapter 3. We would retain that license, but amend the name to Tasting Room. Manufacturing of beer, wine and liquor is licensed by the State, but not currently licensed by the City.

We are proposing creating a new license type for the manufacturing. Currently the Bureau of Alcoholic Beverages fees are \$50.00 for a license for 50,000 gallons and less and \$1000.00 for a license for more than 50,000 gallons. We would do inspections of the manufacturing side with Code Enforcement, Health Inspectors and the Fire Department. The license would be a yearly license that would expire concurrent with the State Liquor license.

Please see the chart for proposed fees and proposed revenue.

License Type	Fee Proposed	Current Amount	Proposed Revenue
Small Breweries (50,000 gallons and less)	\$250.00	12	\$3,000.00
Large Breweries (more than 50,000 gallons)	\$2000.00	10	\$20,000.00
Small Wineries (50,000 gallons and less)	\$250.00	6	\$1,500.00
Large Wineries (more than 50,000 gallons)	\$2000.00	0	-
Small Distilleries (50,000 gallons and less)	\$250.00	7	\$1,750.00
Large Distilleries (more than 50,000 gallons)	\$2000.00	0	-
Additional Revenue			\$26,250.00

Thank you,


Jessica B. Hanscombe

Licensing and Registration Coordinator

FY20 REVENUE FEE SCHEDULE CHANGE

Department: Permitting and Inspections

Ordinance Chapter 15

<u>Account #</u>	<u>Revenue Description</u>	<u>FY20</u>	
		<u>Current Fee</u>	<u>Proposed Fee</u>
10025400-322000	Breweries, Wineries & Distilleries Manufacturing		
	Small Breweries (50,000 Gallon or less)	0	\$250
	Large Breweries (More than 50,000 Gallon)	0	\$2,000
	Small Wineries (50,000 Gallon or less)	0	\$250
	Large Wineries (More than 50,000 Gallon)	0	\$2,000
	Small Distilleries (50,000 Gallon or less)	0	\$250
	Large Distilleries (More than 50,000 Gallon)	0	\$2,000

FY20 REVENUE FEE SCHEDULE CHANGE

Ordinance Fees

Department: Public Works

<u>Account #</u>	<u>Revenue Description</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
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Street Occupancy Ordinance 25-27:

(a) (3): Vehicles, equipment, or
construction materials, as follows:

10031302-321000	Parking space Permit	\$20.00	\$25.00
	Sidewalk Permit	\$20.00	\$20.00
	Single Lane Closure	\$50.00	\$50.00
	Street Closure	\$100.00	\$100.00

Street Occupancy Ordinance 25-27:

(c) (1): Failure to obtain permit

10031302 351000	Failure to acquire permit	\$125.00	\$125.00
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Street Occupancy Ordinance 25-27:

(c) (2): Non Compliance

10031302 351000	Non-Compliance	\$100.00	\$100.00
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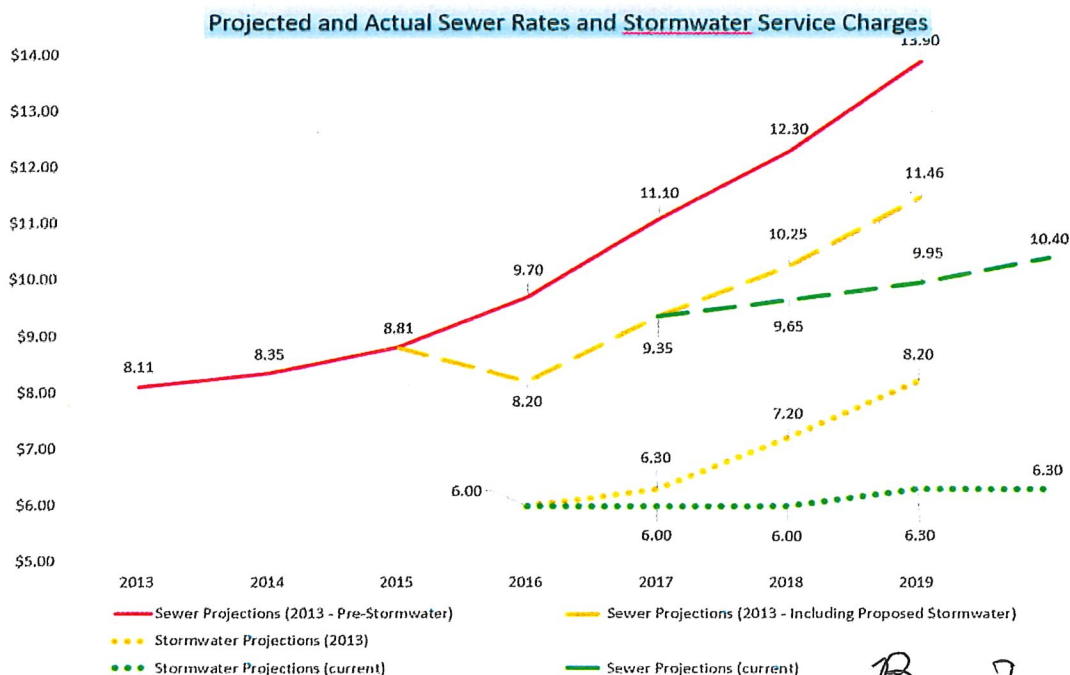
April 30, 2019



TO: Members of the City Council, Jon Jennings, City Manager;
 FROM: Brendan T. O'Connell, Director of Finance
 DATE: May 6, 2019
 RE: Sewer Rate and Stormwater Service Charge Rate for FY20

The City continues to fund projects related to the Department of Environmental Protection ("DEP") mandated Combined Sewer Overflow ("CSO") requirements through first the Tier II and now the Tier III approved projects. This includes financing several hundred million in capital costs over an approximate 25 year time period, paid for through the Sewer user fees and Stormwater Service Charges. As illustrated below the rates being proposed for FY20 are significantly lower than the rates projected by Sustainable Storm Water Funding Task Force when the Stormwater Service Charge was originally contemplated. The lower rates are a result of lower than anticipated borrowings for CSO from 2015 through 2018. The bidding environment has been incredibly challenging over the last several fiscal years resulting in a limited number of contractors bidding on jobs and bid prices coming in over budget.

For FY20 there will be no increase in the Stormwater Service Charge. It will remain at \$6.30 per month for every 1,200 square feet of impervious area. The existing Sewer Rate of \$9.95 will need to be increased to \$10.40 per hcf from July 1, 2019 through June 30, 2020 due to increasing debt service repayments resulting from DEP mandated projects. This is a 4.5% increase. As illustrated by the chart below, the current rate is significantly lower than projected Sewer Rates if no Stormwater Service Charge had been implemented. Residents should have noticed a decrease in their Sewer bill when the Stormwater Service Charge was implemented. The increase will be used to fund the additional debt service generated by DEP mandated projects and some projects will be funded with operating budget funds.



Brendan T. O'Connell
 Finance Director
 City of Portland, Maine

FY20 REVENUE FEE SCHEDULE CHANGE

Department: Sewer Fund (0570)

Ordinance Chapter 24 § 72(c)

<u>Account #</u>	<u>Revenue Description</u>	<u>Current Fee</u>	<u>FY20</u>
			<u>Proposed Fee</u>
57031000-344xxx	Sewer User Fees	\$9.95 hcf	\$10.40 hcf

***Effective July 1, 2019**

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 7, 2019

SUBJECT: CONTINUATION OF RELATED ORDINANCE AMENDMENT:

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

Part 4 amends the following fees in **Chapter 24 in §24-72 and §24-84.**

The proposed sewer rate for July 1, 2019 is \$10.40 per hundred cubic feet (hcf), up from the July 1, 2018 rate of \$9.95 hcf.

Chapter 24	Description	Current Fee	Proposed Fee
<i>Sec. 24-72</i>	Sanitary sewer user charges		
24-72 (c)	Sewer user fees	\$9.95/ hcf	\$10.40/ hcf
Total revenue increase for FY20: \$1,132,574			

Part 5 adds the following new fees in **Chapter 25 in §25-27:**

Chapter 25	Description	Current Fee	Proposed Fee
Streets, Sidewalks, and Other Public Places			
<i>Sec. 25-27</i>	Fees and fines		
25-27 (a) (3)	Parking Space Permit	\$20/day	\$25/day
Total revenue increase for FY20: \$85,000			

All fee increases are effective July 1, 2019.

This item must be read on two separate days. It received its first reading on May 6, 2019. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

None

Prepared by:

Date: 5/7/2019

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

FISCAL YEAR 2019-2020 APPROPRIATION RESOLVE

RESOLVED, that the sum of \$ **263,392,070** is hereby appropriated for Fiscal Year 2020 for General Municipal purposes; and

BE IT FURTHER RESOLVED, that the sum of \$ **117,833,270** is hereby appropriated for Fiscal Year 2020 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, 2019 and not exempt from taxation, to the aggregate amount of **\$93,184,789** for municipal purposes and **\$93,795,139** for school purposes for a total tax levy of **\$186,979,928** resulting in a tax rate of **\$23.42** per \$1,000 of valuation (a **4.2%** increase) and 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 on September 13, 2019, and payable in two equal installments, the first due on the 13th day of September, 2019, and the second installment due on the 8th day of March, 2020. The delinquency rate of interest shall be nine percent (9%) per annum on all payments received after the respective due dates and the abatement rate of interest shall be five percent (5.0%) per annum.

City of Portland, Maine
Budget Amendments - FY20 Budget

Amendment #1 – Reinstate Funding for 5th City Shelter Location
PASSED 3-0 BY FINANCE COMMITTEE ON 5/15/19

Background: The City currently operates two main shelters, the Oxford Street Shelter and the Family Shelter. Each of these locations has a designated overflow shelter, Preble Street for overflow at the Oxford Street shelter and Salvation Army space for overflow at the Family Shelter. Currently the City also utilizes the City General Assistance offices for additional overflow space as the 5th potential shelter location. Because of the fact that there are limits to our resources, the City Manager's Recommended Budget proposes eliminating the second overflow space for both the Oxford Street Shelter and the Family Shelter. This would mean that we will use space at Preble Street for overflow needs at OSS and space at the Salvation Army for overflow at the Family Shelter, but no longer allow our General Assistance offices to be used as a third overflow space given the costs in staffing this facility. It is our hope that other resources in the community could be used in the rare instance that a 5th overflow shelter location is necessary. This amendment proposed reinstate funding for the 5th shelter location, an estimated \$45,000 in additional staffing costs (although actual cost could be higher or lower depending on actual usage).

Fiscal Impact:

- \$45,000 addition to the FY20 budget
- An addition of \$0.01 to the overall mil rate (an 0.1% increase from 2.9%)

Amendment #2 – Increase Funding in the Community Support Fund by \$50,000
PASSED 3-0 BY FINANCE COMMITTEE ON 5/15/19

Background: Because the FY19 Community Support Fund was exhausted so quickly, the City Manager's Recommended budget proposes that the Community Support Fund support individuals who are living in the city as of July 1, 2019 and only cover rental assistance in FY20. We will utilize our other existing community partners who already offer food and other basic necessities to cover those needs. Therefore, this budget recommends reducing the Community Support Fund by \$50,000 and funding it with \$150,000. It is also my recommendation that the Council look to phase out the Community Support Fund over the next two fiscal years as individuals leave the program. This amendment adds back \$50,000 in funding which is estimated to be able to fully serve 32 families.

Fiscal Impact:

- \$50,000 addition to the FY20 budget
- An addition of \$0.01 to the overall mil rate (an 0.1% increase from 2.9%)

Amendment #3 – Increase Funding to Cultivating Community by \$20,000
PASSED 3-0 BY FINANCE COMMITTEE ON 5/15/19

Background: Annually, the City provides over \$32,300 in support to Cultivating Community. This includes a \$20,000 cash contribution in return for Cultivating Community administration of the 10 community gardens, \$7,600 for compost, \$1,500 for fence repair, \$1,000 for plumbing, electrical, shed repairs, \$2,200 for water and in-kind staff services for leaf and compost delivery, plumbing, electrical, and fence repairs.

Cultivating Community staff requested additional city financial support in order to continue administering the garden program. An initial proposal that they verbally discussed with City staff was an increase from the existing \$20,000 to \$40,000. Given a challenging budget year, with virtually no increase for staffing or equipment Department-wide, Parks, Rec and Facilities staff came up with a proposal that would increase garden rental rates and allow for revenue sharing so that Cultivating Community could see some increase in revenue, but not impact the overall Department budget or increase the subsidy by taxpayers. Also, with a revenue sharing model of 85/15 (85% to Cultivating Community, 15% to the City to cover costs), Cultivating Community would see an additional \$26,159 in revenue as additional garden plots were added in the future.

City staff felt this 31% increase in revenue to Cultivating Community was a fair compromise that did not have a negative effect on other city programs (athletics, trails, youth and senior programs, winter sidewalk plowing, etc...) and also did not raise the subsidy by the taxpayers. The revenue would be entirely generated by user fees.

Cultivating Community staff did not express an interest in this revenue-sharing proposal and instead chose to communicate directly with City Councilors for an even larger increase in City taxpayer support, a request for \$20,000 in additional cash contribution on top of the cash contribution of \$32,300 already included in the budget. This amendment would grant the request for additional funding and would add \$20,000 to the tax levy.

Fiscal Impact:

- \$20,000 addition to the FY20 budget
- An addition of \$0.01 to the overall mil rate (an 0.1% increase from 2.9%)

**Amendment #4 – Fully Fund Department Requests Related to the Pesticides Ordinance
TO BE PROPOSED AT CITY COUNCIL MEETING ON 5/20/19**

Background: Due to budget constraints the City's Parks, Recreation & Facilities Department had to cut two expenses related to full implementation of items related to the City's new Pesticides Use Ordinance. The first expense which was cut (and highest priority to the Department) is an Athletic Facilities Maintenance Worker I at a cost of \$39,291 (\$51,864 including fringe). This position could help us implement all of the labor-intensive practice and procedures necessary for organic management. The second priority is the Deering Oaks Baseball Irrigation System for \$32,500. Irrigation is a key factor in reducing reliance on pesticides.

Fiscal Impact (Individually):

- \$51,864 addition to the FY20 budget which could support a new Maintenance Worker FTE
- An addition of \$0.01 to the overall mil rate (an 0.1% increase from 2.9%)
- \$32,500 addition to the FY20 budget which could support a Deering Oaks Irrigation System
- An addition of \$0.01 to the overall mil rate (an 0.1% increase from 2.9%)

Fiscal Impact (Combined):

- \$84,364 addition to the FY20 budget
- An addition of \$0.02 to the overall mil rate (an 0.2% increase from 2.9%)

Other Specific Amendments Mentioned – May Be Presented at 5/20 City Council Meeting

5. **Additional Fire Department Funding** – The Fire Union has lobbied City Council to remove funding from the Fire Department budget. Instead, they have noted that the City Manager should hire additional firefighter positions (\$71,297 is the estimated cost of one new Firefighter - salary and benefits) and that there would be a larger offsetting reduction to the Fire Department overtime budget for each FTE added. Staff is currently attempting to corroborate this information potential budget amendment from Mayor Strimling which would change the net appropriation for the Fire Department budget.
6. **Fund the P-STEP Program with 0 Hancock Street Proceeds** – As part of the FY20 Budget orders there is a recommended appropriation of the final \$1M of 0 Hancock Street sale proceeds to fund two items: \$200,000 for the Housing Trust Fund and \$800,000 for the Portland Landing Project. Councilor Cook has proposed an amendment to fund the P-STEP Program (\$200,000) out of these sale proceeds instead of via the tax levy. This would reduce the mil rate by \$0.02. This action would also require an amendment to Order 242-18/19, which appropriates the proceeds of the sale.
7. **Additional Funding for the Planning Department** - In companion with the budget reducing amendment above Councilor Cook requested an amendment adding funds to the Planning and Urban Development Budget in hopes that an additional Senior Planner could be added. This amendment would add \$90,000 to the levy and would increase the mil rate by \$0.01.
8. **Additional Funding for the Portland Opportunity Crew** – A potential amendment has been discussed by the Finance Committee to expand funding for the Portland Opportunity Crew program brought forward by the City Manager in 2017. No specific amount of amendment was finalized. The cost per crew per week (6 hours per day, 6 participants, 2 days per week) is \$1,349/week or \$25,640 assuming 19 weeks of funding. An increase to the budget of this amount would add increase the mil rate by \$0.01.
9. **Remove Presidential Primary Funding from City Clerk budget** - Councilor Cook has proposed an amendment to remove \$38,000 from the City Clerk budget. She noted an LD currently in the State Legislature was the basis for this amendment. This amendment would reduce the mil rate by \$0.01.
10. **Remove \$20,000 of Additional Cultivating Community Funding added by Finance Committee** - Councilor Cook has proposed an amendment to remove the \$20,000 from the Parks, Recreation and Facilities budget that was added by the Finance Committee. There is additional documentation from staff on why they felt the \$32k+ of funding already allocated to Cultivating Community in the FY20 City Manager's Recommended Budget was adequate. This amendment would reduce the mil rate by \$0.01.



Sally L. DeLuca
Director

Department of Parks, Recreation & Facilities

Ethan Hipple
Deputy Director

Department of Parks, Recreation & Facilities

May 2019

To the City Manager, Mayor, and Portland City Council,

In May of 2018, the City initiated a process to update the Memorandum of Understanding with Cultivating Community.

Annually, the City provides over \$32,300 in support to Cultivating Community each year. This includes a \$20,000 cash contribution in return for Cultivating Community administration of the 10 community gardens. In addition to the \$20,000 administration fee, the City has budgeted annually for the following additional items which are provided / used for Cultivating Community:

- \$7,600 for compost
- \$1,500 for fence repair
- \$1,000 for plumbing, electrical, shed repairs
- \$2,200 for water
- In kind staff services for leaf and compost delivery, plumbing, electrical, and fence repairs

As part of the meetings leading up to the initial draft of the MOU, Cultivating Community staff requested additional city financial support in order to continue administering the garden program. An initial proposal that they verbally discussed with City staff was an increase from the existing \$20,000 to \$40,000.

Given a challenging budget year, with virtually no increase for staffing or equipment Department-wide, Parks, Rec and Facilities staff came up with a proposal that would increase garden rental rates and allow for revenue sharing so that Cultivating Community could see some increase in revenue, but not impact the overall Department budget or increase the subsidy by taxpayers. Also, with a revenue sharing model of 85/15 (85% to Cultivating Community, 15% to the City to cover costs), Cultivating Community would see additional revenue as additional garden plots were added in the future.

Under this proposal, the revenue collected would be split 85/15 with Cultivating Community, with the larger share going to Cultivating Community.

Rates	New Rates 2020	2017 Rate	2016 Rate
Full Size rate 10 x 15	\$95	\$60	\$50
Half or Reduced	\$65	\$40	\$35
Common Shares	\$50	\$50	NA
Low Income	\$15	\$15	\$15

Total revenue = \$30,775

85% to Cultivating Community = \$26,159 (a **31% increase in revenue to Cultivating Community**)



Sally L. DeLuca
Director

Department of Parks, Recreation & Facilities

Ethan Hipple
Deputy Director

Department of Parks, Recreation & Facilities

City staff felt this 31% increase in revenue to Cultivating Community was a fair compromise that did not have a negative effect on other city programs (athletics, trails, youth and senior programs, winter sidewalk plowing, etc...) and also did not raise the subsidy by the taxpayers. The revenue would be entirely generated by user fees.

Cultivating Community staff did not express an interest in this revenue-sharing proposal and instead chose to communicate directly with City Councilors for an even larger increase in City taxpayer support, a request for \$20,000 in additional cash contribution on top of the cash contribution of \$20,000 they're already receiving plus the \$13,200 in other support.

The question has been asked – how much would it cost the City to take over administration of the Community Gardens. We would add a \$35,471 full time, year-round Garden Coordinator. The Coordinator would focus on gardens in spring and summer. In off season, half-time focus on garden coordination efforts, half-time Park Ranger patrol in all parks and open spaces with focus on Baxter Woods. Adding this position would enable us to address multiple Department priorities.

Overall, the City is lucky to partner with Cultivating Community to administer our garden program. There is great community interest and passion for gardening, and the program has a substantial waitlist of 1-2 years. Cultivating Community staff are professional and truly experts in their field, and we enjoy working with them.

However, when faced with difficult budget decisions, City staff did not feel it was appropriate to either make cuts to other programs to increase payments for Cultivating Community, nor did we feel it was appropriate to increase the subsidy from taxpayers.

If City staff were to propose adding another \$20,000--\$30,000 to our budget, we would not propose to add it to our payment to Cultivating Community, but focus instead on one of the following priority areas that were not funded in our current Parks budget:

- **Winter seasonal labor to better address sidewalk pinch-point clearing. Adding two winter seasonal staff to address these problem areas with walk-behind snowblowers and shovels would greatly increase accessibility for school children, commuters, and the disabled.**
- **Seasonal Ranger coverage to address our growing problems of drug and alcohol use in parks, dog waste and off-leash issues, and rampant unpermitted over-use of athletic fields.**
- **Seasonal Athletic Facilities staff to comply with the Pesticide ordinance. Since the passing of the Pesticide Ordinance, we have not seen the necessary increase in staffing in order to be able to carry it out successfully.**

Respectfully,

Ethan Hipple, Deputy Director



CITY OF PORTLAND

To: Finance Committee

From: Chief Keith Gautreau and Finance Director Brendan O'Connell

Date: April 25, 2019

Re: Engine 1 Relocation Plan Memo

As everyone is aware, in the FY20 budget the Fire Department is undergoing a reorganization to meet the needs of today's Portland. EMS calls have risen by approximately 25% over the last decade while structure fire calls have decreased by almost 50%. In addition for the need to address this shift in call type, we also have two underutilized pieces of apparatus at Munjoy Hill Fire Station, Engine 1 and Ladder 1. It is important to note that Ladder 1 is a "quint", a piece of apparatus that can function both as a water pumping fire engine or a traditional ladder truck. Ladder 1 only received 1265 calls for service in 2018, almost 50% less than the busiest ladder truck in the City (see Apparatus Activity CY18 slide for complete details). Engine 1 only received 1890 calls for service in 2018, an average of 40% less than the three other on-peninsula engine companies. For several reasons as outlined in this memo, beginning on July 1, 2019, Engine 1 will be decommissioned. **No reduction in force will occur as a result of the decommissioning** and going forward the 12 positions will be utilized as follows;

- 1 Division Chief of EMS / Training
- 1 C9 ("Car 9") Position on Platoon #2
- 1 SAO Admin Support Position (HR & Payroll)
- Adding 1 Firefighter per shift to Rescue 1 (Pool coverage when necessary)
- 5 Firefighter positions assigned to the Pool for coverage of Leave

It is important to note that **the Munjoy Hill Fire Station is not closing**. There will still be two pieces of apparatus at the Munjoy Hill Station and ten other pieces of apparatus within a 2 mile radius at Central Fire Station (0.6 miles, within view of the Munjoy Station), Bramhall Fire Station (1.6 miles down Congress Street), and Ocean Avenue Fire station (2.1 miles away from station to station but significantly closer to a majority of the East End). As noted in the additional materials on staffing ratios, Portland's Fire Department staffing remains among the highest per capita in the nation and as we have noted several times previously implementation to this plan presents no increased danger to the public at large, otherwise we would not have brought it forward. This plan allows us to accomplish the following:



CITY OF PORTLAND

- EMS is now 75% of what we do and we need a Chief Officer to oversee all of EMS, QA / QI, License renewals, Medical Billing, Supplies, Training, Hospital liaison, coordination with staff on leave and much more. If we are not able to add these positions our FY20 EMS revenue estimate must be adjusted down.
- Filling the C9 Position will complete the much needed support in the street for our providers and keep up with the expanding and challenging calls for service.
- Our current Principal Administrative Officer simply can not keep up with the all the necessary administrative work in an organization this large. This SAO position gets us closer to mirroring the Police Dept.'s administrative support. This move allows the administration to work on more grant funded equipment projects needed to support our aging facilities.
- The Rescue Company, which the City Manager supported funding via the operating budget in previous City budgets even as grant funding expired, is the future of this Department and allows us to handle technical and specialty incidents. It is also the Fire Company that has the potential to become funded by state and federal money with its regional response capabilities. Therefore, putting the third firefighter position back on the Rescue is a start in that direction.
- Engine Company 1 was scheduled for replacement in the FY21 CIP with Engine Company 6 and Ladder Company 6 also scheduled for replacement in the FY21 or FY22 CIP. With approximately \$10M of total CIP funding available in both FY21 and FY22, the plan alleviates a significant funding issue for Fire apparatus.
- Lastly, we all know that we have serious challenges with coverage of all sorts of leave, specifically FMLA. Adding 5 Firefighters to the pool, 8 when necessary will significantly reduce our overtime costs and keep us at a 5.6% budget increase for FY20.

Please see the additional memo from the Director of Innovation and Performance Management in regards to Fire staffing nationwide as well as the attached presentation which contains details on apparatus activity by station (17 mainland apparatus only), call volume by category, reallocation plan by piece of apparatus, projected distribution of Engine 1 calls, number of actual building fires in 2018 (37), and comparisons of Portland's staffing levels to those in other municipalities nationwide.

FIRE DEPARTMENT FY20 BUDGET

May 2, 2019



Engine 1 Personnel Reallocation Plan

Engine 1 = 12 Positions(3 per shift x 4)

- ☐ 1 Position to Div. Chief of EMS / Training
- ☐ 1 Position to Admin Support for HR and Payroll
- ☐ 1 Position to C-9 for EMS Operations support
- ☐ 5 Positions to Vacation Pool coverage
- ☐ 4 Positions to Rescue 1 (available for coverage)

* Nine available positions to cover leave (vacation, FMLA, sick, training)

Station	Companies	Personnel	Total Calls	EMS Calls	Fire Calls
Munjoy	Engine 1	1 Cpt, 3 Lt, 8FF	1890	836	1052
	Ladder 1	1 Cpt, 3 Lt, 8FF	1265	246	1019
	Medcu 1	8FF	2128	1991	137
Central	Engine 5	1 Cpt, 3 Lt, 8FF	3495	2034	1461
	Medcu 5	8FF	3165	2878	287
	Car 9	3 Lt.	2753	2400	353
Bramhall	Engine 6	1 Cpt, 3 Lt, 8FF	2683	1298	1385
	Ladder 6	1 Cpt, 3 Lt, 8FF	1660	493	1167
	Medcu 6	8FF	2746	2527	219
	Rescue 1	1 Cpt, 3 Lt 4FF	1557	757	800
	Pool Coverage	4 Lt, 16FF			
	Car 5	4 Dep. Chiefs	1000	425	575
Stevens Ave	Ladder 3	1 Cpt, 3 Lt, 8FF	2371	1408	963
	Medcu 3	8FF	2759	2576	183
Riverton	Engine 9	1 Cpt, 3 Lt, 8FF	1420	759	661
Allen Ave	Ladder 4	1 Cpt, 3 Lt, 8FF	1285	594	691
	Medcu 4	8 FF	2424	2253	171
Ocean Ave	Engine 11	1 Cpt, 3 Lt, 8FF	1933	1190	743

Apparatus Activity CY18

Call Volume CY18

Call Category	Engine 1	Ladder 1	Engine 11	Ladder 4
1. Fire Calls	95	96	75	81
2. Overpressure, Rupture, Explosion	26	27	30	27
3. Medical	836	246	1210	594
4. Hazardous Condition, No Fire	92	97	76	104
5. Service Call	73	74	138	94
6. Good Intent Call	79	84	76	72
7. False Alarm/False Calls	687	639	325	311
8. Severe Weather/ Natural Disaster	1	1	0	0
9. Special Incident	1	1	3	2
Total Calls	1890	1265	1933	1285

Call Volume 2017 vs. 2018*: Engine 11 and Ladder

4

Call Category	Engine 11-2018	Engine 11- 2017	Ladder 4-2018	Ladder 4-2017
1. Fire Calls	75	90	81	101
2. Overpressure, Rupture, Explosion	30	16	27	18
3. Medical	1210 (+168)	1078	594 (-127)	763
4. Hazardous Condition, No Fire	76	96	104	104
5. Service Call	138	102	94	71
6. Good Intent Call	76	75	72	72
7. False Alarm/False Calls	325	307	311	283
8. Severe Weather/ Natural Disaster	0	0	0	0
9. Special Incident	3	1	2	0
Total Calls	1933	1765	1285	1412

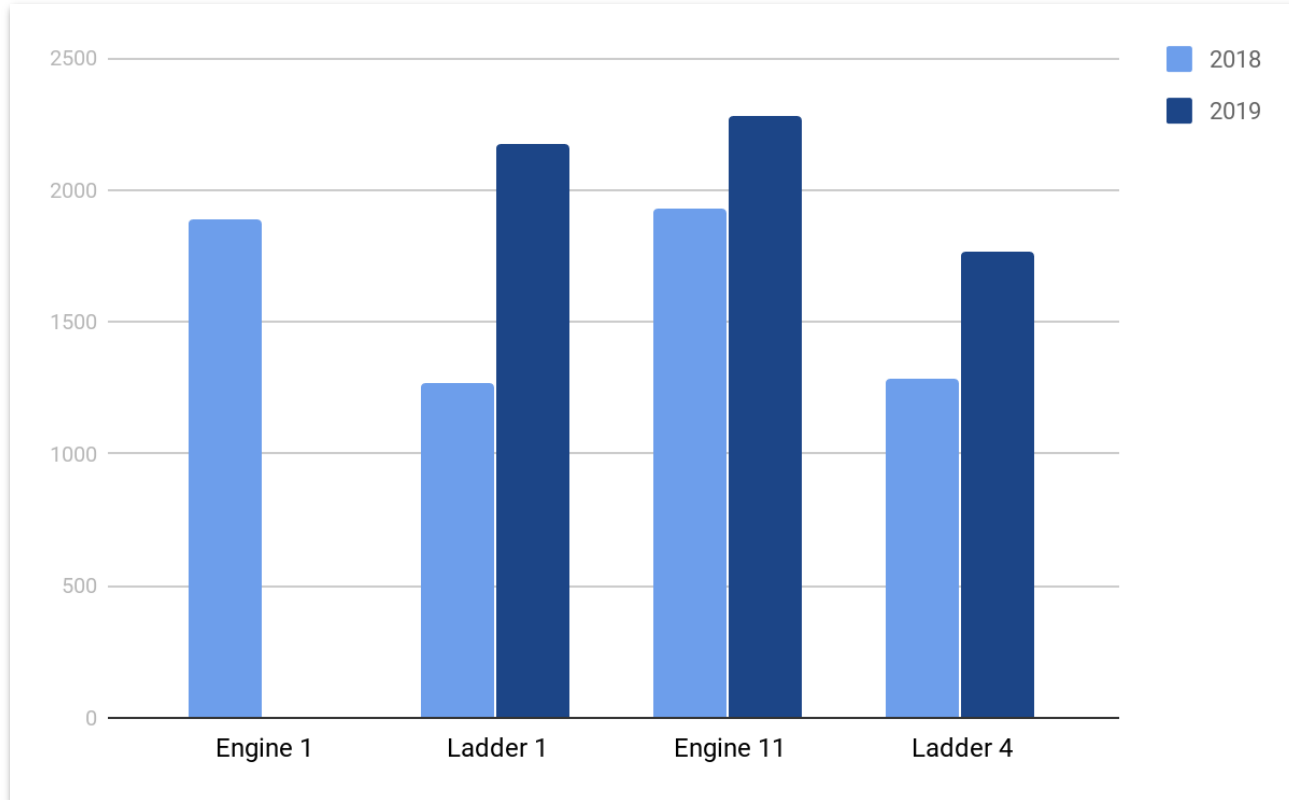
*L4 running out of Riverton station during Allen Ave. renovations, response territory shifted so E11 covered more calls
Once L4 back in Allen Ave Station, E11 medical calls anticipated to decline by 130 per year

Engine 1 Calls Shifting to Ladder 1, Engine 11, Ladder 4

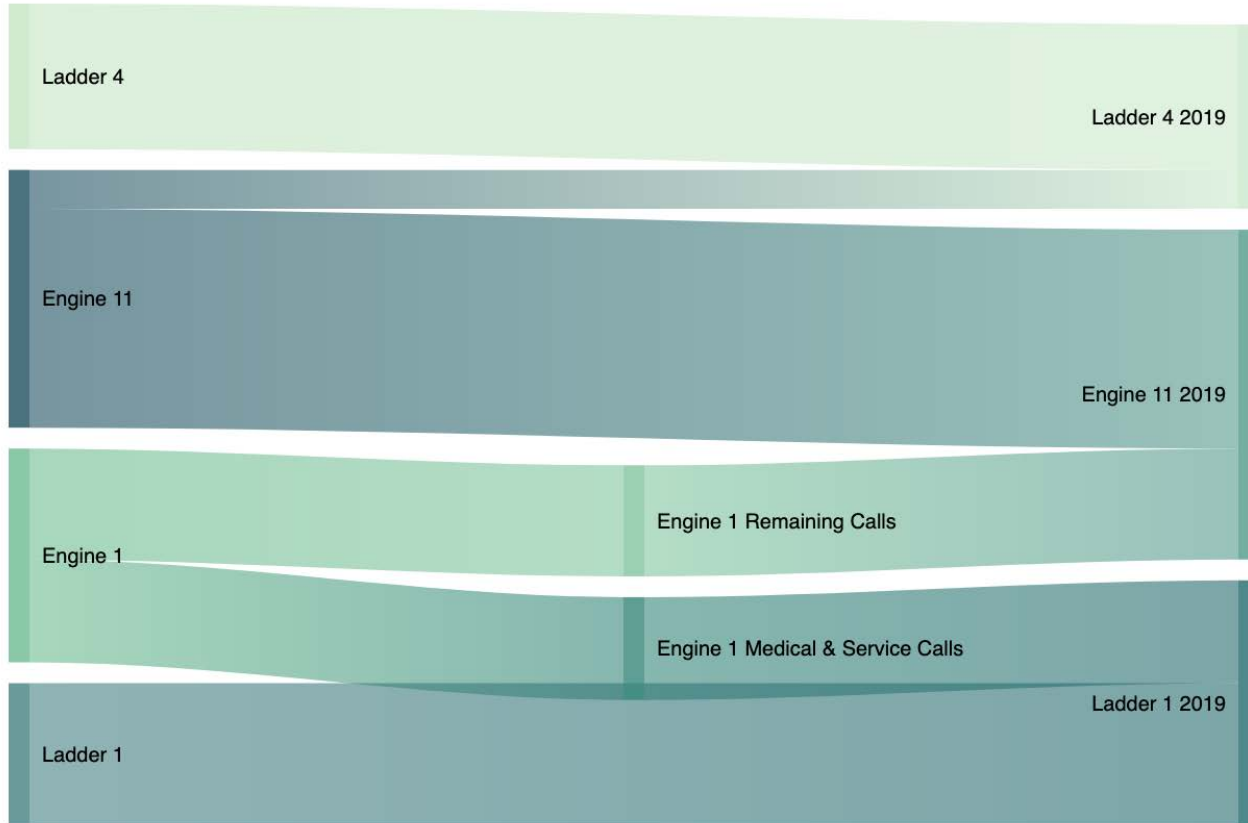
Call Category	Engine 1 2018	Ladder 1 2018	Ladder 1 2019	Engine 11 2019	Ladder 4 2019
1. Fire Calls	95	96	96	95	81
2. Overpressure, Rupture, Explosion	26	24	24	30	27
3. Medical	836	246	1082	735	1070*
4. Hazardous Condition, No Fire	92	97	97	125	104
5. Service Call	73	74	147	138	94
6. Good Intent Call	79	84	84	140	75
7. False Alarm/False Calls	687	639	639	1012	311
8. Severe Weather/Natural Disaster	1	1	1	1	0
9. Special Incident	1	1	1	1	2
Total Calls	1890	1265	2171	2277	1764

* Normal territory EMS Calls plus Canco Rd. calls

Projected Distribution of Engine 1 Calls in 2019



Projected Distribution of Engine 1 Calls in 2019



Building Fires CY18

Responding Company	# of Fires
E1	20
L1	26
L3	21
L4	22
E5	20
E6	24
L6	28
R1	29
E9	12
E11	19
Total # of Building Fires	37



CITY OF PORTLAND
Executive Department

MEMORANDUM

TO: Jon Jennings, City Manager

FROM: Lena Geraghty, Director of Innovation and Performance Management

DATE: May 14, 2019

SUBJECT: Fire Personnel and Apparatus Per Capita Analysis

As part of the FY20 budget there have been several conversations about the City of Portland's Fire Department and its provision of fire and EMS services. To aid in the discussion, I've gathered some analysis of staffing levels in other fire departments for increased decision-making capacity.

Per capita staffing analyses commonly use firefighters per 1,000 residents as a point of comparison. There are 226 staff members in the Fire Department included in the FY20 Proposed Budget. According to the FY18 CAFR, the City of Portland's Fire Department has 209 firefighters, EMTs, and officers (firefighters), plus 10 civilian staff, resulting in 3.12 firefighters per 1,000 residents. The National Fire Protection Association (NFPA) released a 2017 report which demonstrates staffing levels based on a variety of factors.¹ Below are a few of the most relevant tables for the budget discussion.

Table 3. Career Firefighter Rates by Population Protected, 2017

Population Protected	Career Firefighters Per 1,000 Population		
	Low	Median	High
1,000,000 or more	0.63	1.13	1.73
500,000 to 999,999	0.55	1.21	2.57
250,000 to 499,999	0	1.14	2.35
100,000 to 249,999	0.06	1.41	3.11
50,000 to 99,999	0	1.33	3.32
25,000 to 49,999	0	1.16	3.79

Table 6. Median Rates of Career Firefighters per 1,000 People by Region and Population Protected, 2017

Population Protected	Northeast	Midwest	South	West
250,000 or more	1.18	1.38	1.23	0.92
100,000 to 249,000	2.09	1.42	1.59	0.98
50,000 to 99,999	1.71	1.23	1.59	1.09
25,000 to 49,999	1.72	0.91	1.73	1.07

¹ Ben Evarts and Gary Stein, "US Fire Department Profile 2017," National Fire Protection Association, March 2019.
<https://www.nfpa.org/-/media/Files/News-and-Research/Fire-statistics-and-reports/Emergency-responders/osfdprofile.pdf>.

As you can see, the City of Portland's Fire Department staffing levels are not in line with the reported levels of a majority of the 21,488 fire departments who responded to the NFPA survey.

Additionally, I looked at the staffing levels of both the Boston, MA, and Manchester, NH, fire departments. As reported in Boston's FY19 budget and FY18 CAFR, there are 1,652 firefighters, which translates to 2.41 firefighters per 1,000 residents. As reported in Manchester's FY18 CAFR, there are 208 firefighters, which corresponds to 1.87 firefighters per 1,000 residents. Although there is some variety in the services provided by the municipalities, there is still a significant disparity in staffing levels. Even removing the 22 firefighters assigned to the Air Rescue and Marine Units from the calculation, Portland's Fire Department staffing level is 2.80 firefighters per 1,000 residents.

Analysis of Nearby Fire Departments

Municipality	Total Staff	Firefighter, EMTs, & Officers	Civilians	Population (2017)	Firefighters Per Capita (1,000 residents)
Portland, ME		209	10	66,882	3.12
Boston, MA	1,682	1,652		685,094	2.41
Manchester, NH		208	16	111,196	1.87

Finally, NFPA provides some insight into average apparatus rates by community size. Currently, the City of Portland has 6 engines and 5 ladders. With the decommissioning of Engine 1, the City would have .15 pumpers per 1,000 residents, almost twice the average apparatus rate for a city like Portland.

Table 15. Average Apparatus and Station Rates per 1,000 Population by Community Size, 2015-2017

Population Protected	Pumpers per 1,000 Population	Other Suppression Vehicles Per 1,000 Population	Aerial Apparatus per 1,000 Population	Stations per 1,000 Population
1,000,000 or more	0.03	0.01	0.01	0.03
500,000 to 999,999	0.05	0.02	0.01	0.05
250,000 to 499,999	0.06	0.03	0.01	0.06
100,000 - 249,999	0.07	0.03	0.01	0.07
50,000 to 99,999	0.08	0.04	0.02	0.08
25,000 to 49,999	0.11	0.07	0.02	0.09
10,000 to 24,999	0.18	0.14	0.03	0.13
5,000 to 9,999	0.31	0.29	0.04	0.19
2,500 to 4,999	0.52	0.61	0.03	0.34
Under 2,500	1.12	1.77	0.03	0.89
National Average	0.2	0.21	0.02	0.15

I hope this information is helpful for the remainder of the budget conversations. Please let me know if there are additional questions.

Sincerely,



Memorandum

To: City Council
From: Jeff Levine, Director
Date: 5-15-19
Re: Follow-up from Budget Workshop (REVISED to include salary costs see page 2)

This memo follows up on two questions you had at the Finance Committee meeting regarding our budget.

Original Budget Proposal

You have asked what was included my original budget proposal to the City Manager. Here is some information on the staffing structure of the proposed restructuring I proposed for FY2020. I designed these changes to meet the following goals:

- Aligning the Department's structure with City administration goals of improved communication; efficiency and technology; recruitment/retention/diversification of Workforce; and improved customer service;
- Aligning the Department's structure towards the six overarching themes of *Portland's Plan 2030* (Portland is... dynamic; secure; equitable; connected; authentic; and sustainable.)
- Addressing ongoing needs to complete ambitious work plan targets in the face of continued additional projects that arise and need to be completed well.
- Reducing the number of direct reports for each manager to allow them to provide the oversight, feedback and mentoring needed for professional staff.

I proposed the following changes:

1. Replacing the City Planning Director position with a Deputy Director. That position would retain much of the same day-to-day responsibility but will also provide additional oversight and coordination between the Housing & Community Development group and the remainder of the office;
2. Dividing the Planning Division into two smaller work groups – one focused on special projects and the other to be focused

- on short term planning efforts such as development review;
3. Creating a new Director of Special Projects position to oversee that new division. The Transportation Program Manager and two Senior Planners would have reported to this new director, who would focus on and oversee projects such as the ReCode and transportation planning projects. S/he would also continue to work on development projects as needed, as we all do;
 4. Making changes in Community Development to better meet operational needs;
 5. Moving the Planning Division Office Manager and Administrative Officer into a new Department-wide Quality Assurance and Control group.

The changes proposed would have resulted in an increase of 3 FTE in the office:

1. The Director of Special Projects position mentioned above.
2. Given the increased number of Local Historic Districts (we have added 3 in the past few years and are likely to add another on Munjoy Hill, as well as a set of specific parcels on Forest Avenue) I requested another project position Planner to focus on historic preservation. Project positions are temporary and are added to handle increased workload, and then can be easily ended when work slows down.
3. Similarly, given the development review workload, I requested a second Development Review Coordinator as a project position. This position would have been primarily funded by the 2% inspection fee we charge site plan review projects, as it would increase our throughput of site inspections.
4. Housing & Community Development would add a compliance position and eliminate the rehab specialist position, for no net changes in FTE.

Total Salary and Fringe costs for eliminated position requests:

Sr. Planner - \$78,079.45

Development Review Coordinator (Project Position) - \$78,079.45

Preservation Compliance Officer (Project Position) - \$69,101.44

I also proposed upgrading the Administrative Officer position to a Senior Administrative Officer. This position already provides high level research and analysis, as well as general customer service support, especially for difficult customers. I want the position to reflect the actual needs and day-to-day work.

This proposal did not include the Transportation Management Association position that might be created with primarily outside funds. It would be located under “Connected & Dynamic” and report to the Special Projects Director.

As submitted by the City Manager, the budget creates the new Director of Special Projects position and upgrade the Administrative Officer position, as well as implementing the changes in Housing & Community Development. However, it eliminates one Senior Planner. The Manager’s budget also does not fund the project-based Preservation Planning and Development Review Coordinator positions. The net impact of the City Manager’s budget is to eliminate two positions and replace them with two new positions, and to upgrade two positions.

Effects of Changes on Committee Staffing

You have asked if the changes in the structure of the Department will affect our ability to staff Council Committees, particularly the Housing Committee. This Department staffs the Housing Committee, as well as the Planning Board, Preservation Board, and the Public Art Committee. We also often attend the Health & Human Services, Sustainability & Transportation, and Economic Development Committees.

These changes to the Department structure should have no negative effect on our ability to staff the Housing Committee or other Boards and Committees. The staff that works with the Housing Committee will continue to serve in that role at the same level of commitment as is currently provided.

Memo:

From: Kristen Dow, Interim Director

Department of Health & Human Services

To: Brendan O'Connell, Finance Director

Date: 5/10/19

RE: Response to City Council Budget Committee Questions of 5/2/19

Social Services:

How much Portland Community Support Fund ("PCSF") funds does it take to support one household's rent, security deposit and utilities?

The current data shows that there were 130 households supported for rent, security deposits and utilities to date in FY19. The length of support varies. The total cost so far is \$202,137 or \$1,554 per household.

How many clients (households) are currently being supported?

March 2019 – 7 households

April 2019 – 19 households

May 2019 as of May 7 -5 households

How many households will the \$150,000 in the FY 20 budget support?

96 households at \$1,555 per average household cost. As a comparison, FY18 had a total of 80 cases.

Public Health:

What is the budget of the Portland Community Free Clinic and how much does the City provide?

The FY20 budget for PCFC is for salaries only for a total of \$98,646.

The Friends of the Portland Free Clinic reimburses the City up to \$100,000 per year in 4 quarterly installments. Benefits for the Free Clinic employees are covered by the City.

Barron Center:

Explain how the Barron Center budgeted Revenues for FY 19 and FY 20?

For both FY19 and FY20 Barron Center budgeted a **total** occupancy @ 80% or 175.2 bed nights. Of the 80% **total** occupancy, Mainecare was budgeted at 85% for FY19 and 81% for FY20. For FY20 the Mainecare rate was increased to reflect the most updated RUG Rates (State reimbursement rate) for the current fiscal year July 18-March 19.

The **total** current census through April 30, 2019 was 80.4%, which is right on target. The Mainecare portion of this is 80.5% versus 81.0% budgeted. There is a small % shift between Medicare and Private pay, not enough to make any adjustments.

Right now we do not recommend increasing any revenues, as the rates are based on the most recent information on hand at this moment, which is thru March 19.

Note: Staff still working on a couple of additional requests for info which will be added as soon as possible.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 7, 2019

SUBJECT: Order 246-18/19 Approving Firefighters Local 740, International Association of Firefighters Contract - Sponsored by Jon P. Jennings, City Manager.

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

This order approves the contract with Firefighters Local 740, International Association of Firefighters Contract Staff has reached a tentative agreement with the Local 740, International Association of Firefighters on a successor one (1) year contract. The prior contract expired on December 31, 2018. Local 740 has ratified the tentative agreement and the Administration will seek your support for the agreement on May 20, 2019. The tentative agreement is within guidance received from the Council. This order will require a second reading on June 3, 2019. This memorandum reflects the substantive changes to the expired collective bargaining agreement. The parties have tentatively negotiated a one year contract with just a wage adjustment. The cost summary for the tentative agreement is also included as an attachment. Article 25 - Salaries Base Wages 3% increase, effective January 6, 2019, retroactive Article 38 – Term. The new contract term is January 1, 2019, through December 31, 2019.

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

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

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

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Firefighters Local 740 Contract 5.20.2019
2. FIRE COST SHEET

Prepared by:

Date: 5/7/2019

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

**ORDER APPROVING THE
COLLECTIVE BARGAINING AGREEMENT WITH
THE FIREFIGHTERS LOCAL 740,
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS**

ORDERED, that the attached Collective Bargaining one (1) Year Agreement with the Firefighters Local 740, International Association of Firefighters for January 1, 2019 through December 31, 2019, is hereby approved.

FIRE - TENTATIVE AGREEMENT

ITEM	BASE COST	YEAR 1 (FY)	% INCR	NOTES:
Base Wages	11,765,075	352,952	3.0%	
Specialty Pay	434,760			
Sub-Total Wages	12,199,835	352,952	2.9%	
Overtime	1,468,205	44,046	3.0%	Based on increase in base wages
Clothing Allowance				
Total Direct Costs	13,668,040	396,998	2.9%	Inflationary increase only
Health Insurance				
Group Life				Based on increase in total wages
Pension				Based on increase in total wages
Workers' Compensation				Based on increase in total wages
Total Indirect Costs	-	-		
Total	13,668,040	396,998	2.9%	

MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 13, 2019

SUBJECT: **Order 247-18/19 Approving a Homeless Services Center at Angelo's Acre, 431 Commercial Street - Sponsored by the Health & Human Services and Public Safety Committee, Councilor Belinda S. Ray, Chair.**

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 5/20/2019

Final Action

Can action be taken at a later date: Yes Yes.

PRESENTATION: Councilor Ray, Chair of the HHS & Public Safety Committee.

I. SUMMARY

Angelo's Acre is one of two potential homeless services center sites the HHS & Public Safety Committee voted to recommend to the full City Council.

II. AGENDA DESCRIPTION

The Health & Human Services and Public Safety Committee met on April 16th and voted 3 - 0 to forward this order and the following order to the City Council for consideration of two potential homeless services center sites. It intended that the City Council as a whole would consider both and determine which one is the best option for the City.

This order approves Angelo's Acre, 431 Commercial Street, as the location for the Homeless Services Center.

A public hearing on this item will be held this evening.

Mayor Strimling is requesting that final action on this item be postponed to the June 3, 2019 City Council meeting.

III. BACKGROUND

The HHS & Public Safety Committee has worked to analyze potential Homeless Service Center site locations in the City of Portland that meet a best practice model. Sites have been screened to meet specific zoning and lot size requirements. On April 16th, 2019, the Committee moved to recommend the Angelo's Acre and Riverside locations to the full Council.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

It is the goal of the City of Portland to undertake work on a new state-of-the-art, adult emergency shelter to replace the Oxford Street Shelter. The new shelter will be open 24-hours a day, 7-days a week with on-site meals and a wide range of services including: health and mental health care, substance use treatment, housing assistance, peer support, case management, employment assistance, and more.

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

The City of Portland's shelter guests and valued staff deserve to live and work in a respectful and safe environment. We will no longer allow some of our most vulnerable community members to live in inadequate conditions and in locations where they are easily abused, taken advantage of, and judged for their perceived shortcomings.

The current adult shelter on Oxford Street is leased, poorly configured, and requires residents to vacate the facility every morning with all of their belongings. The building has three floors which require almost double the number of staff who could oversee guests in a single-story building designed specifically as a shelter. It also has cramped sleeping space which necessitates floor mats rather than cots and utilizes a large area for sleeping in the eaves of the building.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Approving Homeless Shelter at Angelo's Acre near Waterfront 5.20.2019
2. Public Comment-Homeless Service Center
3. Riverside_Street_Site_Area_VRAP
4. Shelter List Memo
5. Shelter List
6. Shelter Location Provider Feedback for 3.19.19
7. Staying at Oxford Street in 2018
8. Transient Drownings Table
9. Transient Water Deaths
10. 636 Riverside Street Soils and Geotechnical Information
11. Best Practices for New Shelter
12. DEP Email Re VRAP Certification_1
13. Draft Shelter Floor Plan
14. Health and Human Services Homeless Services Center Jan 22 2019 Meeting Presentation
15. HHS Informational Memo 3.26.219
16. HSC_Presentation_March19_2019_V3_reduced_size.3.19.209pdf

Prepared by:

Date: 5/13/2019

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

ORDER APPROVING A HOMELESS SERVICES CENTER
AT ANGELO'S ACRE, 431 COMMERCIAL STREET

ORDERED, that a homeless services center to be located on city-owned property at Angelo's Acre, 431 Commercial Street, for the Portland Department of Health and Human Services is hereby approved.

**PUBLIC COMMENT
ON HOMELESS SERVICES CENTER**



Tiffany Mullen <tgmm@portlandmaine.gov>

Fwd: New Homeless Services Center

1 message

Jon Jennings <jpj@portlandmaine.gov>

Tue, May 14, 2019 at 8:58 AM

To: Brendan O'Connell <boconnell@portlandmaine.gov>, Tiffany Mullen <tgmm@portlandmaine.gov>, Kristen Dow <kjd@portlandmaine.gov>

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

From: <s.morrison@myfairpoint.net>

Date: Tue, May 14, 2019 at 8:11 AM

Subject: New Homeless Services Center

To: <cityclerk@portlandmaine.gov>

Cc: <jpj@portlandmaine.gov>, <gmitchell@portlandmaine.gov>, <bnaportland@gmail.com>

Good morning, Would you please put the below message in each city councilor's packet and/or on their desks for the May 20 meeting? If questions I can be reached via return email or at 207-592-1544. Thank you, K. Scott Morrison

Good day City Council Members,

We are writing to encourage you to vote in the May 20 Council meeting to select a site for the new homeless services center.

While there are multiple reasons for our request we will focus on two in this communication:

a) Homeless clientele: Through many years of dialogue, both public and private, it is clear that the needs of homeless people are not well served by the existing Oxford Street shelter model. It's time to select a site for the new center so that next steps can proceed to provide a facility and model to better serve these people.

b) City policy: For many years city policy has driven significant investments of time, talent and treasury to serve the needs of homeless people. This policy costs all taxpayers and residents but is particularly burdensome to one neighborhood--Bayside. Bayside presently hosts shelters and services for somewhere between 500 and 700 people every day. It's time for another neighborhood to share in city policy by hosting the new center.

We appreciate the challenge facing you regarding the new homeless shelter selection process but do ask for your vote to select a site so the new center plan can move forward to better serve the homeless and share the neighborhood burden of city policy.

We would appreciate hearing back from you.

Best regards,

K. Scott Morrison
Mary Beth Morrison

5/14/2019

City of Portland Mail - Fwd: New Homeless Services Center

9 Parris St. #1
Portland, ME 04101

--

Jon P. Jennings
City Manager
City of Portland
389 Congress Street
Portland, ME 04101
(207) 874-8689 Office
(207) 874-8669 Fax
jpj@portlandmaine.gov
www.portlandmaine.gov
Twitter: @portlandmanager



Tiffany Mullen <tgmm@portlandmaine.gov>

Fwd: New Homeless Services Center

1 message

Jon Jennings <jpj@portlandmaine.gov>

Tue, May 14, 2019 at 8:58 AM

To: Brendan O'Connell <boconnell@portlandmaine.gov>, Tiffany Mullen <tgmm@portlandmaine.gov>, Kristen Dow <kjd@portlandmaine.gov>

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Date: Tue, May 14, 2019 at 8:11 AM

Subject: New Homeless Services Center

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Cc: <jpj@portlandmaine.gov>, <gmitchell@portlandmaine.gov>, <bnaportland@gmail.com>

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We appreciate the challenge facing you regarding the new homeless shelter selection process but do ask for your vote to select a site so the new center plan can move forward to better serve the homeless and share the neighborhood burden of city policy.

We would appreciate hearing back from you.

Best regards,

K. Scott Morrison
Mary Beth Morrison

5/14/2019

City of Portland Mail - Fwd: New Homeless Services Center

9 Parris St. #1
Portland, ME 04101

--

Jon P. Jennings
City Manager
[City of Portland](#)
[389 Congress Street](#)
Portland, ME 04101
(207) 874-8689 Office
(207) 874-8669 Fax
jpj@portlandmaine.gov
www.portlandmaine.gov
Twitter: @portlandmanager



Tiffany Mullen <tgmm@portlandmaine.gov>

Fwd: thank you

1 message

Jon Jennings <jpj@portlandmaine.gov>

Wed, Apr 17, 2019 at 3:42 PM

To: Brendan O'Connell <boconnell@portlandmaine.gov>, Tiffany Mullen <tgmm@portlandmaine.gov>

For the record.

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

From: **Gretchen Greenberg** <gretch1949@gmail.com>

Date: Tue, Apr 16, 2019 at 4:25 PM

Subject: thank you

To: <jpj@portlandmaine.gov>

Dear Mr Jennings

Thank you for considering taxpayers in your city budget proposal. I am grateful that you have often made proposals that will increase revenue or taken cost savings steps for the city. Once the debt services for the school renovations begin to show up in our taxes, I am really concerned and plead to not have any more bonds.

I am in support of capping the number of shelter beds. I don't know how this practice can be done humanely but it seems that Portland could start by informing surrounding towns that they care for their own citizens or homeless people or those who come to their town. I know at least one town (Scarborough) has dropped people off at the Preble Resource Center. These towns need to develop their own shelters.

I would like to see a base fund for immigrants maintained and a goal of a higher amount that is funded by contributions. In that way, money could be derived from outside Portland and the city does not bear all the responsibility. Maybe this is simplistic and is beyond the realm of the city but I think there are many people in the state that see immigrants as a valuable resource.

Again, thanks for leadership on budgetary matters for Portland.

Gretchen Greenberg
165 Delaware Court

--

Jon P. Jennings
City Manager
City of Portland
389 Congress Street
Portland, ME 04101
(207) 874-8689 Office
(207) 874-8669 Fax
jpj@portlandmaine.gov
www.portlandmaine.gov
Twitter: @portlandmanager



Tiffany Mullen <tgm@portlandmaine.gov>

Fwd: The Voice of Reason Re Shelter Funding

1 message

Jon Jennings <jpj@portlandmaine.gov>

Wed, Apr 17, 2019 at 4:06 PM

To: Tiffany Mullen <tgm@portlandmaine.gov>, Brendan O'Connell <boconnell@portlandmaine.gov>

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

From: **Bethany** <buitenhuys@maine.rr.com>

Date: Wed, Apr 10, 2019 at 7:43 AM

Subject: The Voice of Reason Re Shelter Funding

To: <jpj@portlandmaine.gov>

Dear Mr. Jennings,

Thank you for starting the conversation regarding the exorbitant and ever increasing costs of funding our City's shelters. The same shelters that provide the majority of services to people from OTHER cities, towns and even states. And why? Because our Mayor and City Counsel feel they can, and should, freely spend hard-earned tax dollars to provide food, shelter, medical services, etc. to every less-fortunate individual who happens to swing by because word is out...

Ask any politician in New Hampshire how they combat homelessness. They'll tell you it's with a one-way bus ticket to Portland. We've created a field of dreams - build it and they will come. I'm sure the goal isn't necessarily to attract more homeless to Portland, but that's the direct effect of what happens when we throw unlimited services and money their way. I know I sound like a cold-hearted person, but enough is enough. (By the way, I'm actually a mom of five so I can't be that bad!)

My husband and I have been Portland residents since 2001. We've raised our kids here, attending Lyseth and Lyman Moore, and then going on to the high schools of their choice - Portland, Deering and Cheverus. From there they went to colleges in Halifax, Boston and Miami and have become self-sufficient, hard working adults (not to mention tax paying). My husband and I are now 3-5 years out from retirement and looking forward to starting the next chapter in our lives. Unfortunately we won't be spending our golden years in Portland. While we've loved our time here, it's not the same City it was just a few years ago. The politics and intolerance to fiscal conservatism is too much to take - let alone afford.

So thank you for standing up and voicing concern about the rising burden on Portland tax payers. It's nice to know someone in City Hall is looking out for those of us who actually work full-time, pay taxes and save for our own retirements instead of counting on hand-outs from others. Your efforts are appreciated.

A few thoughts in closing that perhaps the counsel might consider:

- 1) Who will foot the bill once all the income-earning folks in Portland move because we can no longer afford (or desire) to support all the out-of-towners for a free ride? By the way, what ever happened to that pilot program the mayor sponsored a few summers ago - the one where they sent vans out to the best pan-handling sites in Portland an effort to recruit cash workers for the day? Let me guess - they didn't actually want to work???
- 2) Does the mayor really think turning people away from shelters will lead to more people sleeping in the streets as he was quoted in the PPH? My guess is a combination of reduced services and a good hearty October frost will quickly send those folks off to panhandle and utilize free services offered in warmer climates. That might even free up space at Preble Street for the real Portland homeless population...
- 3) Do we really spend Portland tax dollars on asylum seekers who are not actually legal asylum seekers???

Sincerely,

Bethany Buitenhuys
10 Melody Lane
Portland, ME 04103

--

Fwd: Riverside Street as Shelter Location Transportation Concerns

1 message

Katherine Jones <klj@portlandmaine.gov>
To: Sonia Bean <stb@portlandmaine.gov>

Wed, May 15, 2019 at 10:18 AM

Shelter
Katherine Jones, City Clerk, CCM, CMC, Registrar
[City of Portland](#)
[389 Congress Street](#)
Portland, ME 04101
(207) 874-8614
(207) 874-8612 Fax

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

From: **City Clerk** <cityclerk@portlandmaine.gov>
Date: Tue, May 14, 2019 at 1:43 PM
Subject: Fwd: Riverside Street as Shelter Location Transportation Concerns
To: Katherine Jones <klj@portlandmaine.gov>

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

From: **Smith, Cecilia B.** <CeciliaB.Smith@tufts.edu>
Date: Mon, May 13, 2019 at 4:49 PM
Subject: Riverside Street as Shelter Location Transportation Concerns
To: Ethan Strimling <estrimling@portlandmaine.gov>, bsr@portlandmaine.gov <bsr@portlandmaine.gov>, pali@portlandmaine.gov <pali@portlandmaine.gov>, bbatson@portlandmaine.gov <bbatson@portlandmaine.gov>, sthibodeau@portlandmaine.gov <sthibodeau@portlandmaine.gov>, kcook@portlandmaine.gov <kcook@portlandmaine.gov>, jduson@portlandmaine.gov <jduson@portlandmaine.gov>, jcosta@portlandmaine.gov <jcosta@portlandmaine.gov>, cityclerk@portlandmaine.gov <cityclerk@portlandmaine.gov>
Cc: nasonscornerneighborhood@gmail.com <nasonscornerneighborhood@gmail.com>, billhj5659@yahoo.com <billhj5659@yahoo.com>

Dear Councilors,

I am deeply concerned over the possibility of building a homeless services center and emergency shelter at Riverside Street and am submitting my comments below.

A basic rule in public transportation planning is frequency of bus service. Unfortunately, Portland does not have a robust public transportation system, and the only viable locations for those without vehicles is where land is most expensive, that is, Portland's downtown. Outer Forest Avenue is not served by adequate public transportation and is not walkable. The bus route serving the Riverton area has very low frequency and is unreliable (does not run all hours).

To make this point, I urge you to consider some objective criteria: According to Walkscore.com, Riverside Street is in a car dependent neighborhood, where most errands require a car. Riverside Street site's walkscore is 42 out of 100. The other site, Angelo's Acre (450 Commercial Street), is very walkable according to Walkscore.com (most errands can be accomplished on foot), with a walkscore of 80 out of 100.

We can also use data from the U.S. Census (see attached image). According to the Census, the only areas in Portland that are suitable for walking to work or appointments are inside the Peninsula. Moving people outside that area will be costly to Portland's taxpayers and a burden to those who need to access the shelter services.

How costly, we may ask, will it be to subsidize bus tickets to 150 shelter clients daily? At a low fare price of \$1.50 per ride, and assuming only one two-way trip per day, Portland taxpayers will spend \$450 per day. That is, at a very conservative estimate, \$13,500 a month, or \$162,000 a year.

In twelve years, subsidizing the bus rides of shelter clients will, at a minimum, have cost the city almost two-million dollars (\$1,944,000). The actual costs will likely be much higher.

This does not include: running an additional shuttle buses; police/emergency/ after-hours transportation services; any more than one trip per client per day; or the costs of building and maintaining the sidewalks from the shelter to the bus stop free of snow; any increase in fares above \$1.50 per ride.

This also does not address the lack of frequency in bus services to the Riverside area. I understand that members of the HHS Committee and task force have visited shelters in the Boston area to learn more about how other areas operate low-barrier shelters. I want to point out that Father Bills at Quincy is 0.9 miles from Quincy's City Hall, and the subway. It is serviced by two city bus lines, running every 15 minutes. CASPAR, in Cambridge, is right by the subway station, in a heavily urbanized area, right next to MIT. All other emergency shelters in the Boston area are close to subway stations/high bus service areas/ in high-density urban locations.

As a parent, I must also add that I would be very concerned about my child riding the bus that is the only transportation system for shelter clients. The City's previous police Chief stated that "10% of shelter clients are predators." Therefore, the probability of my child being accosted by a predator while riding the bus to school will be 10%. I do not live in Riverton, but if I did, the increased risk would compel me to drive my child to school. I am sure many parents in the Riverton area feel the same.

The Riverside Street site is wholly inappropriate. From a financial standpoint it will cost more in transportation over the long-term (two million dollars in just 12 years). In addition, the Riverside Street site is cruel. It is right next to the City's dump. Making people wait 45 minutes to ride a bus for another half an hour to get to City Hall, or almost an hour to get to an appointment at DHHS, or to Maine Medical Center does not reflect the compassionate City I believe Portland to be.

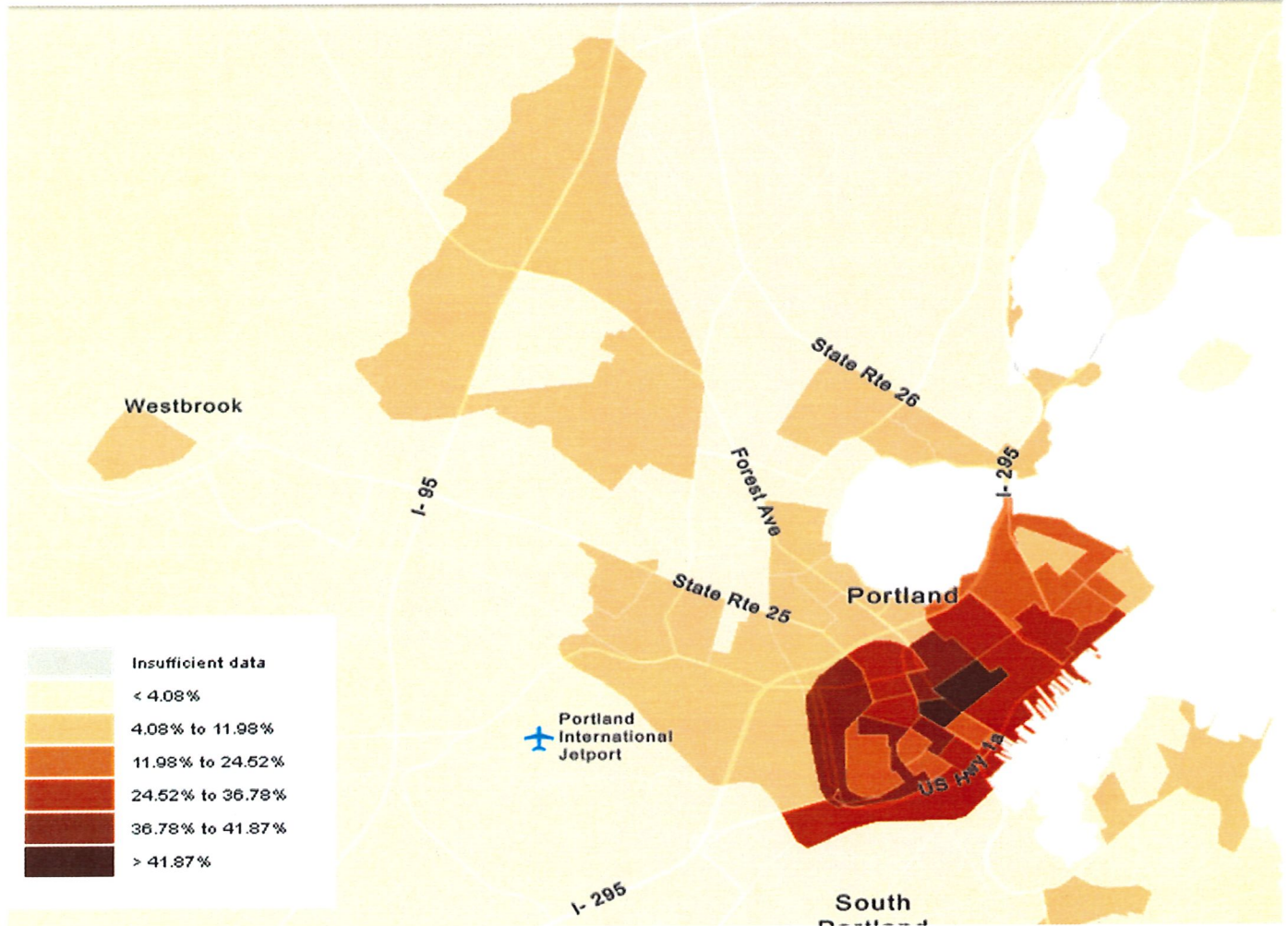
While the closure of the Oxford Street Shelter will bring windfall profits to real estate investors at Bayside, it will do nothing for the City's tax-payers and it will be devastating to our most vulnerable residents, who will miss appointments, or, even worse, die in route to the nearest hospital emergency room, which is several miles away.

We all agree that Portland needs an adequate emergency shelter, but the building of a new shelter does not preclude siting the new facility where those who are experiencing homelessness can conveniently access it, where the police can adequately monitor the area, where access to other community amenities and services exist. Riverside Street is not near any facility that can benefit those who need shelter. No libraries, no churches, no coffee-shops, no adult education, no city parks, except for forested land, which brings a whole slew of dangerous scenarios into the equation.

Therefore, I urge you to take a stand against building any service facility for people without cars in places that are car-dependent. I ask you, as my representative, to listen to your constituents, and to listen to those who have experienced homelessness.

Respectfully,
Cecilia Smith
113 Warwick St.
[Portland, Maine 04102](#)

Workers 16 Years and Over: Walked, ACS 2016 (5-Year Estimates)



Fwd: New Homeless Services Center

1 message

Katherine Jones <klj@portlandmaine.gov>
To: Sonia Bean <stb@portlandmaine.gov>

Wed, May 15, 2019 at 10:26 AM

yet another
Katherine Jones, City Clerk, CCM, CMC, Registrar
[City of Portland](#)
[389 Congress Street](#)
Portland, ME 04101
(207) 874-8614
(207) 874-8612 Fax

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

From: **City Clerk** <cityclerk@portlandmaine.gov>
Date: Tue, May 14, 2019 at 10:13 AM
Subject: Fwd: New Homeless Services Center
To: Katherine Jones <klj@portlandmaine.gov>

Forwarded for your review

Donna
City Clerk's Office
[389 Congress St. Rm. 203](#)
[Portland, ME 04101](#)
P: 207-874-8610
F: 207-874-8612

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

From: <s.morrison@myfairpoint.net>
Date: Tue, May 14, 2019 at 8:11 AM
Subject: New Homeless Services Center
To: <cityclerk@portlandmaine.gov>
Cc: <jpj@portlandmaine.gov>, <gmitche@portlandmaine.gov>, <bnaportland@gmail.com>

Good morning, Would you please put the below message in each city councilor's packet and/or on their desks for the May 20 meeting? If questions I can be reached via return email or at 207-592-1544. Thank you, K. Scott Morrison

Good day City Council Members,

We are writing to encourage you to vote in the May 20 Council meeting to select a site for the new homeless services center.

While there are multiple reasons for our request we will focus on two in this communication:

- a) Homeless clientele: Through many years of dialogue, both public and private, it is

clear that the needs of homeless people are not well served by the existing Oxford Street shelter model. It's time to select a site for the new center so that next steps can proceed to provide a facility and model to better serve these people.

b) City policy: For many years city policy has driven significant investments of time, talent and treasury to serve the needs of homeless people. This policy costs all taxpayers and residents but is particularly burdensome to one neighborhood--Bayside. Bayside presently hosts shelters and services for somewhere between 500 and 700 people every day. It's time for another neighborhood to share in city policy by hosting the new center.

We appreciate the challenge facing you regarding the new homeless shelter selection process but do ask for your vote to select a site so the new center plan can move forward to better serve the homeless and share the neighborhood burden of city policy.

We would appreciate hearing back from you.

Best regards,

K. Scott Morrison
Mary Beth Morrison
[9 Parris St. #1](#)
[Portland, ME 04101](#)



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE HOUSE STATION 17 AUGUSTA, MAINE 04333

DEPARTMENT ORDER

IN THE MATTER OF

CITY OF PORTLAND	)	COMMISSIONER'S CERTIFICATION
ATTN: GREG MITCHELL	)	OF COMPLETION OF REMEDIAL
DIRECTOR OF ECONOMIC DEVELOPMENT	)	ACTIONS UNDER A VOLUNTARY
389 CONGRESS STREET	)	RESPONSE ACTION PLAN
PORTLAND, ME 04101	)	

JURISDICTION

This certification of completion of a Voluntary Response Action Plan ("VRAP") is made pursuant to the authority vested in the Commissioner of the Maine Department of Environmental Protection ("Department") or the Commissioner's delegee under 38 M.R.S.A. Section 343-E.

FINDINGS OF FACT

1. The covered property (property and/or site) is the former Lucas Tree site located at 636 Riverside Street in Portland, and is identified on the City of Portland Tax Map 322 as Lot A-001 and Tax Map 323 as Lot A-003. The site is 40.85 acres in size. A map of the property is included as Attachment A.
2. The property use in the area is mixed residential and commercial.
3. A Phase I Environmental Site Assessment (ESA), a Phase II ESA, and a Supplemental Phase II ESA were prepared by Tewhey Associates ("Tewhey") in September and December of 2005 and January 2008, respectively, with funding from the City of Portland's Municipal Brownfields Program. These reports identified two areas requiring remedial actions: the spent sand blast grit area and the former greenhouse area.
4. In July 2010, Ransom Environmental Consultants, Inc. ("Ransom") directed remedial activities on the property. Under Ransom's direction, soils were removed from both areas of contamination and loaded on trucks for appropriate disposal. The spent sand blast grit area was cleaned to a visual standard, as earlier sampling had demonstrated that contamination was directly related to the easily identified black sand blast grit. The former greenhouse area was excavated to a standard 2 feet below grade level, based on earlier sampling results for the contaminant of concern, arsenic. Post excavation sampling demonstrated that soils had been cleaned up to typical background in 5 of the 6 samples, with one sample area having a higher level. Given that the bulk of the contaminated soil volume was removed from this area, the actual risk from this small hotspot area is low, and additional remedial action will not be necessary. A total of 296.74 tons of arsenic contaminated soils and spent sand blast grit were excavated from the property and sent to Commercial Paving and Recycling in Scarborough, Maine for recycling. The remedial actions are documented in a letter report dated August 23, 2010 and submitted by Ransom entitled "Lucas Tree Site, 636 Riverside Street, Excavation and Remediation Activities".

FILE COPY

CITY OF PORTLAND
ATTN: GREG MITCHELL
DIRECTOR OF ECONOMIC DEVELOPMENT
389 CONGRESS STREET
PORTLAND, ME 04101

2 COMMISSIONER'S CERTIFICATION
) OF COMPLETION OF REMEDIAL
) ACTIONS UNDER A VOLUNTARY
) RESPONSE ACTION PLAN
)

CONCLUSIONS

1. The City of Portland, as an applicant, has submitted a Voluntary Response Action Plan application to the Commissioner pursuant to 38 M.R.S.A. § 343-E for the property located at 636 Riverside Street in Portland, Maine which is identified on the City of Portland Tax Map 322 as Lot A-001 and Tax Map 323 as Lot A-003 .
2. Site assessments conducted at the site included investigations and reports that adequately identified the nature and extent of contamination associated with identified sources at the property.
3. Actions addressing identified contamination on the property have been completed. These actions included the removal of arsenic contaminated sand blast grit and soils associated with a former greenhouse.
4. Provided the City of Portland, as applicant, and their successors and/or assigns comply with the conditions of this certification, the response actions that have been completed and the activities associated with the continued use of the site will not cause, contribute, or exacerbate releases, or threatened releases, if they exist at the site, that are not required to be removed under the VRAP.

THEREFORE, pursuant to 38 M.R.S.A. § 343-E(5), Mark Hyland, Director, Bureau of Remediation & Waste Management of the Maine Department of Environmental Protection certifies, subject to the conditions set forth below, that remedial actions have been completed at the property located at 636 Riverside Street in Portland, Maine, identified on the City of Portland Tax Map 322 as Lot A-001 and Tax Map 323 as Lot A-003, and further described in Book 27870, Page 299, at the Cumberland County Registry of Deeds. Upon issuance of this CERTIFICATE, the City of Portland, as applicant, and the persons qualified for protection under 38 M.R.S.A. § 343-E(6) are entitled to the protection from liability to the extent provided by 38 M.R.S.A. §343-E(1) and (5). This protection from liability is limited to the matters addressed by and identified by the environmental reports and is subject to the qualifications and conditions set forth below and in 38 M.R.S.A. § 343-E.

CONDITIONS

1. The future installation of potable wells on the property is prohibited without prior written permission from the Department.
2. Use of the property shall be limited to industrial, commercial, municipal and other non-residential uses and not be residential without prior written permission of the Department.
3. A copy of this certificate for the property located at 636 Riverside Street in Portland shall be recorded at the Cumberland County Registry of Deeds. A copy of the recorded document must be supplied to the Department.

CITY OF PORTLAND
ATTN: GREG MITCHELL
DIRECTOR OF ECONOMIC DEVELOPMENT
389 CONGRESS STREET
PORTLAND, ME 04101

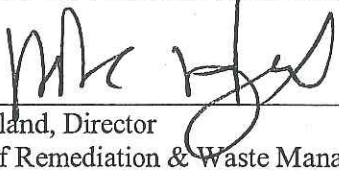
3 COMMISSIONER'S CERTIFICATION
) OF COMPLETION OF REMEDIAL
) ACTIONS UNDER A VOLUNTARY
) RESPONSE ACTION PLAN
)

4. A Declaration of Environmental Covenants, as defined in 38 M.R.S.A. § 3001 et seq., that is consistent with this Certificate and acceptable to the Department must be prepared and recorded at the Cumberland County Registry of Deeds. A copy of the recorded document must be supplied to the Department.

DONE AND DATED AT AUGUSTA, MAINE, THIS 30TH DAY OF AUGUST 2010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

By:


Mark Hyland, Director
Bureau of Remediation & Waste Management

STATE OF MAINE
KENNEBEC, ss.,

August 30th, 2010

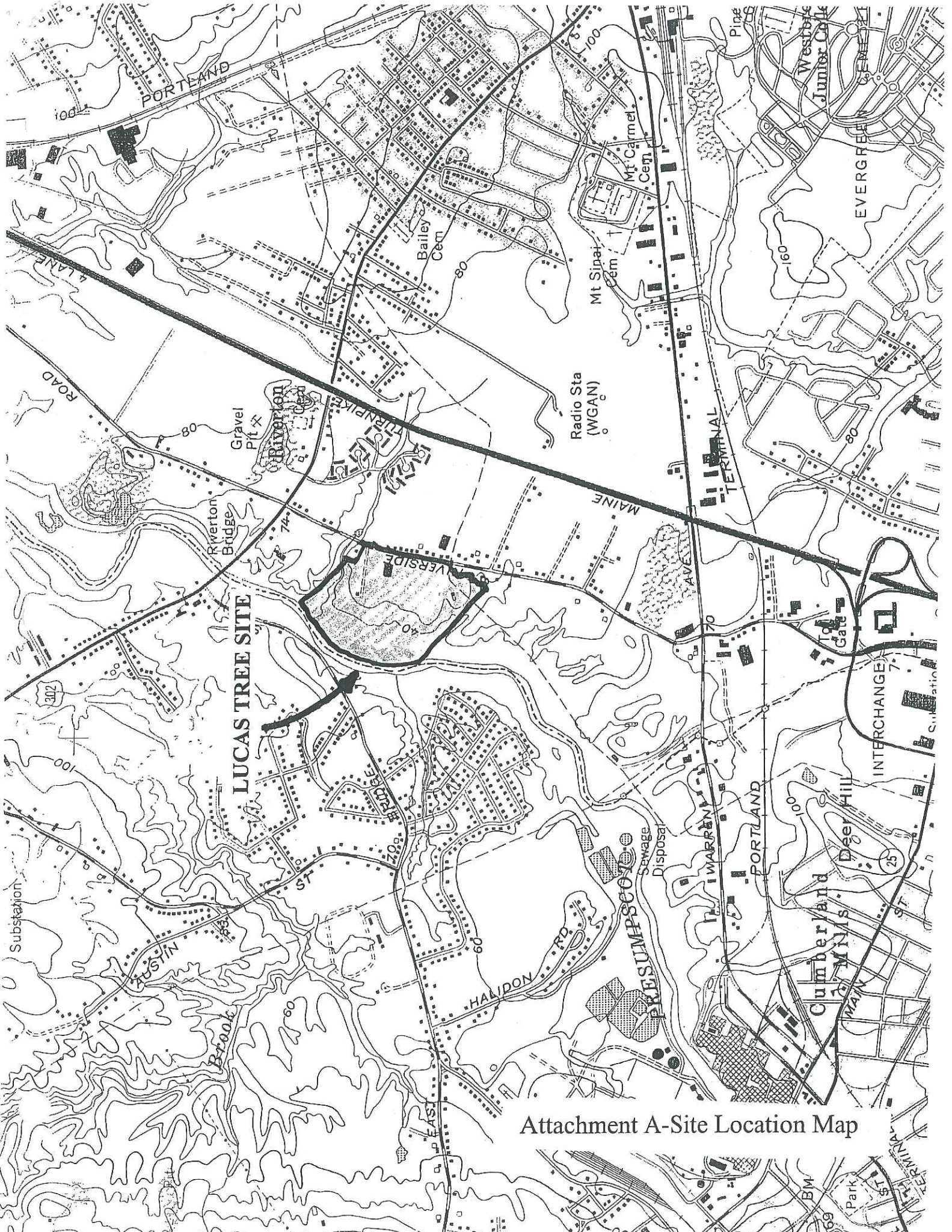
Then personally appeared the above-named Mark Hyland, Director, Bureau of Remediation & Waste Management of the Maine Department of Environmental Protection and duly authorized delegatee for the Commissioner, and acknowledged the foregoing instrument to be his free act and deed, and the free act and deed of the Department of Environmental Protection.

Before me,


Notary Public

Laura L. Gay
(Print Name)

This order was prepared by Nicholas J. Hodgkins, Bureau of Remediation & Waste Management.



Attachment A-Site Location Map



To: Jon Jennings, City Manager
From: Rob Parritt, Consultant
Ref: Maine Shelter Inventory Chart Details
11/21/2018

Maine Shelter Inventory Chart Details

City staff were tasked by the Council to create an inventory list of emergency shelters in the state of Maine and provide information regarding location, funding, size, restrictions, and clients served. The attached backup documentation will illustrate that there are 45 emergency homeless shelters in the state of Maine. They are found from Presque Isle in the North to Alfred in the South. This memo will provide greater detail into the meaning of each category found on the chart.

Location – This category specifically states which town or City each emergency shelter is located in. For some domestic violence shelters, the exact location is kept confidential for safety purposes so the county the program is found in is listed instead. Most shelters are found in the more urban areas of Maine (Portland, Bangor, Augusta, Lewiston) however, there are providers in rural settings serving much less densely populated areas of Maine.

Funding Sources – Emergency Shelters in Maine are split into two categories when it comes to funding. Those who receive federal dollars (dispersed by MaineHousing) and those who do not. On the attached detail worksheet you will see that the shaded shelters appearing on the bottom of the chart do not receive any federal dollars so they rely on private funding sources. These shelters tend to be more faith based and require specific religious activities to be served. These types of requirements are prohibited if you are a shelter receiving MaineHousing Emergency Shelter Homeless Assistance Program (ESHAP) dollars as the funding source for this program is largely federal Emergency Solutions Grant (ESG) dollars from HUD. For shelters who receive ESHAP dollars, there is an application process each year and strict monitoring to ensure grant compliance. The ESHAP funding formula is based on meeting performance benchmarks and a bed night percentage reimbursement formula. ESHAP funded shelters also generally use other sources to make ends meet. General Assistance, Targeted Case Management, private fundraising and program specific grants are also commonly utilized to fund different shelter programs. Some specialty shelters have access to program specific funding opportunities and grants based on program type and licensing. While this list is fairly comprehensive, there are many small funding streams and donation programs that aren't listed or known to us.

Restrictions – The vast majority of shelters in Maine have some kind of restriction or criteria that screens out certain populations. All but a handful of shelters in Maine will not admit people if they are under the influence. Family shelter programs will not accept single adults. Teen programs can only serve specific age groups. Obviously to access a domestic violence shelter, you must be fleeing domestic violence or meet other eligibility criteria. Shelters who only serve men or women will not admit the opposite sex.

Population Served – In Maine, shelters serve a variety of different populations. General population shelters serve both singles and families. Domestic Violence Shelters serve people fleeing from domestic violence situations. Family shelters serve only households made up of at least one adult and children. Single adult shelters serve men and women who are 18 years old or older. Youth providers generally serve homeless and runaway youth aged 13-21. There are a few shelters around the state who even more specific target populations. For example, one shelter will only serve pregnant women.

Size/Capacity – These numbers were pulled directly from the latest Housing Inventory Chart which is a HUD document that each program must submit each year as part of the Point in Time Count. There is a range of shelter sizes in Maine ranging from the largest here in Portland to shelters with barely ten beds.

Shelter Name	Location	Funding Source/s	Restrictions	Population Served	Size	
Bangor Area Homeless Shelter, Emergency Shelter	Bangor	ESHAP, Private Funding, Grants, TCM	Sober Only	General	43	ESHAP - Emergency Shelter Homeless Assistance Program TCM - MaineCare Targeted Case Management GA - General Assistance C0-Op - Communal farming/goods agreement OSA - Office of Substance Abuse CDBG - Community Development Block Grant RHY - Runaway and Homeless Youth Act FQHC - Federally Qulaified Health Center Private Funding - Fundraising/donations Grants - Various grants which may be specific to programs or client type
Bread of Life Ministries, Emergency Shelter	Augusta	ESHAP, Private Funding, Grants, TCM	Sober Only	General	38	
Caring Unlimited DV Shelter - Audrey's House	York County	ESHAP, Private Funding, Grants, TCM	Sober Only, Fleeing DV	DV	18	
City of Portland, Family Shelter (4 Buildings)	Portland	ESHAP, GA, Grants, TCM	Sober Only	Families	151	
City of Portand, Oxford Street Shelter	Portland	ESHAP, GA, Grants, TCM, CDBG	None	Single Adults	229	
Families And Children Together	Bangor	ESHAP, Private Funding, Grants	Sober Only	Families	8?	
Through These Doors	Portland	ESHAP, Private Funding, Grants, GA, TCM	Sober Only, Fleeing DV	DV	16	
Family Violence Project, Kennebec DV Shelter	Kennebec & Somerset Counties	ESHAP, Private Funding, Grants, TCM	Sober Only, Fleeing DV	DV	16	
Family Violence Project, Somerset DV Shelter	Kennebec & Somerset Counties	ESHAP, Private Funding, Grants	Sober Only, Fleeing DV	DV	14	
HOME, Inc., Emmaus Homeless Shelter	Ellsworth	ESHAP, Private Funding, Co-Op, Grants	Sober Only	General	25	
HOME, Inc., Sister Marie Ahern House	Ellsworth	ESHAP, Private Funding, Co-Op, Grants	Sober Only	General	12	
HOME, Inc., St Francis Inn	East Orland	ESHAP, Private Funding, Co-Op, Grants	Sober Only	General	11	
HOME, Inc., Dorr House Shelter	Orland	ESHAP, Private Funding, Co-Op, Grants	Sober Ony	General	7	
Homeless Services of Aroostook, Sister Mary O'Donnell Shelter	Presque Isle	ESHAP, TCM, Private Funding, Grants	Sober Only	General	49	
Hope and Justice Project, Houlton DV Shelter	Houlton	ESHAP, Private Funding, Grants	Sober Only, Fleeing DV	DV	14	
Hope and Justice Project, Caribou DV Shelter	Caribou	ESHAP, Private Funding, Grants, TCM	Sober Only, Fleeing DV	DV	12	
Hope and Justice Project, Fort Kent DV Shelter (St John Valley)	Fort Kent	ESHAP, Private Funding, Grants	Sober Only, Fleeing DV	DV	8	
Knox County Homeless Coalition, Hospitality House	Rockport	ESHAP, Private Funding, Grants, TCM	Sober Only	General	26	
Mid-Maine Homeless Shelter	Augusta	ESHAP, Private Funding, Grants, TCM, GA	Sober Only	General	65	
Milestone Recovery, Emergency Shelter	Portland	ESHAP, Private Funding, MaineCare, OSA, GA, CDBG	Must be intoxicated	Single Men	41	
New Beginnings, Emergency Shelter	Lewiston	ESHAP, RHY, Private Funding	Youth only services	Teens	12	
Next Step, DV Shelter	Ellsworth	ESHAP, Private Funding, Grants, TCM	Sober Only, Fleeing DV	DV	12	
Partners for Peace, DV Shelter	Bangor	ESHAP, Private Funding, Grants	Sober Only, Fleeing DV	DV	17	
Penobscot Community Health Center, Hope House Shelter	Bangor	ESHAP, TCM, GA, Private Funding, FQHC, OSA. Grants	Campus Limitations	Single Adults	76	
Preble Street, Joe Kreisler Teen Shelter	Portland	ESHAP, RHY, Private Funding, GA	Teens only, shelter cap	Teens	24	
Preble Street, Florence House Women's Shelter	Portland	ESHAP, TCM, GA, Private Funding, Grants	Only serves women, shelter cap	Women	25	
Rural Community Action Ministries, Family Shelter	Leeds	ESHAP, TCM, GA, Private Funding, Grants	Sober Only	Families	10	
Rumford Group Homes, Norway Homeless Shelter	Norway	ESHAP, TCM, GA, Private Funding, Grants	Sober Only	Women & Children	15	
Rumford Group Homes, Rumford Family Center Shelter	Rumford	ESHAP, TCM, GA, Private Funding, Grants	Sober Only	Families	17	
Rumford Group Homes, Monier Family Center	Rumford	ESHAP, TCM, GA, Private Funding, Grants	Sober Only	General	14	
Safe Voices, Annie Pearl Shelter	Auburn	ESHAP, Private Funding, Grants	Sober Only, Fleeing DV	DV	17	

Shaw House Emergency Youth Shelter	Bangor	ESHAP, RHY, Private Funding, GA	Teens only, shelter cap	Youth		16
Tedford Housing, Federal St. Family Shelter	Brunswick	ESHAP, TCM, Private Funding, Grants	Sober Only	Families		29
Tedford Housing, Cumberland St. Adult Shelter	Brunswick	ESHAP, TCM, Private Funding, Grants	Sober Only	General		16
Western Maine Homeless Outreach	Farmington	ESHAP, TCM, Private Funding, Grants	Sober Only	Families		16
York County Shelter Programs, Inc., Adult Emergency Shelter	Alfred	ESHAP, TCM, Private Funding, Grants	Sober Only	Single Adults		37
York County Shelter Programs, Inc., Family Emergency Shelter	Alfred	ESHAP, TCM, Private Funding, Grants	Sober Only	Families		18
Hope Haven Gospel Mission	Lewiston	Privately Funded	Sober Only, Religious	General		32
Saint Martin de Porres Residence	Lewiston	Privately Funded	Sober Only, Religious	Single Adults		10
Maliseet DV and Sexual Assault Program	Houlton	Privately Funded	Sober Only, Fleeing DV	DV		10
New Hope for Women	Rockland	Privately Funded	Sober Only, Fleeing DV	DV	?	
The Shephard Godparent Home	Bangor	Privately Funded	Sober Only, Religious	Pregant Women	?	
New Hope Shelter	Solon	Privately Funded	Sober Only, Religious	Women		20
Trinity Shelter	Skowhegan	Privately Funded	Sober Only, Religious	Single Men		85
Passamuoquoddy Peaceful Relations	Pleasant Point	Privately Funded	Sober Only, Fleeing DV	DV	?	

*The City of Portland operates the only municipal run shelters which are the only shelters to run multiple overflow sites. All other on attached are either privately operated non-profits or religious organizations with boards of directors.

Service Provider Information Sheet

Service Provider: Preble Street

Point Person: Fiona Mason

Services List: Targeted outreach, engagement and case management services for clients who are homeless and who meet program requirements for Veterans Housing Services, Anti-Trafficking Services and the Medication Assisted Recovery Program (MARF) within Health Services.

Target Demographic:

- Veterans
- Survivors of Human Trafficking that meet the federal definition of Human Trafficking
- Uninsured and high risk individuals with Substance Use Disorder that are participants in the Medication Assisted Recovery Program (MARF)
- Youth age 18 through 20

Days /Hours: TBD

Space /Office requirements: TBD

What else is needed?

All the of the services outlined are provided through and dependent on grant funding. Historically, funding and needs have changed over time which results in fluctuating service delivery. For example, we apply for and have received awards annually for our Veterans Housing Services program through the federal Specialized Services for Veterans and Families (SSVF) program. After receiving the award for this next grant period starting October 1, 2018, we were notified they may be reducing all SSVF grants for the next grant period. This reduction in funding will result in reduced service delivery.

Anti-Trafficking Services (ATS) is also dependent on federal funds. The current award cycle was for a three-year period and we anticipate receiving funds for another grant period starting 10/1/18. Our ATS team has fluctuated within and across grant funding cycle based on several factors; these changes in team configuration and number of caseworkers affect our ability to provide services.

The Health Services intensive case management services offered to MARF clients is also dependent on grant funding. We are currently participating in the MARF pilot project which ends in March 2019. We are hopeful there will be an opportunity to apply for another grant period through a subcontract with Greater Portland Health however we have no definitive information at this time.

Teen Services provides day services, case management and overnight shelter to youth age 12-20. We do not allow youth age 18-20 to access services at our Resource Center and instead encourage them to access services through our Teen Services. This aids in their ability to seek age and developmentally appropriate services that supports them in moving from homelessness to housing stability. Currently Teen Services works collaboratively with Oxford Street Shelter to encourage 18-20-year-old youth to access services through Teen Services. We would like to continue this practice with the new Homeless Services Center going forward.

Expected Outcomes: Access to specialized services as able.



Adam Harr <ash@portlandmaine.gov>

Fwd: [External Sender]Spurwink Further Location Feedback

1 message

Aaron Geyer <aeg@portlandmaine.gov>
To: "Harr, Adam" <ash@portlandmaine.gov>

Mon, Mar 11, 2019 at 4:30 PM

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

From: **Ben Strick** <bstrick@spurwink.org>
Date: Thu, Mar 7, 2019 at 7:11 PM
Subject: RE: [External Sender]Spurwink Further Location Feedback
To: Sara Fleurant <skf@portlandmaine.gov>
Cc: Aaron Geyer <aeg@portlandmaine.gov>

Hi Sarah,

My apologies for the delayed reply. We will work with the city to deliver services wherever the new shelter is located. With that said, County Way or Angelo's Acre would be markedly better for us. Having the shelter located within walking distance of Spurwink Adult Behavioral Health would make it much easier to collaborate and help coordinate care. I think this will be especially true for our MAT program. One of the strengths of our program will be the ability to directly administer medication on a daily basis if needed. While our substance abuse counselors can meet with clients anywhere, it will be hard for the program to routinely administer Suboxone outside of an secure office setting. The closer we can be to the shelter the easier it will be for clients to successfully engage in treatment. I suspect a daily bus ride to/from Riverside Industrial Parkway would create a significant barrier for many individuals.

Please let me know if there is anything else we can do to help.

Thanks so much,

---Ben

BENJAMIN STRICK, LCSW**Director of Adult Behavioral Health**

207.871.1200 x 2149 | 207.615.2146 (c) | 207.871.1232 (f)

901 Washington Ave, Suite 100

Portland, Maine 04103

www.spurwink.org

From: Sara Fleurant <skf@portlandmaine.gov>
Sent: Wednesday, February 27, 2019 5:06 PM
To: Ben Strick <bstrick@spurwink.org>
Cc: Aaron Geyer <aeg@portlandmaine.gov>
Subject: [External Sender]Spurwink Further Location Feedback

Hi Ben,

We wanted to reach out and thank each of you for recently providing feedback on our site location surveys. As you may be aware coming out of last night's Health and Human Service Committee Meeting the site list was reduced to three locations. We have been asked to produce a deeper dive on these three locations and a large part of that is receiving more feedback from our valued community partners. We are asking you to provide any comments or feedback on the attached document, including any onsite or outreach services you think you may be able to provide at any of the locations. We understand at this time these are projections and not actual services to be delivered. We again want to thank so many of you who said they would partner with the City no matter where the new services center will eventually go. We are hoping to have these returned by next Friday so that this data can be compiled for the council.

Please feel free to contact either Aaron or myself with any questions.

Thank you,

Sara

--

Sara Fleurant
Assistant Director of Housing Services

Oxford Street Shelter

207-482-5224

fax- 207-761-0536

skf@portlandmaine.gov

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--

Aaron Geyer
City of Portland

Health & Human Services Department

[196 Lancaster Street](#)

[Portland, ME 04101](#)

(207) 482-5131

aeg@portlandmaine.gov

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Adam Harr <ash@portlandmaine.gov>

Fwd: Amistad Further Location Feedback

2 messages

Aaron Geyer <aeg@portlandmaine.gov>
To: "Harr, Adam" <ash@portlandmaine.gov>

Thu, Mar 7, 2019 at 4:38 PM

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

From: **Sara Fleurant** <skf@portlandmaine.gov>
Date: Thu, Feb 28, 2019 at 4:09 PM
Subject: Fwd: Amistad Further Location Feedback
To: Aaron Geyer <aeg@portlandmaine.gov>

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

From: **Brian Townsend** <briant@amistadinc.com>
Date: Thu, Feb 28, 2019 at 12:44 PM
Subject: RE: Amistad Further Location Feedback
To: Meredith Pesce <meredithp@amistadinc.com>, Sara Fleurant <skf@portlandmaine.gov>

Hi Sara,

Amistad would be able and willing to provide services onsite and through outreach at any of the three identified options.

Our feedback on the three site options:

With the disclaimer that no site can be perfect, we are inclined to see the County Way location as the best of the three. The most significant positive is the location relative to other services and resources. We do not have the same broad negative feelings about the proximity to the jail that some others seem to have. We agree that the optics aren't great, but we suspect that the people who will have the strongest negative reaction to those optics are not the actual people who will be seeking emergency shelter and services there. The jail does not have negative socio-environmental factors along its periphery, so any downside about being next door is conceptual. If Amistad were looking to purchase land and build a program somewhere, and prioritized accessibility (as we do) above most factors, we would absolutely consider this lot.

Angelo's Acre may have some positive aspects, but our immediate reaction has to do with safety, given the nearness of the harbor. Our community has had enough tragedy associated with accidental drownings; it is hard to overlook this when considering that spot. It also seems like a spot that would be exposed to significant wind and cold, in addition to the noise of the bridge, and we wonder about these factors as being additional existence burdens on the people seeking shelter and support there.

The third option, on Riverside, feels like the least optimal due to its distance from the service center. If all three options were similarly distant, it might hold up by comparison with some other options, but, as one example, it would seem less viable as an option than the previously proposed Barron Center location.

If you would like us to flesh out any of these responses or offer thoughts on specific questions, please let us know!

Brian

From: Meredith Pesce
Sent: Wednesday, February 27, 2019 5:45 PM
To: Sara Fleurant <skf@portlandmaine.gov>; Brian Townsend <briant@amistadinc.com>
Subject: Re: Amistad Further Location Feedback

Thanks Sara, we'll dig into this and send it back over soon.

Meredith Pesce
Associate Director
Amistad
[66 State Street](#)
[Portland, Me 04101](#)

207-241-9141

From: Sara Fleurant <skf@portlandmaine.gov>
Sent: Wednesday, February 27, 2019 4:55 PM
To: Brian Townsend; Meredith Pesce
Subject: Amistad Further Location Feedback

Hi Brian and Meredith,

We wanted to reach out and thank each of you for recently providing feedback on our site location surveys. As you may be aware coming out of last night's Health and Human Service Committee Meeting the site list was reduced to three locations. We have been asked to produce a deeper dive on these three locations and a large part of that is receiving more feedback from our valued community partners. We are asking you to provide any comments or feedback on the attached document, including any onsite or outreach services you think you may be able to provide at any of the locations. We understand at this time these are projections and not actual services to be delivered. We again want to thank so many of you who said they would partner with the City no matter where the new services center will eventually go. We are hoping to have these returned by next Friday so that this data can be compiled for the council.

Please feel free to contact either Aaron or myself with any questions.

Thank you,

Sara

--

Sara Fleurant
Assistant Director of Housing Services

Oxford Street Shelter

207-482-5224

fax- 207-761-0536

skf@portlandmaine.gov

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--

Sara Fleurant
Assistant Director of Housing Services

Oxford Street Shelter

207-482-5224

fax- 207-761-0536

skf@portlandmaine.gov

--

Aaron Geyer
City of Portland
Health & Human Services Department

[196 Lancaster Street](#)

[Portland, ME 04101](#)

(207) 482-5131

aeg@portlandmaine.gov

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Aaron Geyer <aeg@portlandmaine.gov>
To: "Harr, Adam" <ash@portlandmaine.gov>

Mon, Mar 11, 2019 at 4:31 PM

[Quoted text hidden]



Adam Harr <ash@portlandmaine.gov>

Fwd: PPD Further Location Feedback

1 message

Aaron Geyer <aeg@portlandmaine.gov>
To: "Harr, Adam" <ash@portlandmaine.gov>

Mon, Mar 11, 2019 at 4:32 PM

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

From: **Vernon Malloch** <vwm@portlandmaine.gov>
Date: Mon, Mar 4, 2019 at 12:35 PM
Subject: Re: PPD Further Location Feedback
To: Sara Fleurant <skf@portlandmaine.gov>
Cc: Aaron Geyer <aeg@portlandmaine.gov>

Hello Sara

The police department will provide all the same services indicated during the review of the Barron Center Site. I believe you have that information on file. If you cannot locate it I will search my old e-mails.

Specific to one site listed here I do have concerns about Angelo's Acre. It's proximity to the working waterfront is a public safety concern. Historically we have seen drowning deaths of homeless people and those who are impaired by alcohol or drugs. The department has worked hard over the years to partner with other providers to significantly reduce this occurrence. Locating a shelter so close to the waterfront has the potential to place an already at risk group in even more danger.

Thanks for soliciting feedback and please let me know if you need any other information.

Best, Vern

On Wed, Feb 27, 2019 at 5:03 PM Sara Fleurant <skf@portlandmaine.gov> wrote:

Hi Chief,

Hope all is well! We wanted to reach out and thank each of you for recently providing feedback on our site location surveys. As you may be aware coming out of last night's Health and Human Service Committee Meeting the site list was reduced to three locations. We have been asked to produce a deeper dive on these three locations and a large part of that is receiving more feedback from our valued community partners. We are asking you to provide any comments or feedback on the attached document, including any onsite or outreach services you think you may be able to provide at any of the locations. We understand at this time these are projections and not actual services to be delivered. We again want to thank so many of you who said they would partner with the City no matter where the new services center will eventually go. We are hoping to have these returned by next Friday so that this data can be compiled for the council.

Please feel free to contact either Aaron or myself with any questions.

Thank you,
Sara

--

Sara Fleurant
Assistant Director of Housing Services
Oxford Street Shelter
207-482-5224
fax- 207-761-0536
skf@portlandmaine.gov

--

Vern Malloch

Interim Chief
Portland Maine Police Department
[109 Middle Street](#)
[Portland, ME 04101](#)
207-874-8600
email: vwm@portlandmaine.gov
Our Core Values
Leadership - Integrity - Service

--

Aaron Geyer
City of Portland
Health & Human Services Department
[196 Lancaster Street](#)
[Portland, ME 04101](#)
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***Homeless Voices for Justice Comment on Three Potential Sites for the Homeless Services Center
March 15, 2019***



To esteemed Councilors of the Health and Human Services Subcommittee:

Homeless Voices for Justice appreciates the opportunity to provide feedback to the HHS Committee on this step of the relocation process.

Based on community outreaches and careful analysis, Homeless Voices for Justice's main points of concern remain: accessibility, eligibility and bed numbers, and community inclusion.

We do have specific feedback on the three sites in particular, and then other points to consider:

Riverside Industrial Park

HVJ is concerned about the accessibility of Riverside Industrial Park as a location for a new Homeless Services Center. The area is somewhere between a four and six mile walk away from the current Oxford Street Location. While there has been much welcome discussion about proximity to METRO, we hope the public and the City understands the accessibility challenges posed by placing a shelter so far away from current services. Many people staying at shelters in Portland have persistent medical conditions that make it impossible to walk much of a distance. Many lack storage space and have to carry bags and belongings around. And many people are in wheelchairs, use walkers, or canes. Complicating this is the fact that few can afford bus passes, and free bus passes supplied by some service providers are incredibly hard to come by. One of the most frequently sought resources by those who are homeless are monthly passes.

When the State moved its DHHS building from Bayside to South Portland, many people who needed support lost services, or the opportunity to more frequently access services, because of the distance created. At the time of that move, HVJ advocated against it for accessibility reasons. Other concerns about this location include sidewalk accessibility and whether there are food stores close by. In addition to services, many people access employment through agencies such as Labor Ready, which involves lining up early in the morning. The distance created by placing the shelter at Riverside, combined with bus schedules, would make it much harder, if not impossible, for many people staying in the shelter to access employment.

County Way

HVJ is concerned about locating a new Homeless Services Center near the County Jail. While the location is closer to many current services than Riverside is, we fear that placing a shelter near the jail will increase the stigma, discrimination, violence and criminalization that people experiencing homelessness already face. Specifically, we are concerned about the association

implicitly made by locating a Homeless Service Center next to a jail. People who are homeless often struggle with barriers that result from disproportionate enforcement of certain laws, such as loitering or trespassing laws to name just two. Our research and experience as those who have been, or are, homeless shows us that the stigma and criminalization of those who are homeless makes basic life-sustaining activities much more difficult. People who are homeless do not have the privacy of a home to conduct their lives. They are disproportionately asked to “move along” in public space; their activities are more frequently and heavily scrutinized by the public and governing institutions. We believe the close proximity to the County Jail may increase these barriers rather than strive to resolve them. We strongly encourage the Health and Human Services Subcommittee to discuss this aspect of the location.

Angelo’s Acre

Of all three potential sites, Angelo’s Acre is the closest to many available services on the peninsula for those who are homeless. By staying on the peninsula, it is not far from the current shelter and a number of service providers and resources that people who are homeless access in downtown Portland. That said, HVJ does recognize other accessibility aspects that make this site challenging. Namely, the fact that it is quite close to water, a frequently busy street and bridge ramp, and the Port Authority.

Other Points to Consider

First, HVJ encourages the HHS Committee to carefully consider the question of residential zones, which has created much discussion among the councilors. A new Homeless Services Center in any location will no doubt be located close to, or in, a given neighborhood, and we would encourage the councilors to consider that guests at the new Center will be neighbors and residents, the same as anyone else. These guests should not be tucked away, out of sight, due to concern that their presence would pose a challenge to their neighbors. To include and integrate people who are homeless in Portland is one way in which our city can better address the need for shelter services, which has become more severe over the years as other shelters have closed down. To this end, we have heard over and over again from our community a concern and strong appeal for people experiencing homelessness to not be hidden. We recognize the City’s emphasis on *not intending* to hide the homeless. However, we believe that in considering whether current residential zones are appropriate, consideration must be given to how Portland, as a community, cares for its most disenfranchised, oppressed, and stigmatized residents.

Secondly, we are concerned about the prospect of opening up a 150 bed facility while the current shelter chronically exceeds its capacity of 154 people, resulting in the use of overflow and sometimes triple overflow on a nightly basis. In December of 2018, 537 people were served by homeless shelters in Portland. Based on current trends, HVJ does not believe the predictions for reduced numbers are realistic. We are encouraging the Councilors to afford for space and capacity such that the new Homeless Services Center does not need overflow in the first place.

Connected to this is the question of guest eligibility and policies governing the new Homeless Services Center. To us, it is crucial that the City keeps to its long-standing commitment to provide emergency shelter services to anyone who needs it and that the policies governing the new Homeless Service Center are the least restrictive they can possibly be, to ensure that the City's goals for rapidly connecting people to resources and housing can be met.

Third, the HHS Committee has moved recently to narrow down sites from 11 to 3. While we welcome the sense of urgency to address the life-threatening problem of homelessness in Portland, we will continue to encourage the HHS committee to work more systematically on including the input of those who are homeless as this process moves forward. Homeless Voices for Justice seeks to empower those who live in poverty and homeless – people whose perspectives are often absent from the development of policies and programs that directly impact their social and economic well-being. To this end, we are working in conjunction with City Management on convening a community forum for people who are homeless so their input can be heard. While those plans continue to move forward, we advise that the City take steps to ensure that the pace of the relocation process does not move so fast as to exclude the concerns and feedback of the community they seek to help.

As our most relied upon partners, we appreciate your feedback on the following potential locations for a Homeless Services Center. Please indicate any onsite services you may be able to provide. Thank you!

Riverside Industrial Park:

Goodwill's Workforce programs can provide onsite services to homeless individuals at this location if there are significant barriers to clients accessing services at our primary local program office, 190 Lancaster Street.

This includes access to:

- Job Connection programming
- Workforce Innovation and Opportunity Act (WIOA) Youth, Adult and Dislocated Worker programming through Workforce Solutions, and
- Employment Services (job coaching and/or job development through Vocational Rehabilitation)

County Way:

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- Workforce Innovation and Opportunity Act (WIOA) Youth, Adult and Dislocated Worker programming through Workforce Solutions, and
- Employment Services (job coaching and/or job development through Vocational Rehabilitation)

Agency: Goodwill Northern New England

Representative: Dave Wurm, Senior Director, Workforce Services

As our most relied upon partners, we appreciate your feedback on the following potential locations for a Homeless Services Center. Please indicate any onsite services you may be able to provide. Thank you!

In considering these locations, the Library evaluates how we could provide service through our existing locations and how we could add a site onto our outreach agenda. We recognize that the Library's collections are helpful as research tools as well as much-needed entertainment for people experiencing homelessness, and that library spaces are welcoming and safe which can be reassuring and provide a positive sense of community for someone experiencing disruption and anxiety due to homelessness. Of the Library's locations, the Main Library on Monument Square is best equipped to provide the variety of information resources, the technology tools, security staffing, and seating to accommodate.

Riverside Industrial Park:

Being the location farthest from any of our branches, especially the Main Library, this location would be most challenging to provide our strongest service. Based on current models and funding, we would anticipate providing bookmobile or pop-up service once per week, and the possibility of providing donated collections for free use (similar to Florence House). It seems critical that the location be on a bus line.

County Way:

The proximity to the peninsula and both major hospitals, as well as to the Police Headquarters (if it moved there), add value to this location. As stated above, the Library can provide our best service through our Main Library location, and this would still require a bus or a solid walk from County Way. As with any location chosen, the Library would provide outreach and pop-up service to the extent we can as described above.

Angelo's Acre:

This is geographically nearest to the Main Library and is, therefore, the most beneficial site for access to full Library services. As with any location chosen, the Library would provide outreach and pop-up service to the extent we can as described above.

Agency: Portland Public Library

Representative: Sarah Campbell

Service Provider Information Sheet

Service Provider: Preble Street

Point Person: Fiona Mason

Services List: Targeted outreach, engagement and case management services for clients who are homeless and who meet program requirements for Veterans Housing Services, Anti-Trafficking Services and the Medication Assisted Recovery Program (MARF) within Health Services.

Target Demographic:

- Veterans
- Survivors of Human Trafficking that meet the federal definition of Human Trafficking
- Uninsured and high risk individuals with Substance Use Disorder that are participants in the Medication Assisted Recovery Program (MARF)
- Youth age 18 through 20

Days /Hours: TBD

Space /Office requirements: TBD

What else is needed?

All the of the services outlined are provided through and dependent on grant funding. Historically, funding and needs have changed over time which results in fluctuating service delivery. For example, we apply for and have received awards annually for our Veterans Housing Services program through the federal Specialized Services for Veterans and Families (SSVF) program. After receiving the award for this next grant period starting October 1, 2018, we were notified they may be reducing all SSVF grants for the next grant period. This reduction in funding will result in reduced service delivery.

Anti-Trafficking Services (ATS) is also dependent on federal funds. The current award cycle was for a three-year period and we anticipate receiving funds for another grant period starting 10/1/18. Our ATS team has fluctuated within and across grant funding cycle based on several factors; these changes in team configuration and number of caseworkers affect our ability to provide services.

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Expected Outcomes: Access to specialized services as able.

March 6, 2019 - Shelter Locations Questionnaire

As our most relied upon partners, we appreciate your feedback on the following potential locations for a Homeless Services Center. Please indicate any onsite services you may be able to provide. Thank you!

Riverside Industrial Park: *DEFINITE NO* Yes/No/ Maybe ?

Pluses

- Receptivity by residential and business neighbors- likely somewhat low opposition

Minuses

- Public visibility- hiding homeless guests on outskirts of town...
- Access to other services and amenities – too remote; not within walking distance to much of anything...; longish bus ride
- Neighborhood- industrial
- Transportation- where's the nearest bus stop?

County Way *NOT A PREFERRED SITE* Yes/No/Maybe ?

Pluses

- Transportation- near bus lines
- Access to other services and amenities – within walking distance or short bus ride

Minuses

- Receptivity by residential and business neighbors- likely high opposition, by businesses who might not see a Homeless Services Center as good for business and by residential neighbors
- Public visibility- hiding homeless guests from public view
- Neighborhood- industrial feel; next to jail, may be seen by some as equating homelessness with criminality

Angelo's Acre *PREFERRED SITE* Yes/No/ Maybe ?

Pluses

- Public visibility- definitely not hiding homeless guests
- Transportation- near bus lines
- Access to other services and amenities – within walking distance or short bus ride

Minuses

- Receptivity by residential and business neighbors- likely opposition by both; may be manageable though...

Shalom remains committed to providing mental health case management to support mutual clients in need of such services wherever they are, including the new Homeless Services Center. The new configuration will make it easier to meet with shelter guests at the Center. In addition, Shalom will continue to meet with guests to assess eligibility for Section 17 adult mental health case management and/or eligibility for Shalom group homes or Community Rehabilitation Services.

Shalom staff will also continue to award as many eligible shelter guests as program resources allow with one of the rental subsidies we administer so that guests can better afford available housing in the area. We will also set up mutually agreeable times to meet with guests in need of rental vouchers and schedule regular weekly hours at the new Homeless Services Center to answer questions / assist guests and their housing counselors with rental assistance applications.

Agency: Shalom House, Inc.

Representative: Norm Maze, Deputy Director

As our most relied upon partners, we appreciate your feedback on the following potential locations for a Homeless Services Center. Please indicate any onsite services you may be able to provide. Thank you!

Riverside Industrial Park :

We are concerned that this location is too far removed from services. While the City seems committed to having a transportation plan in place, we feel that our clients benefit from being able to walk to access needed resources, services, and work. The team also has concerns that the segment of the population with significant behavioral challenges will struggle to be able to maintain access to transportation services whether it be city - provided or through the bus line.

County Way:

While the proximity to the jail is problematic optics and messaging wise, we feel that it is located close enough to town that folks will still have ease of access to essential services and its proximity to MMC is particularly positive.

Angelo's Acre:

Pros for this location include that it is centrally located and would provide ease of access to services. It is also the most publicly visible of the 3 remaining locations.

We have some concerns about clients who are under the influence wandering into traffic or down some of the wharfs in that area. It's worth noting that when people are restricted or CTO'd from the shelter some are likely to sleep rough around the city and shifting this population closer to the water could be dangerous, particularly for those who may be under the influence. There have been many instances of people who are homeless drowning in Portland and anything that puts people closer to the waterfront could be a concern.

Agency: The PATH Program at The Opportunity Alliance

Representative: Christina Cook

As our most relied upon partners, we appreciate your feedback on the following potential locations for a Homeless Services Center. Please indicate any onsite services you may be able to provide. Thank you!

Riverside Industrial Park:

This location seems too far and would seem to not help folks get the services they need, but instead might hinder them even more. SARSSM does not promote this location.

County Way: **County way is a great solution. It is close to the hospital and sticks to the bus route. It does not create any more barriers to the homeless population.**

Angelo's Acre: **Angelo's Acre is a great second choice.**

Agency: Sexual Assault Response Services of Southern Maine (SARSSM)

Representative: Whitney Adell, Program Manager of Advocate and Outreach Services

What the agency can provide:

- **On-site one on one support for folks that have been sexually harmed**
- **On-site outreach by consistently showing up on a specific day to table and create awareness about surveys**
- **Possibility of an on-site support group once outreach as been established**



Adam Harr <ash@portlandmaine.gov>

Fwd: Location feedback

1 message

Robert Parritt <rup@portlandmaine.gov>
To: Adam Harr <ash@portlandmaine.gov>

Tue, Mar 12, 2019 at 1:05 PM

Through These Doors Feedback

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

From: **Sara Fleurant** <skf@portlandmaine.gov>
Date: Fri, Mar 8, 2019 at 6:04 AM
Subject: Fwd: Location feedback
To: Robert Parritt <rup@portlandmaine.gov>

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

From: **Jennifer S** <jennys@throughthesedoors.org>
Date: Thu, Mar 7, 2019 at 3:14 PM
Subject: Location feedback
To: Sara Fleurant <skf@portlandmaine.gov>
CC: Kelley W <kellyw@throughthesedoors.org>, Rebecca H <rebeccah@throughthesedoors.org>

Hi Sara,

Thanks for reaching out to Kelley with regards to our feedback on the shelter locations being proposed and the services we could provide. We had a discussion about what our involvement could be as a whole. The location of the shelter doesn't have an impact on the services that we could provide onsite.

Given the intersection of homelessness and domestic violence, what will be needed and what we could provide is a full-time domestic violence advocate (if funding permits) located on site to provide advocacy and support to victims and survivors of domestic violence, stalking, human trafficking and dating abuse.

Let me know if you have any questions.

Thanks.
Jenny

Jenny Stasio, Director of Operations

she/her/hers

Through These Doors (*formerly Family Crisis Services*)

Office: 207-874-1196

Mobile: 207-712-8274

24-hour Helpline: 800-537-6066



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--

Sara Fleurant
Assistant Director of Housing Services
Oxford Street Shelter
207-482-5224
fax- 207-761-0536
skf@portlandmaine.gov

--

Rob Parritt
Homeless Services Consultant
City of Portland
rwp@portlandmaine.gov

As our most relied upon partners, we appreciate your feedback on the following potential locations for a Homeless Services Center. Please indicate any onsite services you may be able to provide. Thank you!

Riverside Industrial Park: Community Housing of Maine (CHOM) does not provide direct services, however we would be happy to continue our collaborative relationship with the City at any of the three potential locations for a Homeless Services Center, including the Riverside Industrial Park site.

County Way: CHOM does not provide direct services, however we would be happy to continue our collaborative relationship with the City at any of the three potential locations for a Homeless Services Center, including the County Way site.

Angelo's Acre: CHOM does not provide direct services, however we would be happy to continue our collaborative relationship with the City at any of the three potential locations for a Homeless Services Center, including the Angelo's Acre site.

Agency: Community Housing of Maine

Representative: Cullen Ryan, Executive Director

Feedback from community members experiencing homelessness, gathered from Homeless Voices for Justice outreaches and community meeting.

Homeless Voices for Justice gathered feedback from people experiencing homelessness in Portland on the three proposed sites for the city of Portland's proposed Homeless Services Center. HVJ collected 44 survey responses (combined with 88 general comments from surveys we utilized in previous community outreach) and held a community meeting in the Preble Street Resource Center with roughly 30 people, all of whom provided extremely diverse feedback and responses.



Significantly, HVJ has also spoken with a number of other community members who use the Oxford Street Shelter that opted *not* to fill out a survey, due to concerns that their voices and concerns would not be heard. This is why we feel it is important to continue working with City Management to arrange a community forum on this topic, specifically for those who are homeless and utilize shelter services in Portland.

Feedback on sites:

Riverside Industrial Zone

The majority of responses were opposed to this site for accessibility and location reasons. The frequency and price of public transportation would make moving between this location and other sites in the city very difficult or prohibitive. There was also concern from people who have to carry their belongings, have mobility challenges, and who need to access employment services/opportunities closer to the center of the city. Example of the responses not in favor of this site:

"This site would take someone without mobility issues at least two hours to get to from the center of town."

"I believe the reasons for this site are to hide the homeless community. It needs to remain fairly close and easily accessible to resources."

There were, however, some people who favored the Riverside site *because* of its distance from the rest of Portland. For example, one respondent said:

"[Riverside Industrial Site is] Choice 1. Out of town! Further away would be less stereotypes."

County Way

A sizeable number of responses from the community opposed this location due to its proximity to the Cumberland County Jail. People raised concerns about the impact of this location on increasing the stigmatization and criminalization of those who are homeless. Example of the responses not in favor of this site:

“This is not a good idea. Many homeless people have a negative association with police and the county jail.”

“They should absolutely NOT move it next to the jail... there is already a harsh stigma against the homeless and throwing us at the jail is wrong AND offensive.”

On the other hand, a sizeable number of responses from the community favored this location, noting that the location might help increase security and has close proximity to existing grocery stores, job opportunities, emergency and/or medical services, public transportation, etc.

Angelo’s Acre

Its closeness to existing, frequently utilized resources and social services in Downtown Portland (particularly the Bayside Neighborhood) was frequently referenced as a strength. In addition to facilitating access to important services, the central location was favored by some for keeping the issue of homelessness visible (as an important issue) in the city.

Responses opposed to this location were concerned about pedestrian safety, due to proximity to Commercial Street and the Casco Bay Bridge.

Overall, the responses to **Angelo’s Acre** and **County Way** were more mixed and positive as both remain closer to available resources downtown than does the Riverside site.

Other comments:

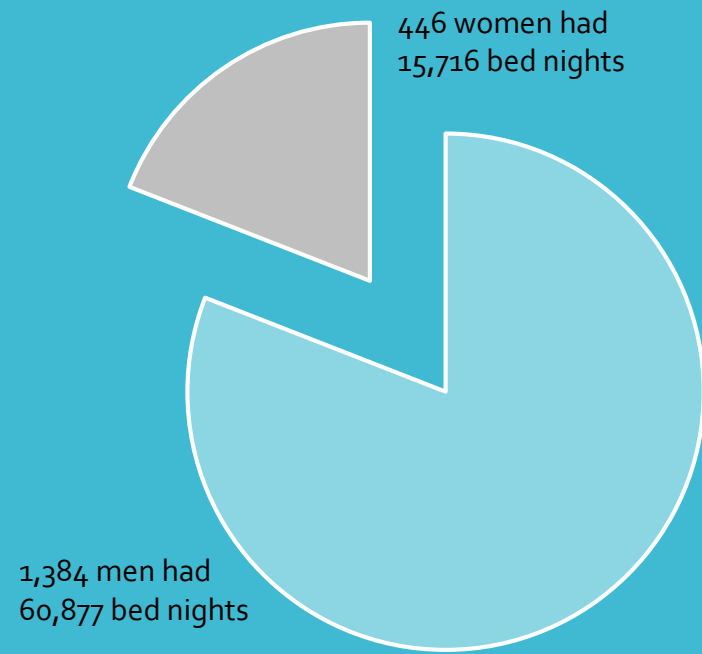
1. *What about other locations that the City has already moved on from?* The Douglass Street site came up several times. It was also clear that people who are homeless aren’t fully informed of the range of potential sites that had existed before there were three.
2. *What will happen to policies and procedures that govern the new Homeless Services Center?* Many people are concerned about policies and procedures and *who* can access services at the current shelter. Because Oxford Street Shelter cannot adequately accommodate those with high medical, disability, or related needs, those who are homeless in these categories are disproportionately affected by an outdated system. Many people are concerned whether the new Homeless Services Center will be more adequately set up to address guests with relatively higher needs, specifically medical needs.
3. *What about other resources?* People’s core concerns are around access to resources, including transportation. If the current density of resources and social services in the Bayside Area are broken up, people are concerned about how the City will help shelter guests access those vital services? Even if the new Homeless Services Center provides a number of services on-site, guests will still have to navigate the rest of the City for services and resources.
4. *How many beds?* People are concerned that 150 beds are inadequate to address the current need. People experiencing homelessness in Portland see that the current shelter is 154 beds, with frequently used overflow of 77 beds. The community is concerned how the City is going to address this need with a smaller shelter.

5. *Current conditions.* Overcrowding, pests, not feeling heard, not having adequate access to vital services such as casework, and opportunities to exit homelessness are few among the many indignities those who are homeless face in Portland on a daily basis. Often, people in the community want to discuss these conditions, what it's like from their perspective to experience them, and what needs to be different. People experiencing homelessness want to know how the new Homeless Services Center will address these issues.

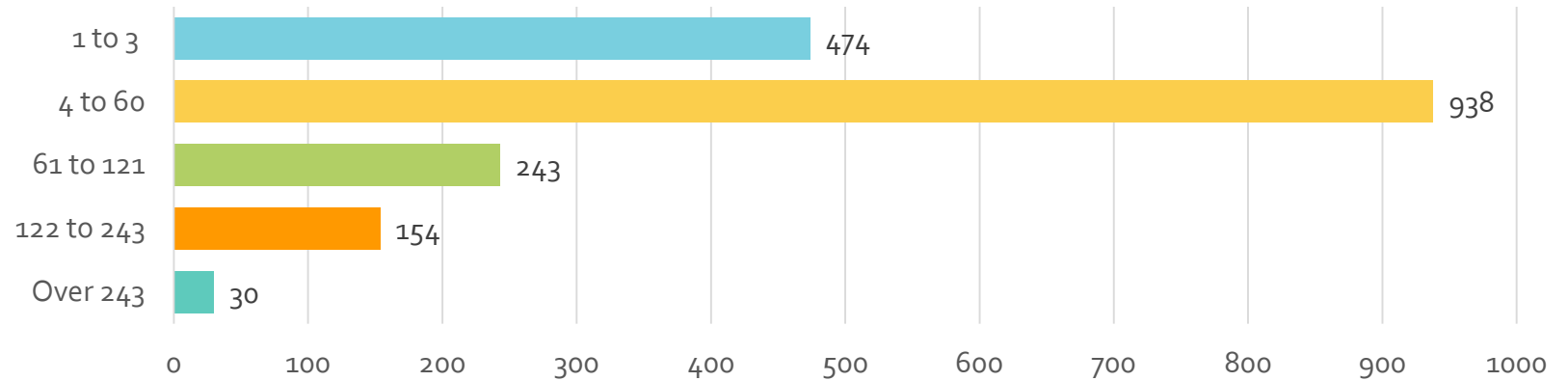
Staying at OSS

Average Monthly Bed Nights and Length of Stay Across Age and Gender at the City Operated Low-Barrier Emergency Shelter

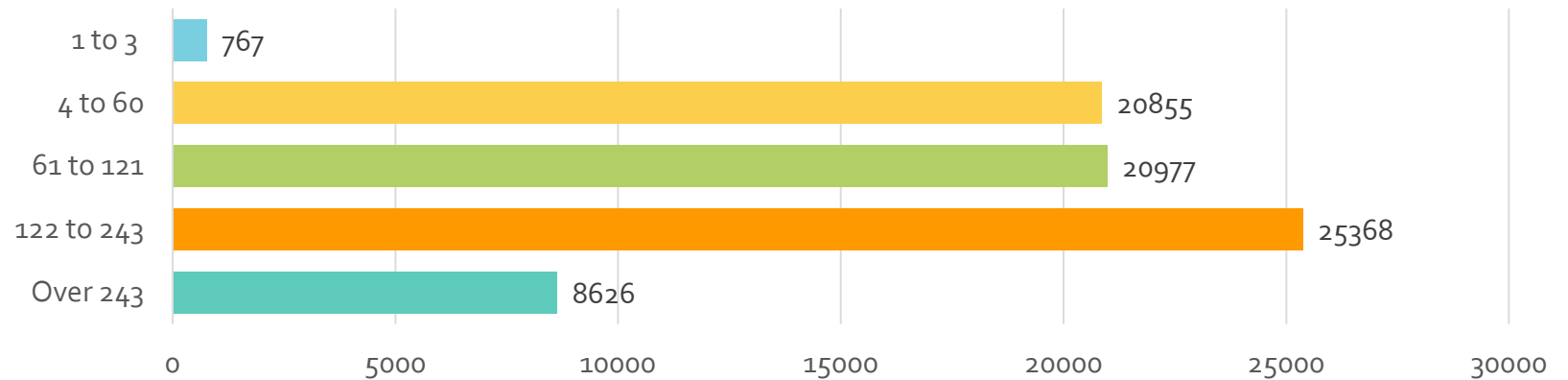
Total 2018 Bed Nights: by Gender



Shelter Stays: 1,839 Unduplicated Individuals



Total Bed Nights: 76,983



Staying at OSS

Stayed 1 to 3 nights

Stayed 4 to 60 nights

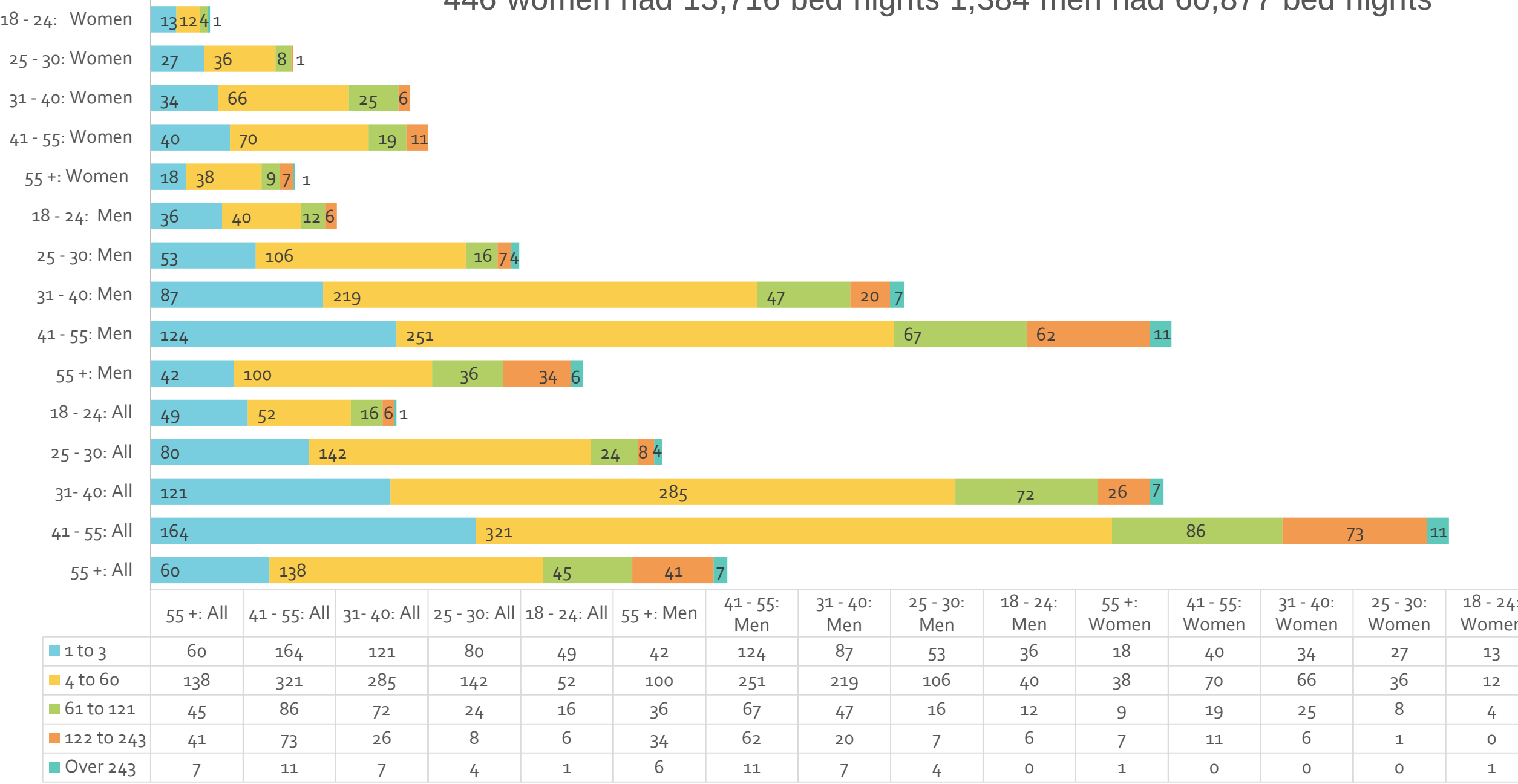
Stayed 61 to 121 nights

Stayed 122 to 243 nights

Stayed over 243 nights

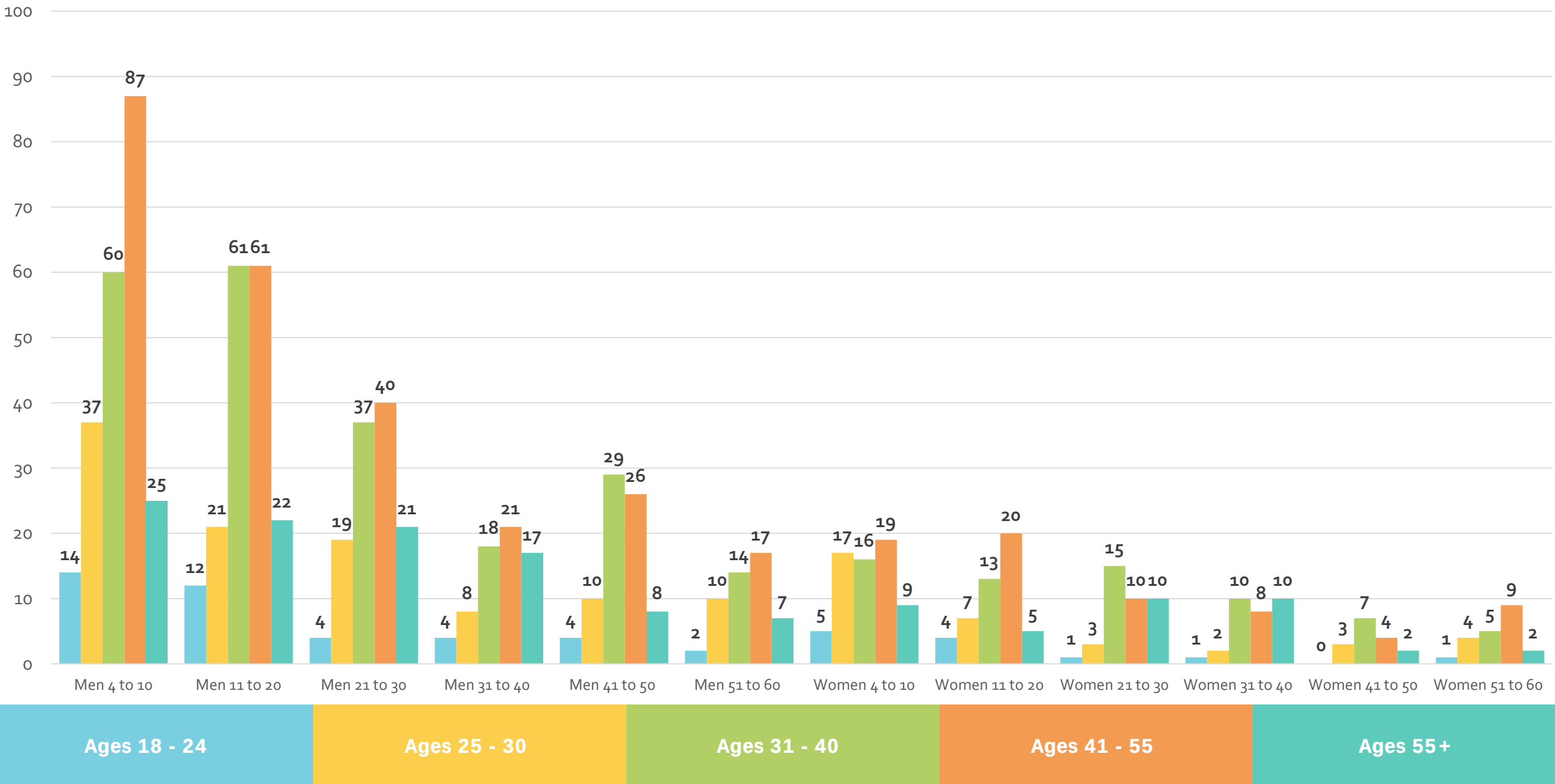
Length of Stay in 2018: 1,839 Unduplicated Individuals by Age and Gender

446 women had 15,716 bed nights 1,384 men had 60,877 bed nights



STAYED 4 – 60 DAYS AT OSS: 938 UNDUPLICATED INDIVIDUALS

716 MEN HAD 15,929 BED NIGHTS; 222 WOMEN HAD 5,103 BED NIGHTS

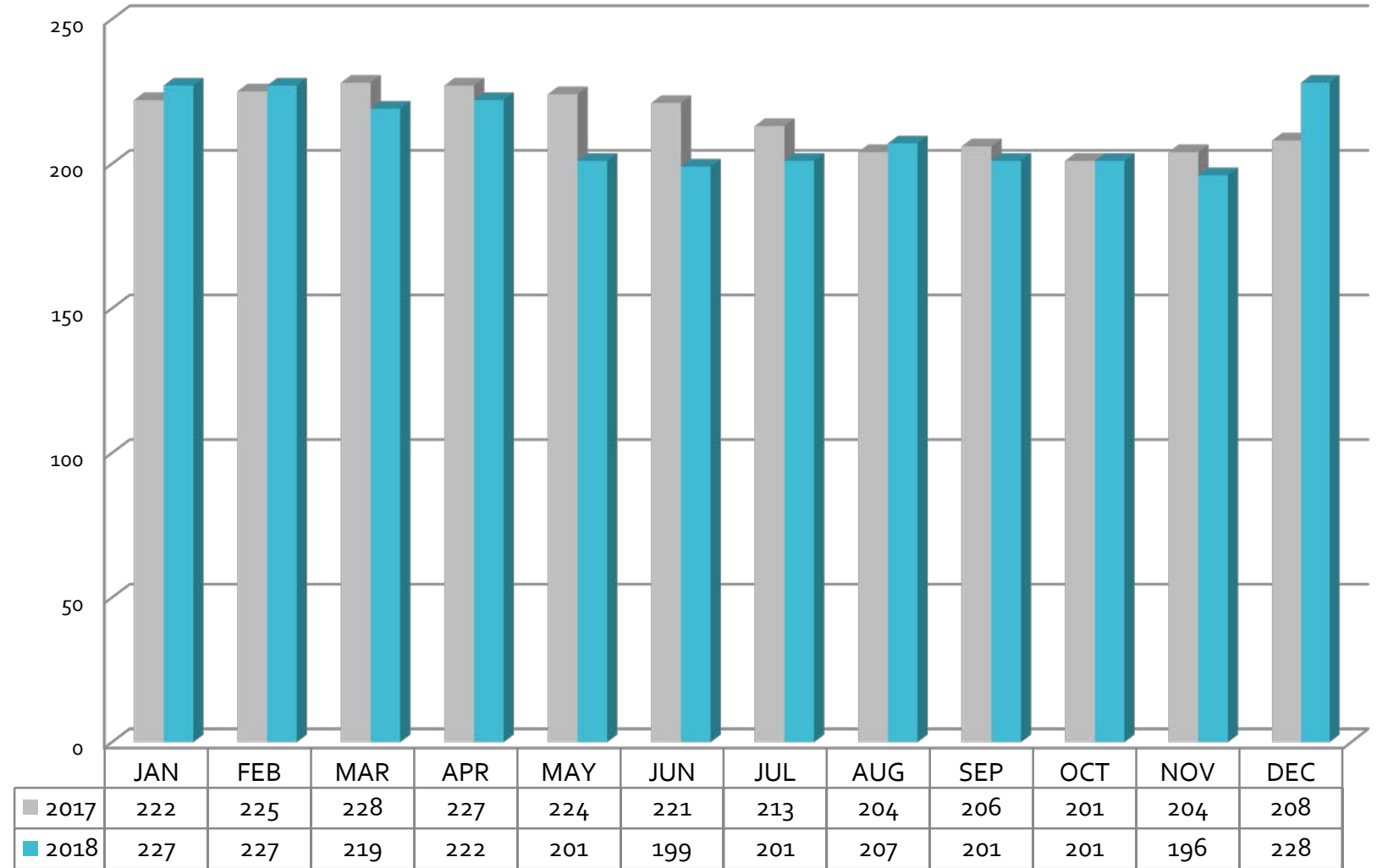


Oxford Street Shelter Bed Nights

2018

- On 1/28/2019 270 individuals slept at the shelter
- On Average, 211 people stayed at OSS per night
- An individual stayed an average of 42 nights
- The median length of stay was 17 days

Average Bed Night: average number of people at OSS on any given night in a month



Transient Drownings

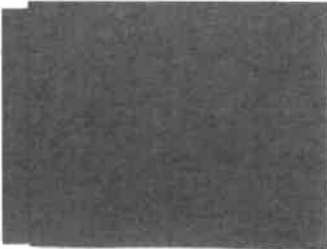
ID	YEAR	LOCATION	CITY	STATE	CASE
1	2016	9 Custom House Wharf	Portland	ME	116005134
2	2013	9 Custom House Wharf	Portland	ME	113004874
3	2010	14 Ocean Gateway Pier	Portland	ME	110006918
4	2010	9 Custom House Wharf	Portland	ME	110003126
5	2009	58 Fore St	Portland	ME	109009685
6	2005	Casco Bay Bridge	Portland	ME	105009759
7	2005	405 Chandler's Wharf	Portland	ME	105003488
8	2005	75 West Commercial St	Portland	ME	105003088

Transient Water Deaths Since 2005



17-0499.1 E

July 13, 2017



Subject: Environmental Soils Information
Proposed Commercial Buildings
636 Riverside Street
Portland, Maine

Dear 

This letter summarizes environmental soil conditions encountered during the June 26 and 27, 2017 geotechnical test boring and test pit explorations program by S. W. Cole Engineering, Inc. (S.W.COLE) at the subject project site.

Petroleum contamination was encountered at the depth range of approximately 2 to 3 feet in uncontrolled fills during the excavation of Test Pit TP-110. Refer to the S.W.COLE Preliminary Geotechnical Information letter dated July 13, 2017 for a plan showing the approximate location of TP-110, and for a log of this test pit.

Photoionization detector (PID) screening of a sample of the petroleum-contaminated soil indicated a concentration of 134 parts per million (ppm). The "Oil in Soil" shake test result for the same sample indicated a "Positive" result for fuel oil.

The lateral extent of the petroleum-contaminated soils was not determined during the geotechnical explorations program. Based on the "Positive" Oil in Soil shake test result, the Maine Department of Environmental Protection (MeDEP) may require remediation of the soils if they are to be excavated during the proposed site development.

The MeDEP issued a Voluntary Response Action Plan (VRAP) Certificate of Completion dated August 30, 2010 to the City of Portland after sand blast grit and soils with documented elevated levels of arsenic were successfully remediated at the site. S.W.COLE reviewed the reports for the environmental investigations completed at the site prior to the 2010 VRAP Certificate of Completion being issued, and did not find evidence that the investigations encountered petroleum-contaminated soils.

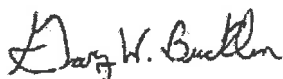
Construction of the proposed development will require an Environmental Media Management Plan (EMMP) that outlines a program for managing the petroleum contaminated soil in the area of TP-110, and for managing previously unidentified contamination that may be encountered in other areas during earthwork activities.

Coordinating and monitoring the management of contaminated soil, preparation of a remedial action completion report, and potentially other environmental services will be necessary in order to facilitate the MeDEP issuing an amended VRAP Certificate of Completion to the site owner and it's assigns after the completion of construction activities at the site.

Please contact us if you have questions regarding this correspondence.

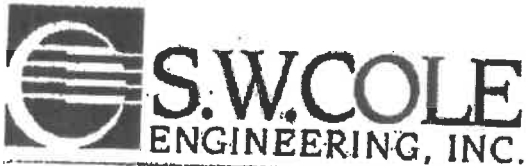
Sincerely,

S. W. Cole Engineering, Inc.



Gary W. Bucklin, C.G.
Senior Geologist

GWB:tjb



www.swcole.com

17-0499 S

August 22, 2017

[REDACTED]

Subject: Preliminary Geotechnical Information – rev 1
Proposed Commercial Buildings
636 Riverside Street
Portland, Maine

Dear [REDACTED]

As requested, this letter summarizes preliminary geotechnical information relative to foundations, earthwork and pavement associated with the subject project. This letter is provided in advance of our geotechnical report and is subject to the limitations set forth therein. This letter supersedes its prior release, dated July 13, 2017.

S. W. Cole Engineering, Inc. (S.W.COLE) completed test boring and test pit explorations at the site on June 26 and 27, 2017. The attached plan shows the approximate locations of the explorations as well as existing and proposed site features. Logs of the explorations and a key to the notes and symbols used on the logs are also attached.

Based on the subsurface findings and our understanding of the proposed construction, we offer the following geotechnical considerations for the proposed development:

- **Foundations:** The site is principally underlain by uncontrolled fills overlying stable native deposits of glaciomarine clay, glacial outwash sands and glacial till. The uncontrolled fills range from 3 to 25 feet thick and are unsuitable for support of the proposed buildings. We recommend a combination of uncontrolled fill removal and replacement, as well as aggregate piers to improve ground conditions for conventional spread footing and on-grade floor slab support. The

286 Portland Road, Gray, ME 04039-9586 • P: (207) 657.2866 • F: (207) 657.2840 • E: info@swcole.com

Geotechnical Engineering

Construction Materials Testing and Special Inspections

GeoEnvironmental Services

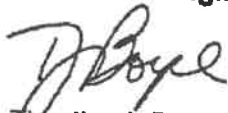
attached plan summarizes the ground improvement method for each proposed building footprint. We estimate a premium cost of \$6 to \$9 per square foot of proposed building area to improve ground conditions for conventional spread footings and on-grade floor slabs.

- **Earthwork:** As discussed, we recommend raising finished floor elevations and site grades to preclude exporting environmentally impacted site soils. The site soils are sensitive to moisture and frost. We recommend site grading and foundation construction occur in drier, non-freezing weather of Spring, Summer and Fall. The uncontrolled fills and non-organic soils displaced by excavation may be reused as compacted Common Borrow in paved areas and beneath buildings improved with aggregate piers.
- **Pavements:** Pavement subgrades should be proof-rolled and densified with a 10 ton vibratory roller. Areas that become soft after proof-rolling, must be removed and replaced with compacted Granular Borrow prior to installing pavement subbase gravels. We recommend planning consider a 30 inch thick pavement section consisting of 4 inches of hot mix asphalt over 18 inches of compacted MaineDOT Type D Crushed Subbase Gravel over 8 inches of MaineDOT Granular Borrow for Underwater Backfill.

We trust this letter meets your current needs. We will prepare our geotechnical report upon your notice to proceed.

Sincerely,

S. W. Cole Engineering, Inc.



Timothy J. Boyce, P.E.
Senior Geotechnical Engineer

TJB:emw

Attachments: Exploration Location Plan
 Exploration Logs
 Key to Notes and Symbols used on Exploration Logs



Health & Human Services Department

Dawn Stiles, Director

Oxford Street Shelter

Robert Parritt, Director

Social Services Division

David MacLean, Director

Date: January 4, 2017

Emergency Shelter Best Practices

Single floor, open concept design style with clear lines of sight

A foyer/screening area to perform security searches and other assessments

A centralized shelter operations office with sight lines to the dorms

A large day room that can accommodate all shelter guests for day shelter and meals
Along with storage for portable tables and chairs

Food prep and service area

Suitable laundry facilities

Handicap accessible bathrooms in the day room and dormitories

Office space for Oxford Street housing staff as well as partner agencies on site for direct services

Two open concept dorms with raised beds, one male and one female
Raised beds must be at least 18 inches apart and walkways must be three feet wide

Enclosed park area behind the shelter

Outside storage building with lockers for guest bags

Facilities storage shed for maintenance tools and equipment

Parking for 20 vehicles

Security camera system

Accessible to public transportation

Programmatic Best Practices

New shelters should operate a low barrier program

Services should be housing driven using a housing first approach

All programs must meet MaineHousing/ESG criteria

New programs must work collaboratively with other shelter providers within the City using coordinated entry

Must be accessible to public transportation

New programs must be operated and staffed 24 hours a day and offer day shelter and food programs

New programs must report data to ESAC to gauge trends and progress

New programs must be active participants in the continuum of care

Fwd: Question re VRAP Certification

3 messages

Jon Jennings <jpj@portlandmaine.gov>

Mon, Apr 29, 2019 at 2:36 PM

To: Kristen Dow <kjd@portlandmaine.gov>, Adam Harr <ash@portlandmaine.gov>

Can you please include this email on the backup materials for the new shelter discussion? I will be sending you another email with attachments to do the same. Thanks.

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

From: **Kimberly M. Cook** <kcook@portlandmaine.gov>

Date: Mon, Apr 29, 2019 at 8:37 AM

Subject: Fwd: Question re VRAP Certification

To: Belinda Ray <bsr@portlandmaine.gov>, Brian Batson <bbatson@portlandmaine.gov>, Ethan Strimling <estrimling@portlandmaine.gov>, Jill Duson <jduson@portlandmaine.gov>, Jon Jennings <jpj@portlandmaine.gov>, Justin Costa <jcosta@portlandmaine.gov>, Nicholas Mavodones <nmm@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>

Good morning all,

Please see the correspondence below.

Jon - please pass this info along to staff and have it posted to the webpage.

Thanks

Kim

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

From: **Burns, Dave E** <Dave.E.Burns@maine.gov>

Date: Mon, Apr 29, 2019 at 8:13 AM

Subject: RE: Question re VRAP Certification

To: Kimberly M. Cook <kcook@portlandmaine.gov>, Madore, David <David.Madore@maine.gov>

CC: Hodgkins, Nick <Nick.Hodgkins@maine.gov>

Good morning Kim,

The VRAP program does not have a definition of "residential" that we can point you to. However, we would consider a homeless shelter residential and prohibited at this site, based on the certificate. You may be able to give us supporting documentation so that we may reconsider this prohibition and allow this use. If you'd like to pursue that course or explore that option further, please contact Nick Hodgkins, our VRAP coordinator, directly. I've copied him on this e-mail so that you have his information.

Please let me know if you have any further questions regarding this.

Thanks,

Dave

David Burns, P.E., Acting Director

Bureau of Remediation & Waste Management

(207) 287-7890 (desk) / (207) 592-9104 (cell)

www.maine.gov/dep

From: Kimberly M. Cook [mailto:kcook@portlandmaine.gov]
Sent: Saturday, April 27, 2019 6:42 PM
To: Burns, Dave E <Dave.E.Burns@maine.gov>; Madore, David <David.Madore@maine.gov>
Subject: Question re VRAP Certification

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dave and David,

I am contacting you wearing my hat as a Portland City Councilor. We are currently in the process of deciding on a site for a new homeless shelter and one of the locations is [636 Riverside Street](#) for which the City has received the attached VRAP certification.

A constituent of mine asked me whether this VRAP precludes a shelter (without further written permission from the DEP) as it serves as a temporary residence for those experiencing homelessness. We are contemplating up to a 150 bed shelter currently.

I would appreciate your determination of whether a shelter would be "residential" under Condition number 2 in this letter. Does the DEP have a definition of "residential" that I can point my constituent to?

Many thanks for your assistance in answering my questions.

Best,

Kim

Kim Cook

Portland City Council, District 5

Deering Ctr., Riverton, No. Deering

www.kimcook.org

207.874.8986

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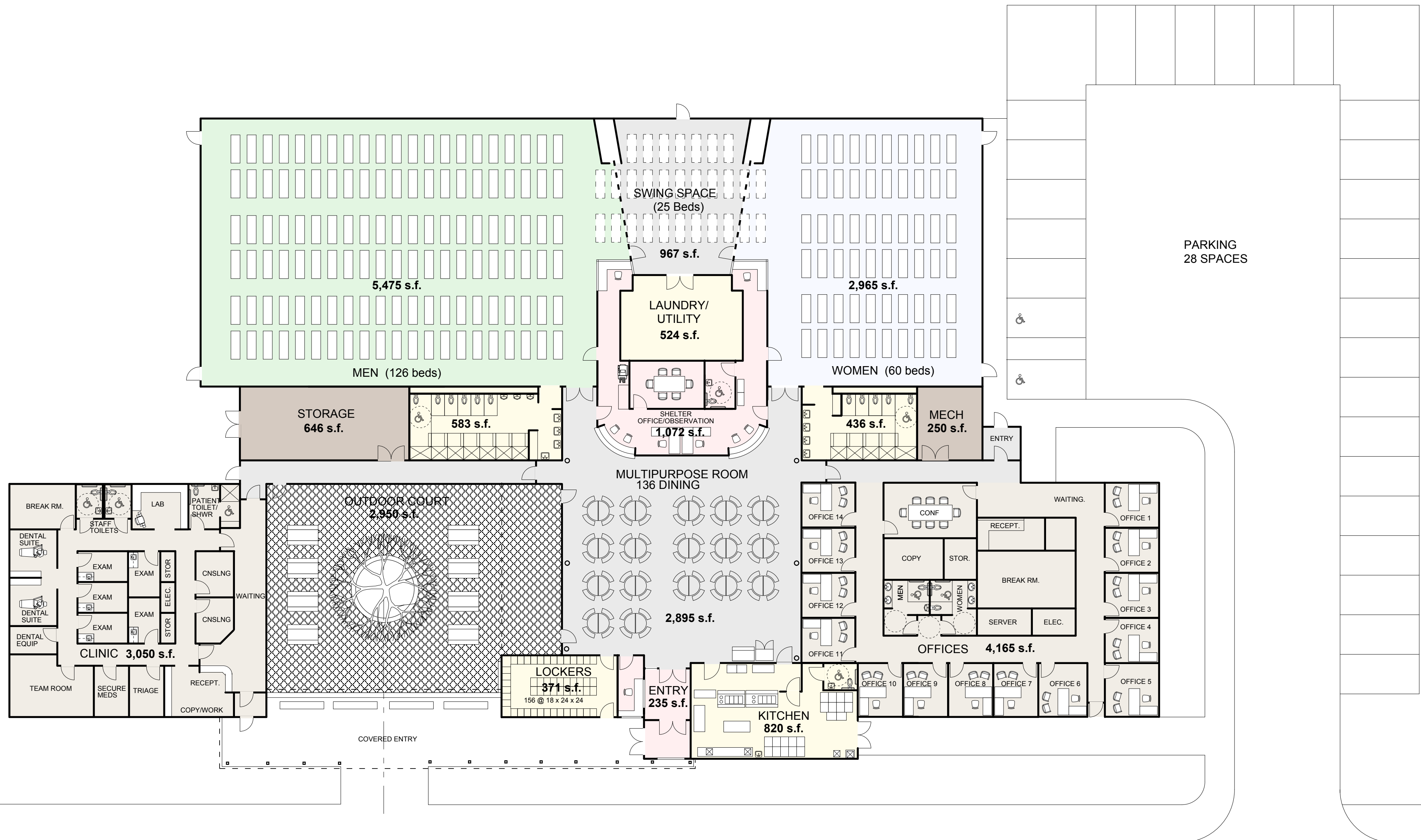
--

Kim Cook

Portland City Council, District 5
Deering Ctr., Riverton, No. Deering
www.kimcook.org
207.874.8986

--

Jon P. Jennings
City Manager
[City of Portland](#)
[389 Congress Street](#)
Portland, ME 04101
(207) 874-8689 Office
(207) 874-8669 Fax
jpj@portlandmaine.gov
www.portlandmaine.gov
Twitter: [@portlandmanager](#)



0 8 16 32 48 64

DRAFT CONCEPT



5 Milk Street, Portland, ME 04101
207.774.4811 | wintonscott.com

Homeless Shelter
Portland, Maine

First Floor Concept Plan

Scale: 1" = 16'-0"

A 1

January 18, 2017
REV. 3.21.17
REV. 7.6.17
REV. 8.23.17



The Future of Homeless Services in Portland



Health & Human Services Committee Meeting

January 22, 2019

This presentation and ongoing conversations include preliminary information on the homeless services center relocation project. The information includes potential site locations and information regarding potential partners. We realize the mere mention of various locations can be concerning for our residents. No final decisions have been made at this point. This information is solely intended for discussion purposes only.

Combination of Low Barrier HSC + Specialty Beds

Partnership with Avesta Housing & The Opportunity Alliance

150 low barrier beds on one site

+

Specialty Beds

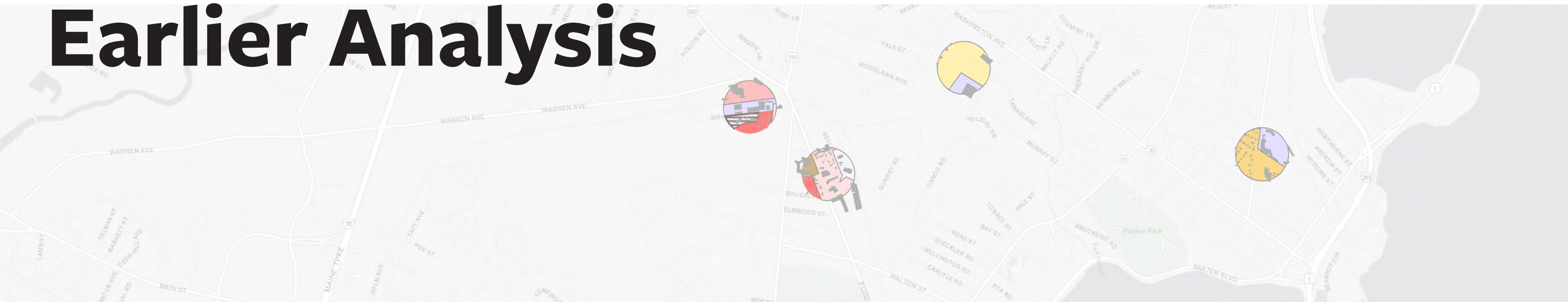
Policy Guidance

Staff would like to recommend that as we are in the process of deciding where and how to locate a new service center, that the Council take a look at long-standing policies regarding local and state guidelines for shelter eligibility and responsibility.

Shelter Location(s): Further Inquiry



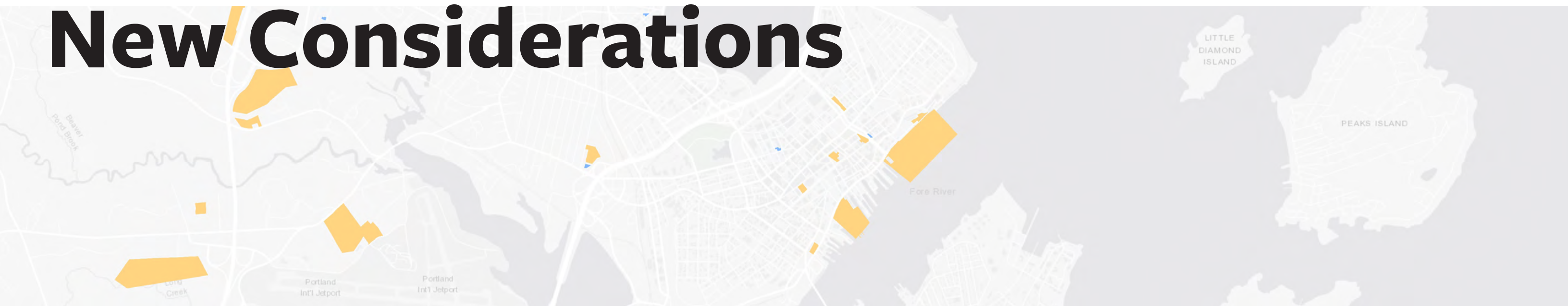
Earlier Analysis



Housing Committee Search



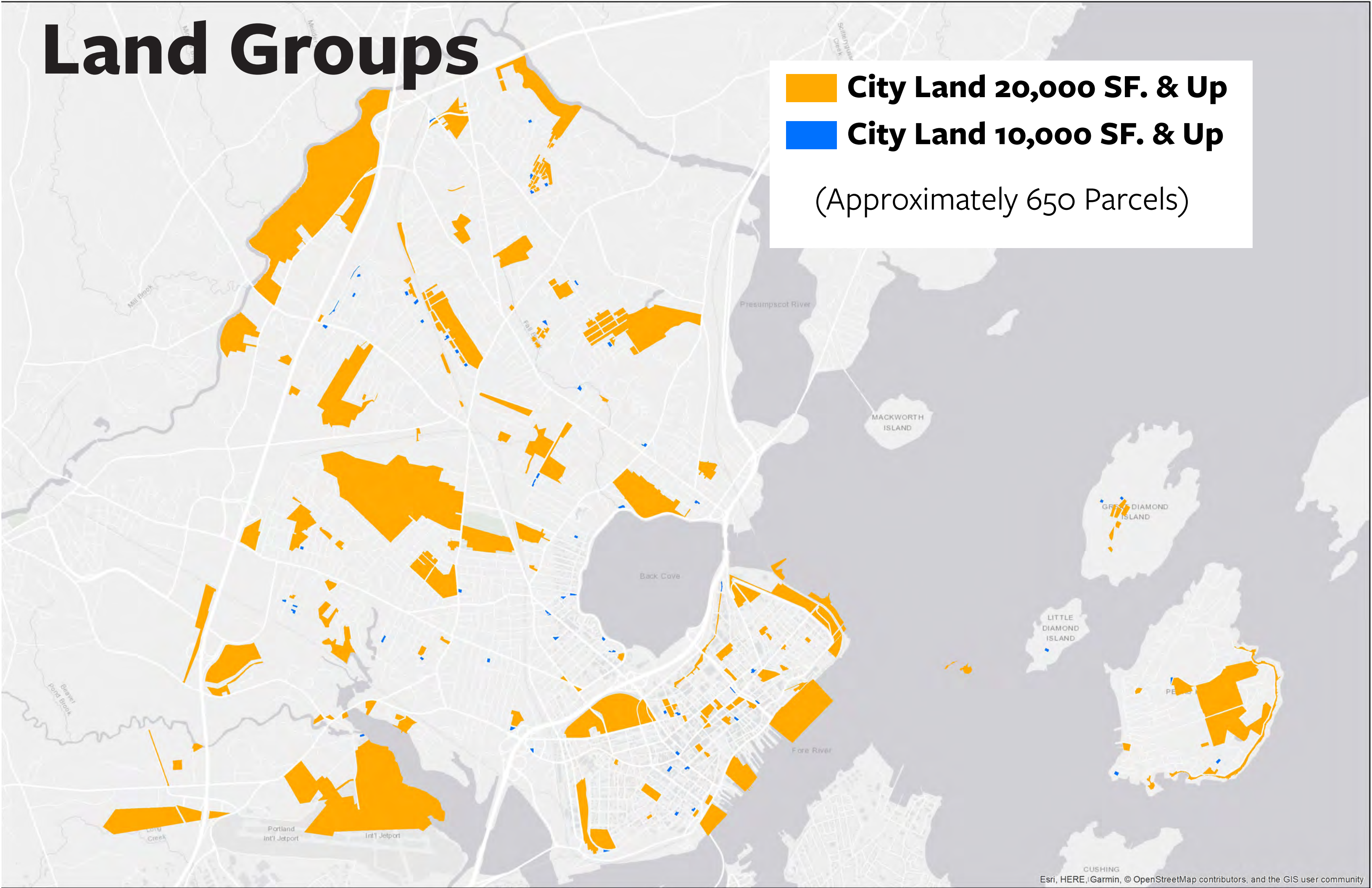
New Considerations



Land Groups

-  **City Land 20,000 SF. & Up**
-  **City Land 10,000 SF. & Up**

(Approximately 650 Parcels)



Quick Reductions

- City Land 20,000 SF. & Up
- City Land 10,000 SF. & Up

(Approximately 30 Sites)

Screened:

- Land Bank
- Parks & Cemeteries
- Wet Properties, Watersheds
- Prohibitive Uses
- Islands
- Highway Infrastructure
- Etc.

Quick Categories

Existing Structures

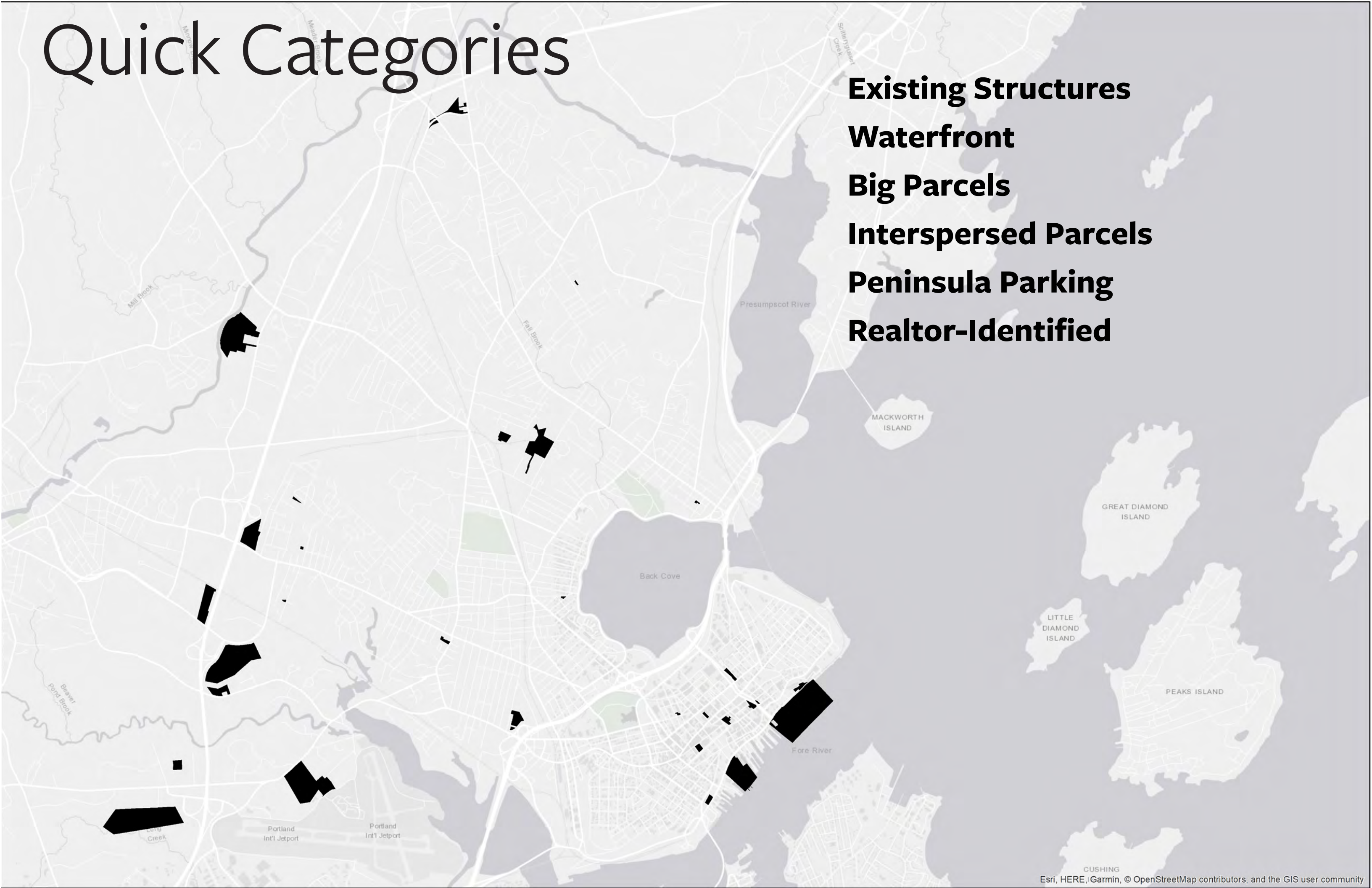
Waterfront

Big Parcels

Interspersed Parcels

Peninsula Parking

Realtor-Identified



Existing Structures

- **Large, City-owned sites**
- **Demolition / retrofits may be expensive**
- **Re-use may hinder design**



Existing Structures

DPW / P & R Buildings

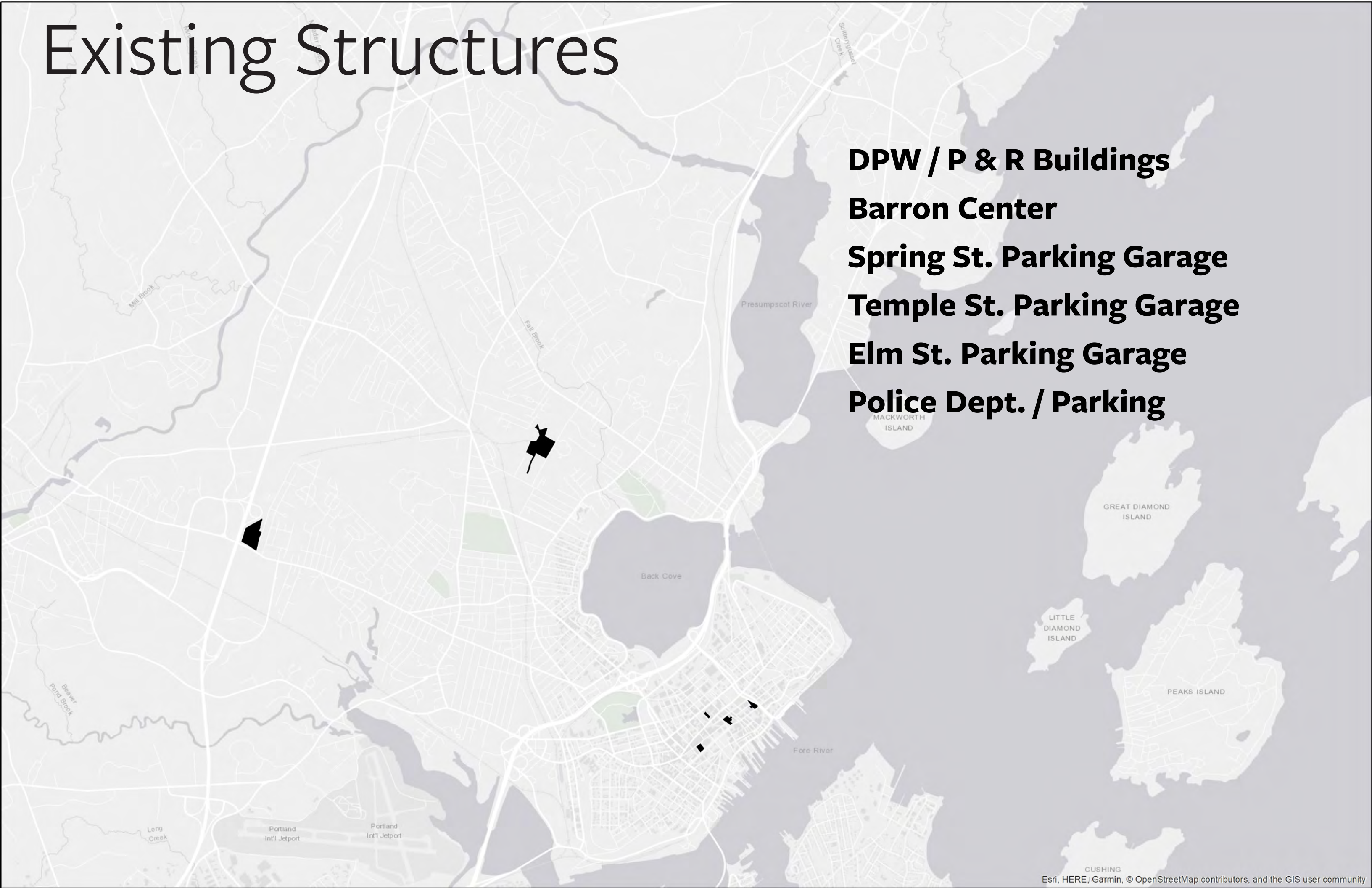
Barron Center

Spring St. Parking Garage

Temple St. Parking Garage

Elm St. Parking Garage

Police Dept. / Parking





DPW / P & R Buildings

Barron Center

Police HQ

Elm St. Garage

Temple St. Garage

Spring St. Garage

Existing Structures: Quick Pass

The size of the parking garages (and therefore the cost and impact of demolition) and the complexity of the Police space appear preventative.

The Barron Center property includes unused land, existing parking lots, and potentially convertible space.

~~**DPW / P & R Buildings**~~

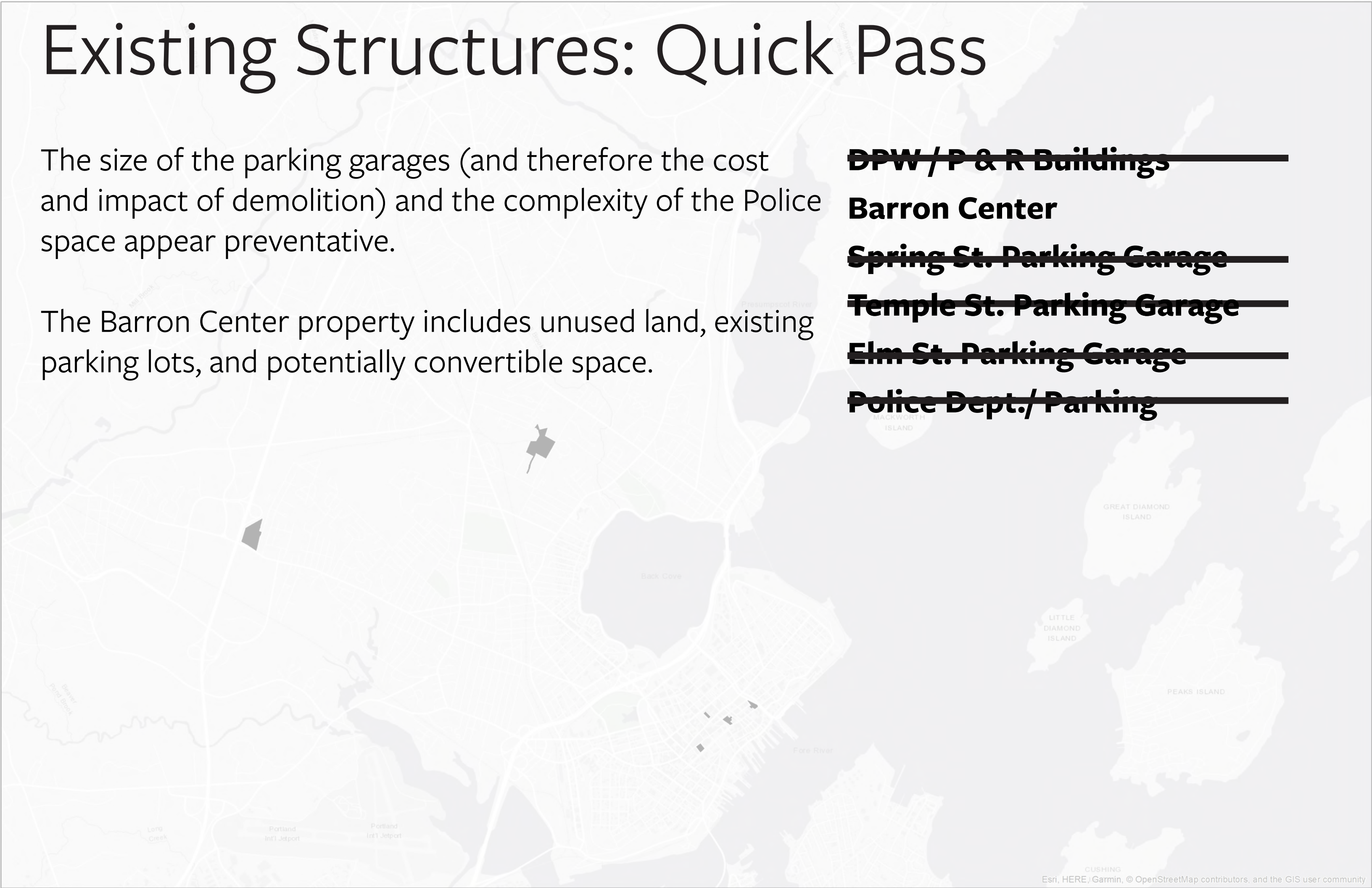
Barron Center

~~**Spring St. Parking Garage**~~

~~**Temple St. Parking Garage**~~

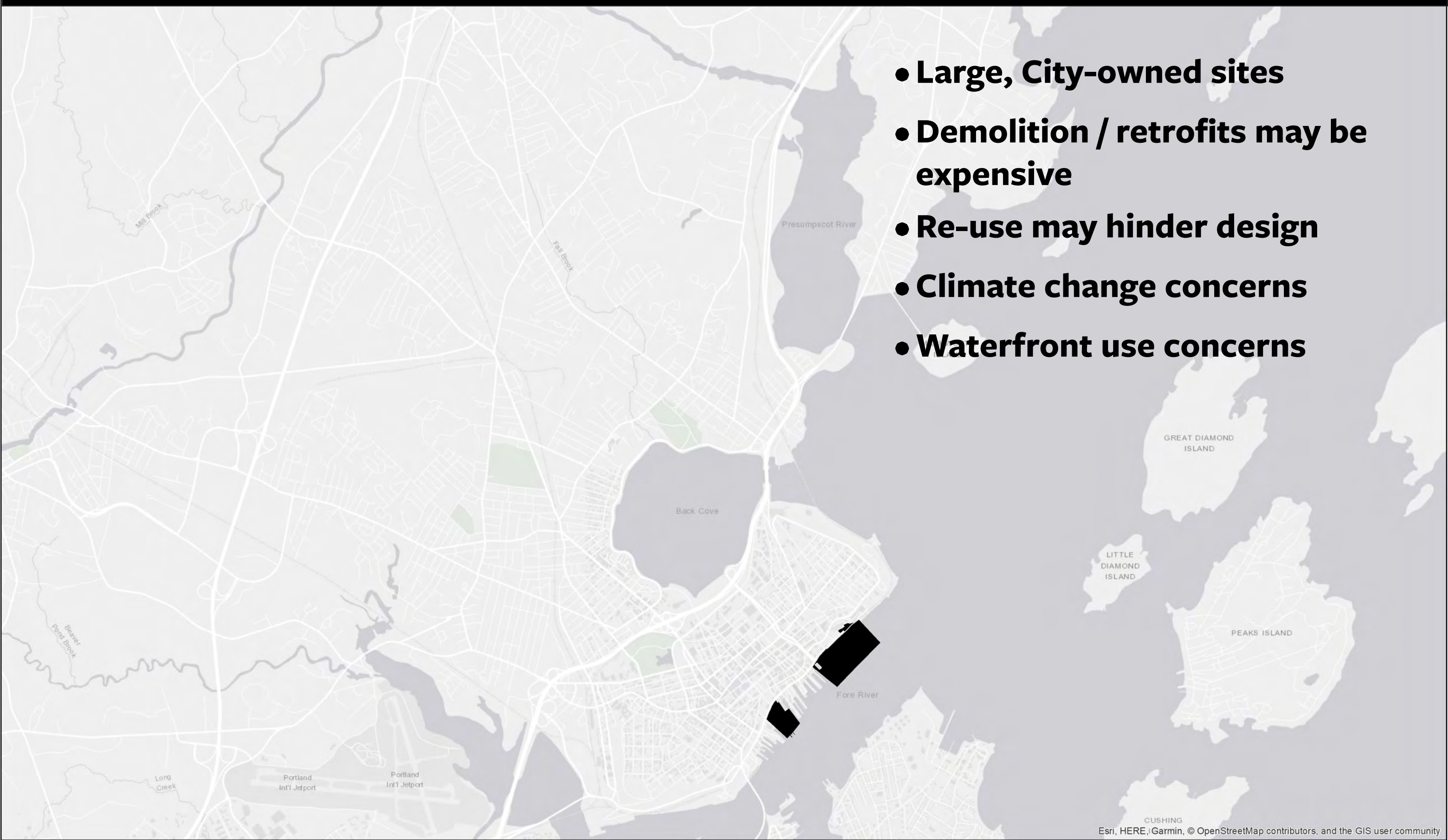
~~**Elm St. Parking Garage**~~

~~**Police Dept./ Parking**~~



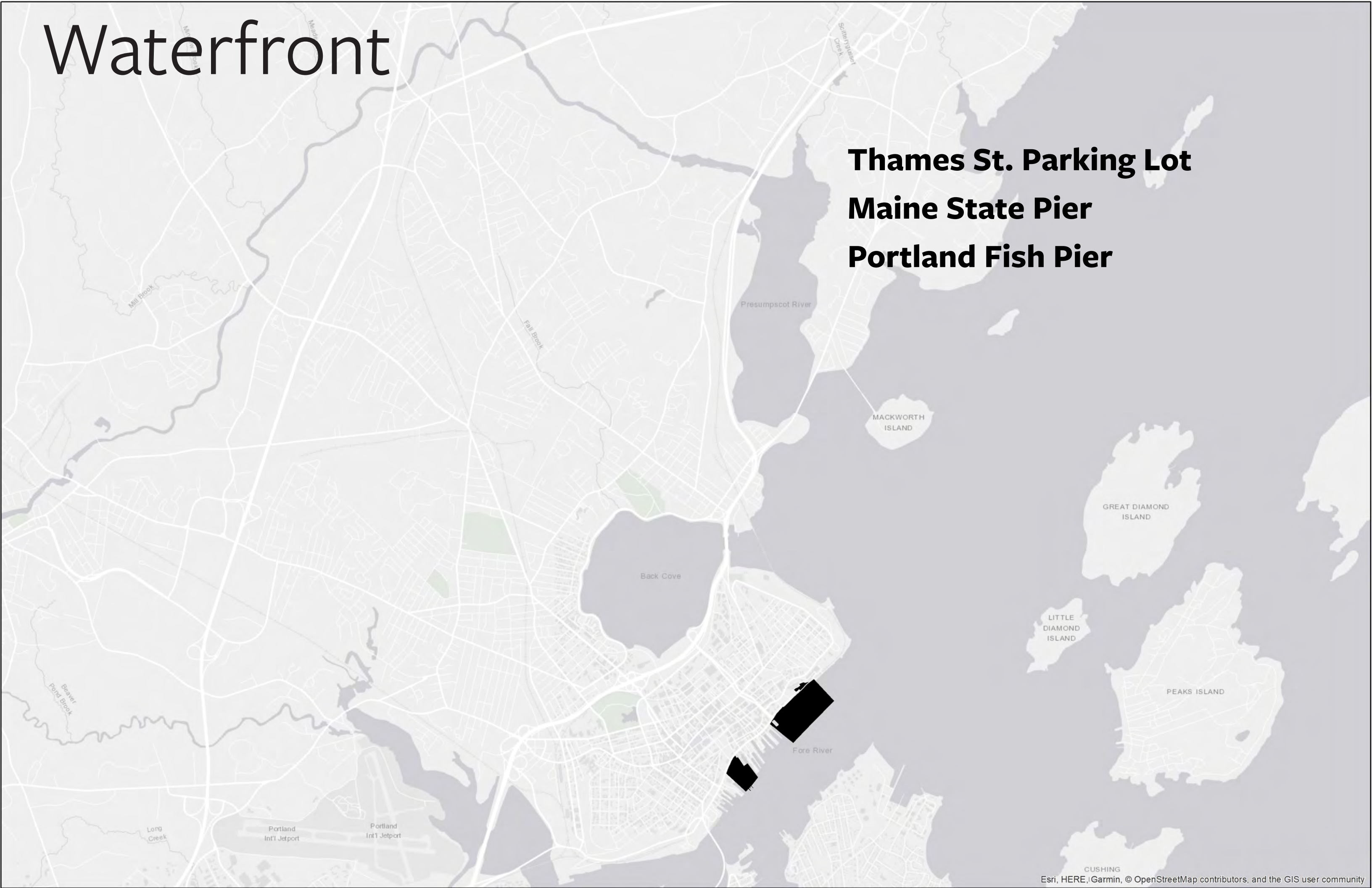
Waterfront

- **Large, City-owned sites**
- **Demolition / retrofits may be expensive**
- **Re-use may hinder design**
- **Climate change concerns**
- **Waterfront use concerns**



Waterfront

Thames St. Parking Lot
Maine State Pier
Portland Fish Pier





Thames St. Parking Lot

This aerial photograph shows the harbor of Portland, Maine. A red line outlines a large area along the waterfront, including the parking lot, the Maine State Pier, and the Portland Fish Pier. The parking lot is located on the left side of the image, adjacent to the city streets. The Maine State Pier is a long pier extending into the water, with several buildings and structures on it. The Portland Fish Pier is a smaller pier located further down the waterfront. The water is a deep green color, and the city buildings are visible in the background.

Maine State Pier

Portland Fish Pier

Waterfront: Quick Pass

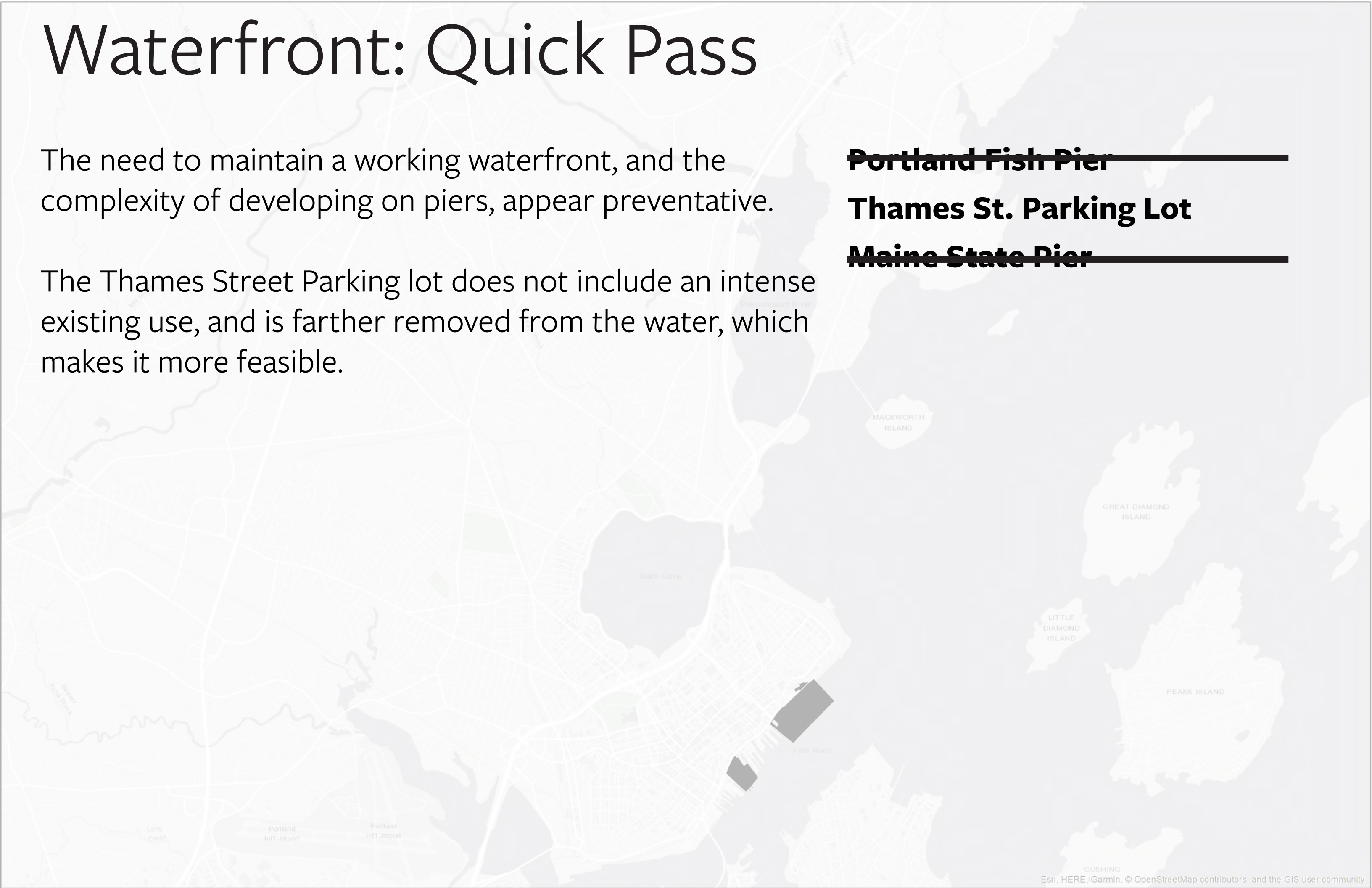
The need to maintain a working waterfront, and the complexity of developing on piers, appear preventative.

The Thames Street Parking lot does not include an intense existing use, and is farther removed from the water, which makes it more feasible.

~~Portland Fish Pier~~

Thames St. Parking Lot

~~Maine State Pier~~



Big Parcels

- Large, City-owned sites
- Tend to be at “edges” of City



Big Parcels

District Rd.

Land Leading to Airport

Former West School

o Westbrook St.

o Rand Rd. (Office Park)

1819 Westbrook St.

Riverside Recycling Facility

622 Auburn St.

Unmapped:

Possible Land Acquisition

An aerial photograph of a coastal town, likely in Oregon, showing a mix of residential, commercial, and industrial areas. The town is situated along a coastline with a large body of water to the east. Several locations are highlighted with red outlines and labeled with white text on dark grey rectangular backgrounds. The labels include street names and specific sites. The map shows a dense network of streets, buildings, and green spaces. A large body of water, possibly a bay or harbor, is visible on the right side of the image. The overall scene is a detailed view of a coastal community.

622 Auburn St.

Riverside Recycling Center

1819 Westbrook St.

o Rand Rd.

o Westbrook St.

Former West School Site

1956 Congress St.

District Rd.

Big Parcels: Quick Pass

The sizes of these properties open up possibilities. Given sufficient funding and will, most could conceivably host a new building. These sites are generally in or around industrial, institutional, and/or commercial areas.

The o Westbrook Site includes hillside, is of interest to the Land Bank, and is located near more suitable property. A possible land acquisition at County Way is in a feasible location but may include site concerns.

The funds used to purchase several sites (land leading to the airport, District Road, Rand Road) limit the uses that can occur on each. This land would need to be purchased back, eliminating a key benefit of City-owned land.

~~**District Rd.**~~

~~**Land Leading to Airport**~~

Former West School

~~**o Westbrook St.**~~

~~**o Rand Rd. (Office Park)**~~

1819 Westbrook St.

Riverside Industrial Park

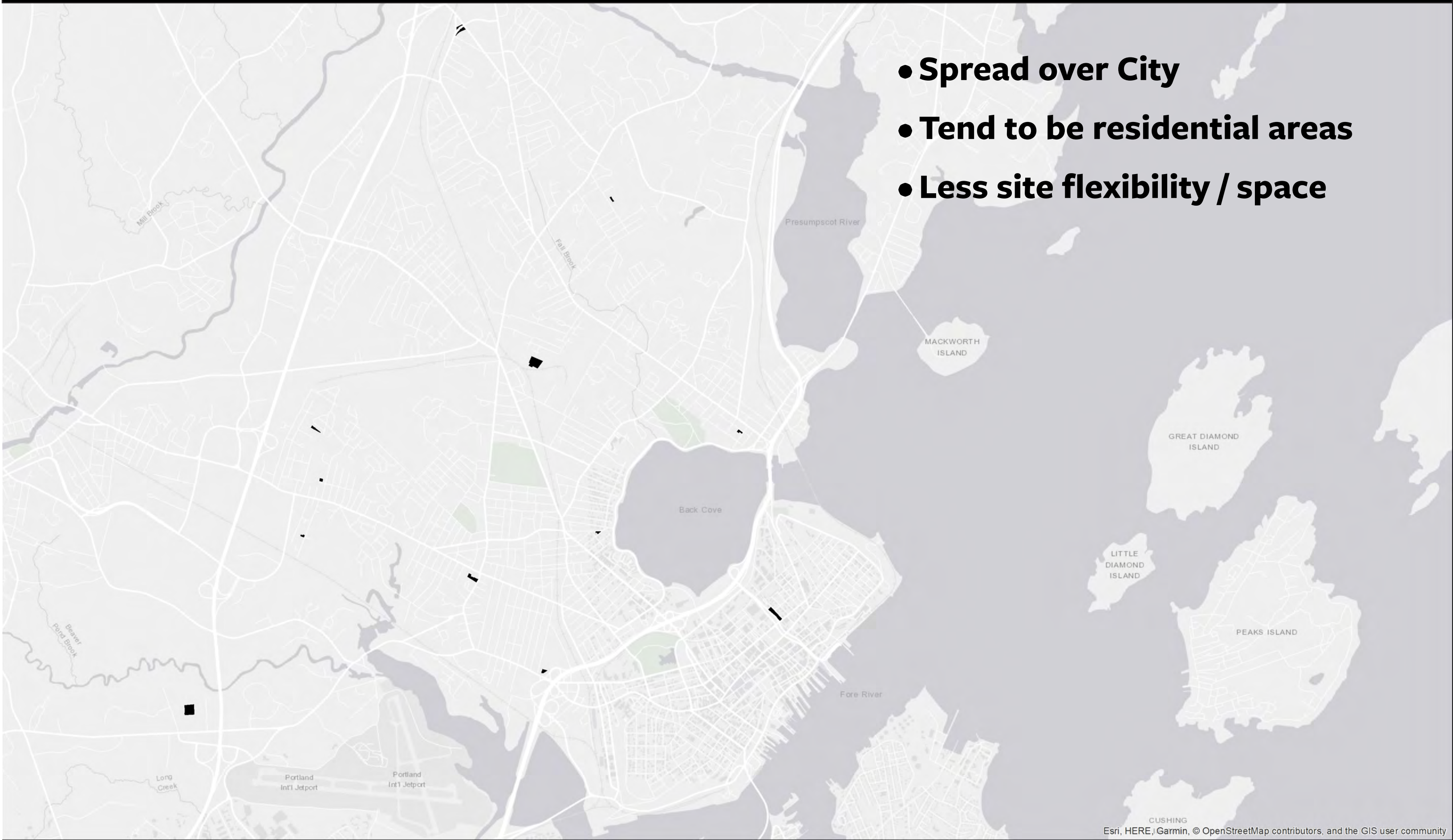
622 Auburn St.

Unmapped:

Possible Land Acquisition

Interspersed Parcels

- Spread over City
- Tend to be residential areas
- Less site flexibility / space



Interspersed Parcels

3 Hutchins Dr.
o Ravina St.
200 Lambert St.
o Cornell St.
43 Douglass St.
111 Rowe Ave.
56 Clifton St.
91 Riggs St.
21 Randall St.
o Utah Ave.
2092 Washington Ave.
Rosemont Fire Station Land
Franklin Reserve

An aerial photograph of Seattle, Washington, showing the city's urban layout, green spaces, and waterfront. The map is overlaid with several semi-transparent grey rectangular boxes, each containing a white text label for a specific location. Red dots mark the locations of these points of interest. The locations are distributed across the city, from the northern suburbs to the southern waterfront and islands.

2092 Washington Ave.

200 Lambert St.

o Utah Ave.

o Cornell St.

o Ravina St.

21 Randall St.

91 Riggs St.

56 Clifton St.

111 Rowe Ave.

Rosemont Station Land

Franklin Reserve

43 Douglass Street

3 Hutchins Dr.

Interspersed Parcels: Quick Pass

The smaller sizes of some of these properties, and their locations (generally among single family neighborhoods, sometimes on paper streets) make them less feasible. They may be suitable for other social service models.

- o Cornell Street and 3 Hutchins Drive are larger and more industrial in nature. The former borders a residential neighborhood and may have environmental constraints. The latter is situated between other buildings, but given sufficient funds and will it may be feasible.

The Rosemont Fire Station would otherwise be considered a prohibitive existing use, but City-owned land behind the station makes it notable.

Franklin Reserve is also notable as a large area of undeveloped land on peninsula.

3 Hutchins Dr.

~~**6 Ravina St.**~~

~~**200 Lambert St.**~~

~~**6 Cornell St.**~~

~~**43 Douglass St.**~~

~~**111 Rowe Ave.**~~

~~**56 Clifton St.**~~

~~**91 Riggs St.**~~

~~**21 Randall St.**~~

~~**6 Utah Ave.**~~

~~**2092 Washington Ave.**~~

Rosemont Fire Station Land

Franklin Reserve

Peninsula Surface Parking Lots

- **Located near downtown**
- **Flat, clear site**
- **Less site flexibility / space**
- **Loss of parking**



Peninsula Surface Parking Lots

Angelo's Acre
33 Portland St.
83 Middle St.

Unmapped:
157 Brackett St.
176 Clark St.



33 Portland St.

83 Middle St.

Angelo's Acre

Peninsula Parking Lots: Quick Pass

The location and relative site simplicity of parking lots close to downtown offer possibilities. While 33 Portland Street and 83 Middle Street are somewhat constrained, both these sites and Angelo's Acre could conceivably host a new building.

The unmapped lots on Brackett and Clark Streets are across the street from the Reiche School, which may make them infeasible.

Angelo's Acre
33 Portland St.
83 Middle St.

Unmapped:

~~**157 Brackett St.**~~

~~**176 Clark St.**~~

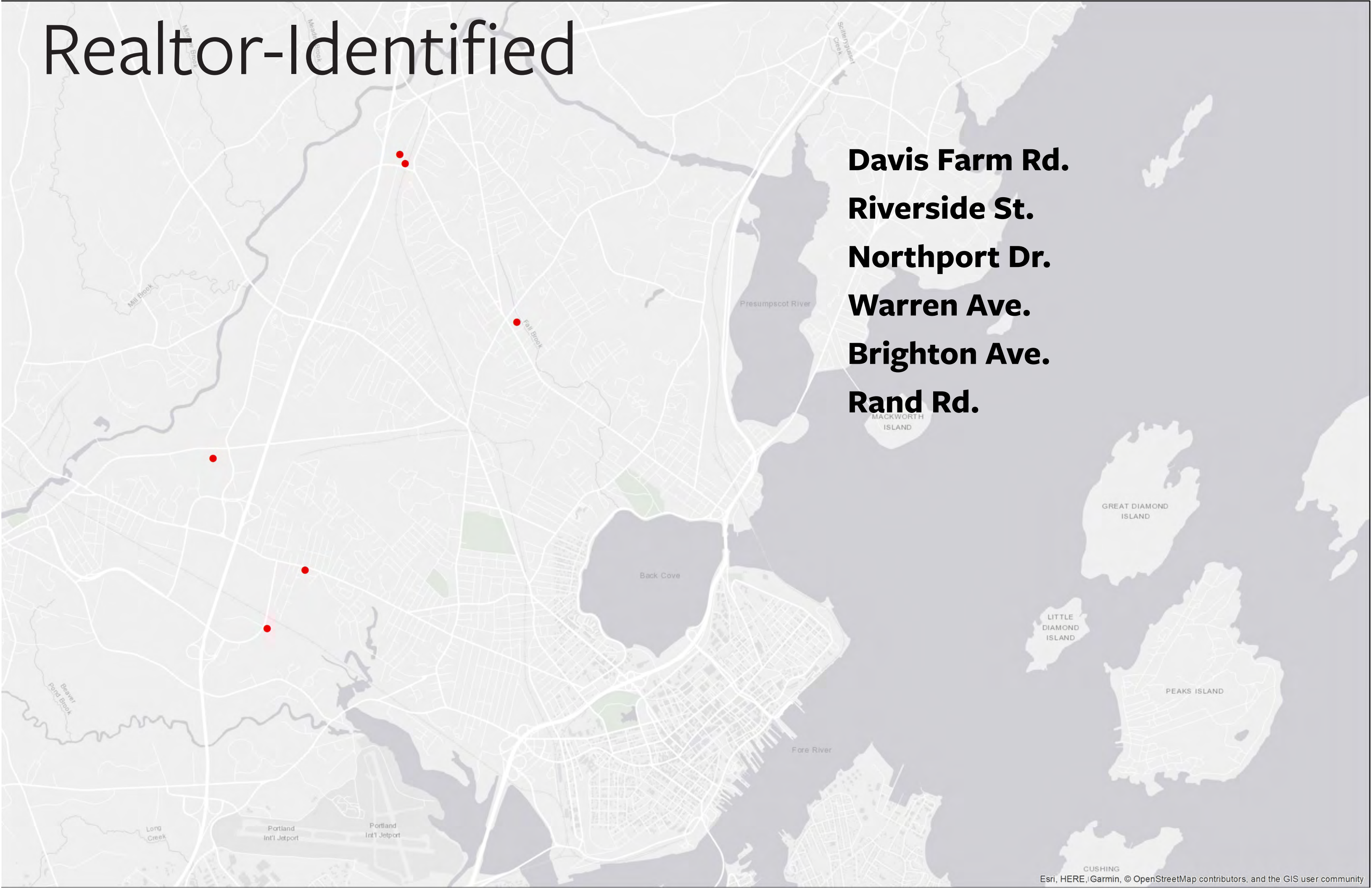
Realtor-Identified

- **Require rental or purchase**
- **Demolition / retrofits may be expensive**
- **Re-use may hinder design**



Realtor-Identified

Davis Farm Rd.
Riverside St.
Northport Dr.
Warren Ave.
Brighton Ave.
Rand Rd.



An aerial photograph of a coastal town, likely in New England, showing a dense residential area with a grid-like street pattern. A river or estuary flows through the town, with a large body of water on the right side. Several streets are highlighted with red dots and labels. The labels are: Riverside St. (top left), Davis Farm Rd. (top center), Northport Dr. (center right), Warren Ave. (middle left), Brighton Ave. (bottom center), and Rand Rd. (bottom left).

Riverside St.

Davis Farm Rd.

Northport Dr.

Warren Ave.

Brighton Ave.

Rand Rd.

Realtor-Identified: Quick Pass

Given sufficient funding and will, these sites could host relevant uses. However, all would include significant costs not applicable to City-owned land.

The Warren Avenue site appears most feasible due to its size, location, and existing conditions.

~~**Davis Farm Rd.**~~

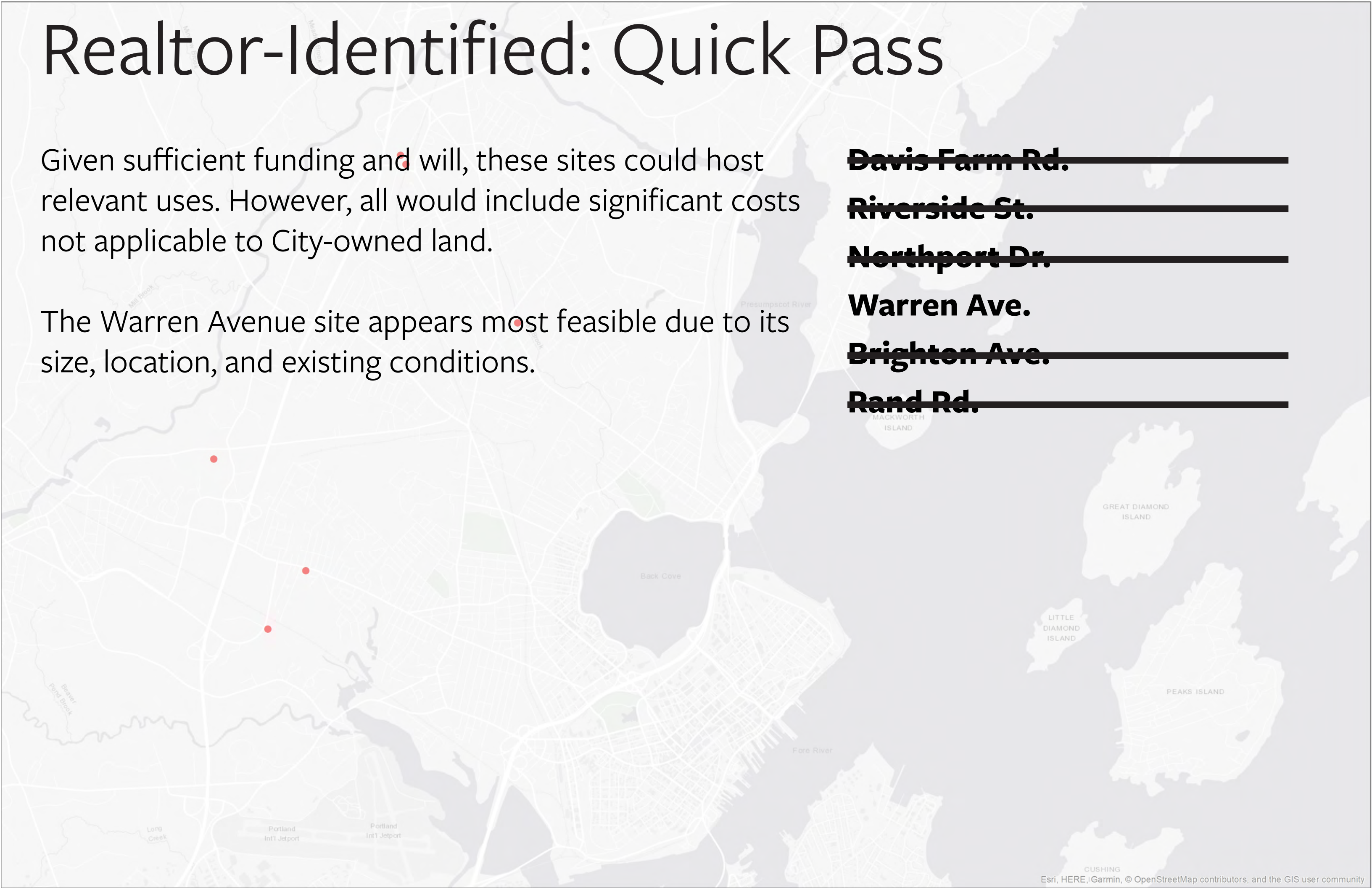
~~**Riverside St.**~~

~~**Northport Dr.**~~

Warren Ave.

~~**Brighton Ave.**~~

~~**Rand Rd.**~~



Most Reasonable (?) Quick Pass

- Thames St. Parking Lot
- Barron Center
- Former West School
- 1819 Westbrook St.
- Riverside Industrial Park
- 622 Auburn St.
- County Way Acquisition
- 3 Hutchins Dr.
- Franklin Reserve
- Rosemont Fire Station Land
- Angelo's Acre
- 33 Portland St.
- 83 Middle St.
- Warren Ave. Realty Site

14

Different assumptions, criteria, or judgements may yield different results.

Most Reasonable (?) Quick Pass

Thames St. Parking Lot

Barron Center

Former West School

1819 Westbrook St.

Riverside Industrial Park

622 Auburn St.

County Way Acquisition

3 Hutchins Dr.

Franklin Reserve

Rosemont Fire Station Land

Angelo's Acre

33 Portland St.

83 Middle St.

Warren Ave. Realty Site



Most Reasonable (?) Quick Pass

Thames St. Parking Lot

Barron Center

Former West School

1819 Westbrook St.

Riverside Industrial Park

622 Auburn St.

County Way Acquisition

3 Hutchins Dr.

Franklin Reserve

Rosemont Fire Station Land

Angelo's Acre

33 Portland St.

83 Middle St.

Warren Ave. Realty Site



Most Reasonable (?) Quick Pass

Thames St. Parking Lot

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622 Auburn St.

County Way Acquisition

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Franklin Reserve

Rosemont Fire Station Land

Angelo's Acre

33 Portland St.

83 Middle St.

Warren Ave. Realty Site



Most Reasonable (?) Quick Pass

Thames St. Parking Lot

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Former West School

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Riverside Industrial Park

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County Way Acquisition

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Franklin Reserve

Rosemont Fire Station Land

Angelo's Acre

33 Portland St.

83 Middle St.

Warren Ave. Realty Site



Most Reasonable (?) Quick Pass

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Rosemont Fire Station Land

Angelo's Acre

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83 Middle St.

Warren Ave. Realty Site



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Rosemont Fire Station Land

Angelo's Acre

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83 Middle St.

Warren Ave. Realty Site



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1819 Westbrook St.

Riverside Industrial Park

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County Way Acquisition

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Franklin Reserve

Rosemont Fire Station Land

Angelo's Acre

33 Portland St.

83 Middle St.

Warren Ave. Realty Site



Next Steps

Thames St. Parking Lot

Barron Center

Former West School

1819 Westbrook St.

Riverside Industrial Park

622 Auburn St.

County Way Acquisition

3 Hutchins Dr.

Franklin Reserve

Rosemont Fire Station Land

Angelo's Acre

33 Portland St.

83 Middle St.

Warren Ave. Realty Site

Policy direction:

which sites are sufficiently feasible and desirable?

Additional site analysis:

any of these sites may harbor unforeseen constraints

Report back:

which sites remain feasible and compelling?

Additional leadership direction:

narrowing site(s) selection

However...

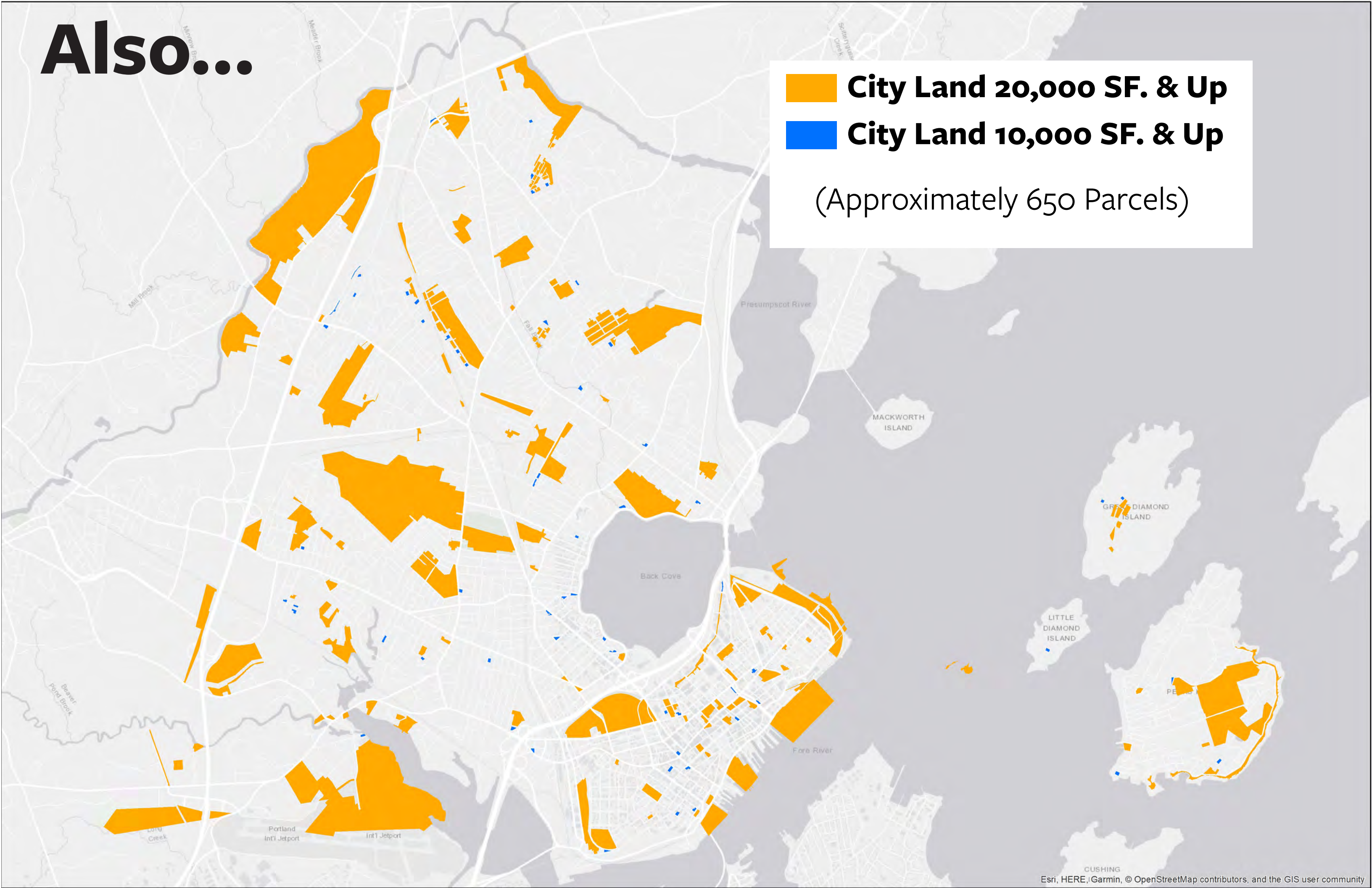
- City Land 20,000 SF. & Up
- City Land 10,000 SF. & Up

(Approximately 30 Sites)

Screened:

- Land Bank
- Parks & Cemeteries
- Wet Properties, Watersheds
- Prohibitive Uses
- Islands
- Highway Infrastructure
- Etc.

Also...



Questions?



Homeless Services Informational Memo
City of Portland
City Council Health and Human Services and Public Safety Committee
March 19, 2019

Prepared By: Rob Parritt, Homeless Services Consultant
To: Jon Jennings, City Manager

At the February 26 Health and Human Services and Public Safety Committee meeting, the Committee narrowed down a list of potential Homeless Services Center locations from 11 to 3 sites. Once the Committee members settled on the three sites, City staff from the Planning and Urban Development and Health and Human Services Departments were tasked with providing additional information on the three sites. HHS staff has identified several sectors of information that have been found to be pertinent to the discussion regarding a new site from a social services perspective; basic zoning criteria being one. In May of 2017, the Planning Board made some zoning adjustments regarding emergency shelter.

The zoning specifically lists several criteria pertaining to emergency shelters and building design. It will be important for any potential site to be able to meet the following criteria.

- Space for on-site providers to provide a variety of services for shelter residents
- A private, screened outdoor area
- A centralized office design with clear sight lines
- ¼ mile access to Metro; or be within ½ mile of Metro with space inside large enough inside to accommodate ALL guests and implement strategies to help residents utilize transit
- Enough space for security searches
- 1 parking space for every two employees
- A Management Plan addressing shelter management responsibilities, process for resolving neighborhood concerns, staffing, access restrictions, on site surveillance, safety measures, controls for resident behavior and noise levels and monitoring reports

HHS staff will provide information regarding the proposed sites' proximity to existing resources and service providers. The concentration of and access to social services has been a constant talking point throughout the site location process so staff felt it important to provide that information. Please note that although access to Metro is an important factor, there will be additional transportation services regardless of site location. These services include a City shuttle van, continued access to taxi vouchers and coordinating with providers for other alternate forms of transportation.

It is important to hear from community service providers to see if the three proposed sites will work for them or if there are concerns that need to be identified so that partnerships can be identified that will allow our shelter residents to receive much needed services. Key partners and community agencies have been contacted and asked to provide feedback on the three proposed sites. The agencies we have contacted thus far include...

Avesta, Amistad, Catholic Charities- ACT Team, Cultivating Community, GA/HIRE, City of Portland- Mobile Medical Outreach, Frannie Peabody, CHOM, Goodwill Northern New England Workforce Services, Milestone Recovery, Portland Adult Education, Portland PD-Community Policing, Portland Public Library, Preble Street, PTLA, SARSSM, Shalom House, Spurwink Mental Health Center, TOA/PATH,

Through These Door and HVJ. Please see the attached exhibits regarding the feedback we received from agencies. Exhibit 1.

Please reference this informational table for a quick overview on transportation access, providers near each site, services available near each site and themes that occurred based on feedback from service providers...

Table 1.1

Site	Metro Access	Providers Located Near Proposed Site	Services Offered by Providers	Provider Feedback Themes
Angelo's Acre 431 Commercial Street	Yes	• Amistad • Learning Works • Catholic Charities • STRIVE U • Frannie Peabody Center • Milestone Recovery • Florence House • VA Clinic • Through These Doors Domestic Violence Outreach at the Portland Police Department	• Emergency Shelter • Detox • Peer Support • Case Management • Medical Treatment • Mental Health Care • Meals • Vet Services • Healthcare • Housing Navigation • DV Services • Street Outreach • HOME Team • HIV/AIDS Services • Anti-trafficking services • ESL • Education • Youth Services	• Waterfront safety concerns • Weather Exposure • Ease of access to transportation and amenities • Likely opposition from businesses and residents
County Way	Yes	• Shalom House • Florence House • Iris Network • Logan Place • Metro Office • Learning Works	• Case Management • Emergency Shelter • Services for Blind People • Transportation • Housing Navigation • Housing Subsidies • Anti-trafficking services • ESL • Education • Youth Services	• Some concerned with proximity to jail • Acceptable access to transportation and services • Could be seen as hiding the homeless • Likely opposition from businesses/residents

Riverside Street 654 Riverside Street	Yes	• Spurwink • Riverton Community Policing • ITN Portland	• Transportation • Community Policing • Case Management • Crisis Services • Behavioral Health • Youth Services • Autism Services • Refugee Services • Foster Care Services	• Isolation • Physical Access • Hiding the homeless • Long bus ride • Difficult for MAT • programs to operate • Difficult to access services
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Table 1.1 Summary:

In summary, all three sites appear to meet accessibility criteria regarding Metro access as clearly stated in the zoning language.

The number of service providers within a close distance of each site varies from site to site. Angelo's Acre is the site that has the most service providers located in a close proximity, County Way had the second most and the Riverside location had the least. It is worth noting that although there are social service providers within a reasonable proximity of each site, not all of those services are designed specifically for people experiencing homelessness.

Community service providers were asked to weigh in on each potential location. One clear concern raised by providers is the safety concerns raised by the Angelo's Acre site due to its proximity to the waterfront. Community providers do not seem to view any location as an obstacle for continuing to provide on-site services except for administering any sort of medication assisted treatment (MAT). Some feedback seems to indicate that the location at Riverside Street is perceived as being isolated and could potentially be seen as "hiding the homeless." At least one provider stated that the proposed location at County Way would have a similar effect of "hiding the homeless." Most community providers do not seem to have an issue with a services center being located closely to the Cumberland County Jail campus (only one provider noted this as a concern).

This memo is not meant to steer the Committee's opinion or indicate staff preference for any location. The information gathered is being presented so that the HHS&PS Committee can make an informed decision based solely on information provided at their request. City staff also completed a SWOT analysis on each location as requested during the February 26 HHS&PS Committee Meeting and can be found below in table 1.2.

Staff examined what social services, medical services, emergency services, employment opportunities and schools are located within a close proximity of the three proposed sites. Staff created a table providing specific details of what entities are located near each potential site. Please reference table 1.3.

SWOT (Strengths, Weaknesses, Opportunity, Threats)

Table 1.2

Site	Strengths	Weaknesses	Opportunity	Threats
Angelo's Acre	Flat Parcel, City Owned, Metro Access	Waterfront Proximity, Water Safety Concerns, Small Site, Traffic Concerns	Community Integration, Employment	Potential issues with tourists/patrons, Loss of parking in Old Port
County Way	Large Parcel, Metro Access	Direct Access to Fore River, Traffic Concerns, Train Tracks	Potential Partnerships with the County, Large enough site to build a flexible building	Land Acquisition VRAP
Riverside Street	Large Parcel, Flat Parcel, Metro Access	Isolation, Access, Water Safety	Large enough site to build a flexible building	VRAP

Location Matrix
Table 1.3

Service Providers within the area of Potential Homeless Service Center Locations

Angelo's Acre	County Way	Riverside Industrial Park
• Amistad 66 State Street Distance: 0.3 miles • Catholic Charities 66 State Street Distance: 0.3 miles • STRIVE U 12 Nye Street Distance: 0.2 miles • Frannie Peabody Center 30 Danforth Street Distance: 0.4 miles • Milestone Recovery 65 India Street Distance: 1. mile • Florence House 190 Valley Street Distance: 1.2 miles • VA Clinic 144 Fore Street Distance: 1.1 miles • Learning Works 181 Brackett Street Distance: 1.6 miles • Through These Doors Domestic Violence Outreach at the Portland Police Department 109 Middle Street Distance: 0.9 miles	• Shalom House 106 Gilman Street Distance: 1.1 miles • Florence House 190 Valley Street Distance: 1.2 miles • Iris Network 189 Park Ave Distance: 0.8 miles • Learning Works 181 Brackett Street Distance: 1.1 miles • Logan Place 52 Frederic Street Distance: 0.5 miles • Metro 114 Valley Street Distance: 1.4 miles	• Spurwink 899 Riverside Street Distance: 420ft • Riverton Community Policing 57 Riverton Drive Distance: 0.6 miles • ITN Portland 90 Bridge Street Distance: 3.8 miles

Fire Stations within the area of Potential Homeless Service Center Locations

Angelo's Acre	50 County Way	Riverside Industrial Park
• Fire Headquarters 380 Congress St.Portland, ME 04101 Distance: .9 miles • Bramhall Station 784 Congress St.Portland, ME 04102 Distance: .9 miles	• Bramhall Station 784 Congress St.Portland, ME 04102 Distance: .7 miles	• Riverton Station 1592 Forest Ave.Portland, ME 04103 Distance: 1.2 miles

Employment Opportunities

Angelo's Acre	50 County Way	Riverside Industrial Park
• Over 160 restaurants/bars/coffee shops. • Hospitality options in multiple old port hotels • Working waterfront, to include fish markets • Seasonal employment	• McDonald's • Amato's • Dunkin Donuts • Sullivan Tire • LaQuinta • Paulin's Tire • D'Angelo's • Save-A-Lot • Dollar Tree • Denny's • HP Hood • Barber Foods • Cozy Harbor	• Riverside Recycling Facility • Hannaford • 7 Eleven • Tortilla Flat • Garbage to Garden • Orkin Pest & Termite Control • Micucci's Wholesale Foods • Seacoast Coffee Company • Family Dollar • Multiple Breweries

Schools Within the Area of Potential Sites

Angelo's Acre	50 County Way	Riverside Industrial Park
• Reiche Community School Distance: .6 miles • Waynelete Distance: 1.0 miles	• Reiche Community School Distance: 1.6 miles • Waynelete Distance: 2.2 miles	• Riverside Elementary School Distance: 1.3 miles • Casco Bay High School Distance: 2.8 miles • Portland Arts & Technology High School Distance: 2.8 miles • Lyman Moore Middle School Distance: 2.6 miles • Harrison Lyseth Elementary Distance 2.7 miles

Medical Providers Within the Area of Potential Sites

Angelo's Acre	50 County Way	Riverside Industrial Park
• Frannie Peabody Center Distance: 0.4 mile • Milestone Detox Distance: 1. Mile • VA Portland Clinic Distance: 1.1 miles • Portland Community Free Clinic Distance: 1.1 miles	• Mercy Fore River Distance: 1.4 miles • Maine Medical Center Distance: 0.8 miles • 180 Park Ave Distance: 0.7 miles • Iris Network Distance: 0.8 miles	

Exhibit 1

Shelter Location(s): Further Inquiry



February 26 List

Thames St. Parking Lot

1819 Westbrook St.

Franklin Reserve

654 Riverside St.

622 Auburn St.

Angelo’s Acre

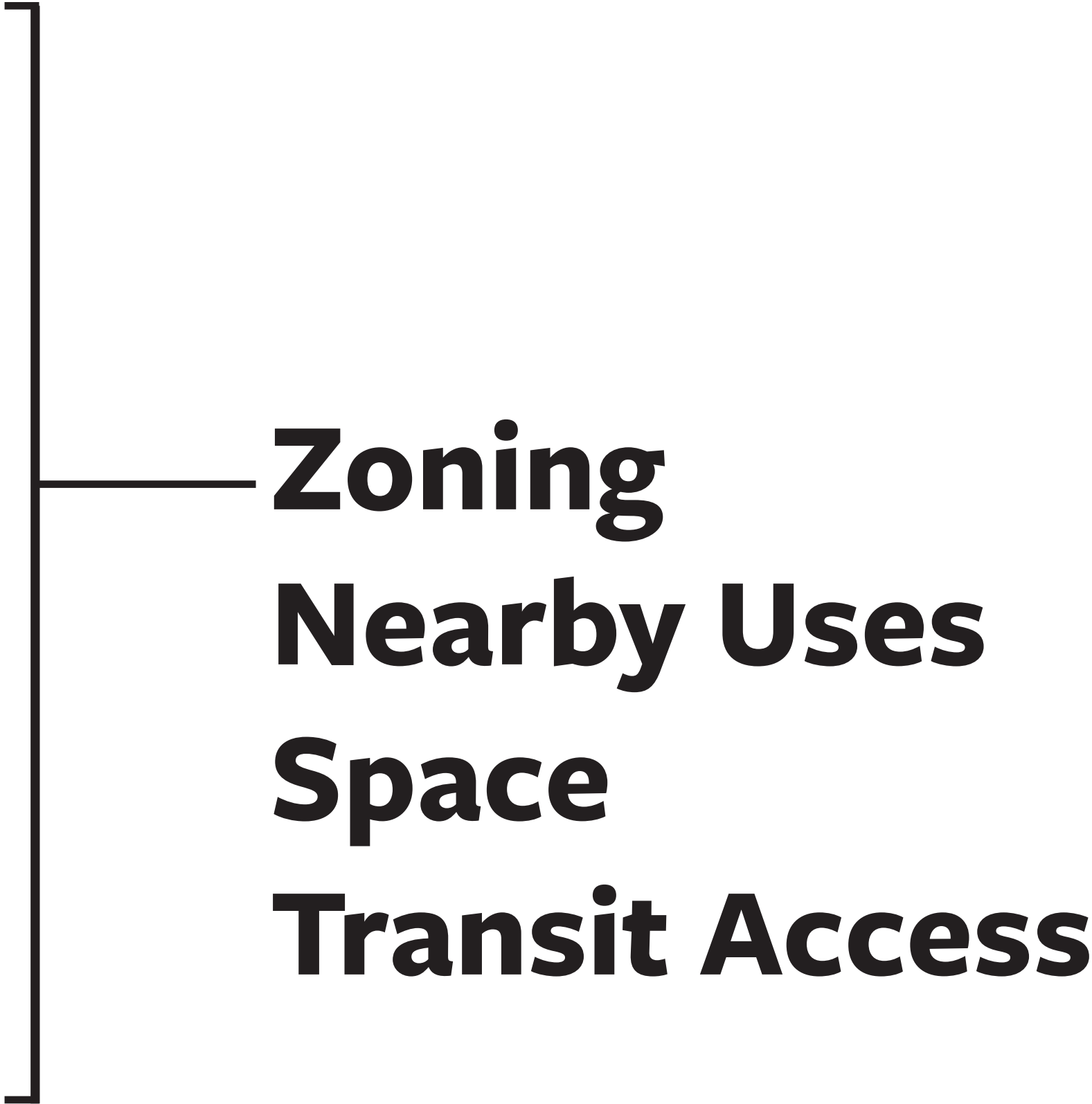
33 Portland St.

83 Middle St.

1386 Riverside St.

3 Hutchins Dr.

County Way Acquisition



- Zoning**
- Nearby Uses**
- Space**
- Transit Access**

HHS Selections

Thames St. Parking Lot

1819 Westbrook St.

Franklin Reserve

654 Riverside St.

622 Auburn St.

Angelo’s Acre

33 Portland St.

83 Middle St.

1386 Riverside St.

3 Hutchins Dr.

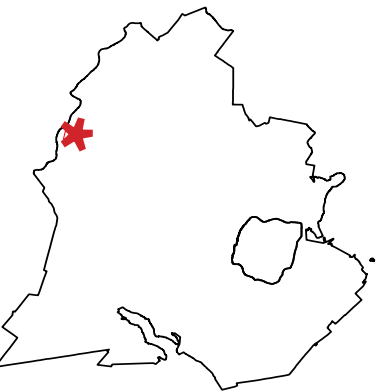
County Way Acquisition

**Identified for
Continued Analysis**

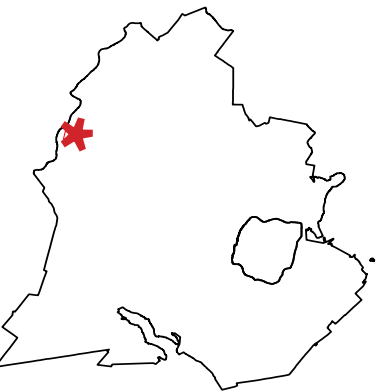
654 Riverside St.



654 Riverside St. (EDIT)



654 Riverside St. (EDIT)



654 Riverside St. (EDIT)

ON SITE ZONING (% Area)

69.7 IM

30.3 IH

ZONING % WITHIN BUFFER

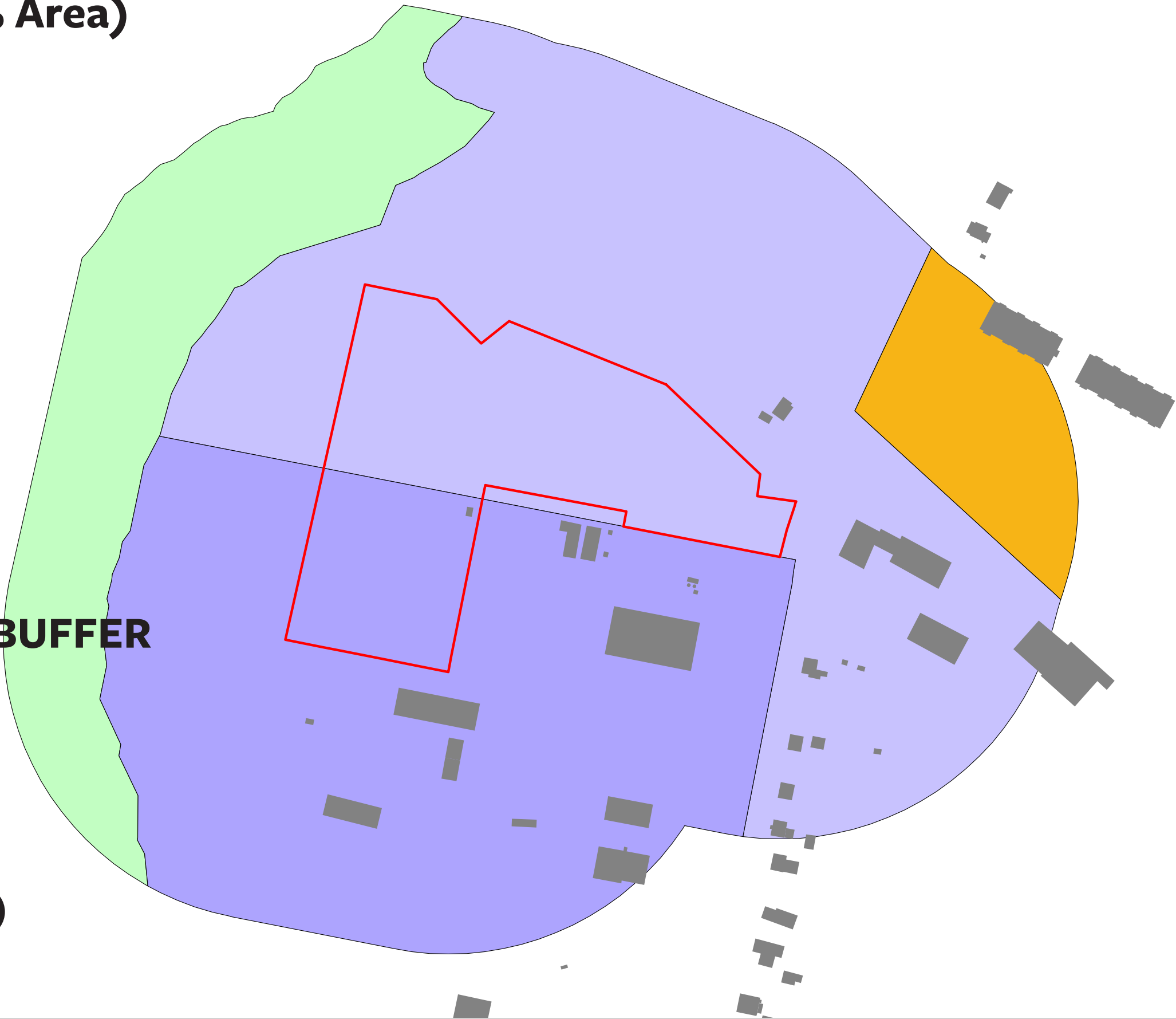
42.3 IM

34.8 IH

14.9 RPZ

5.3 R5

2.7 na (Out of City)



654 Riverside St. (EDIT)

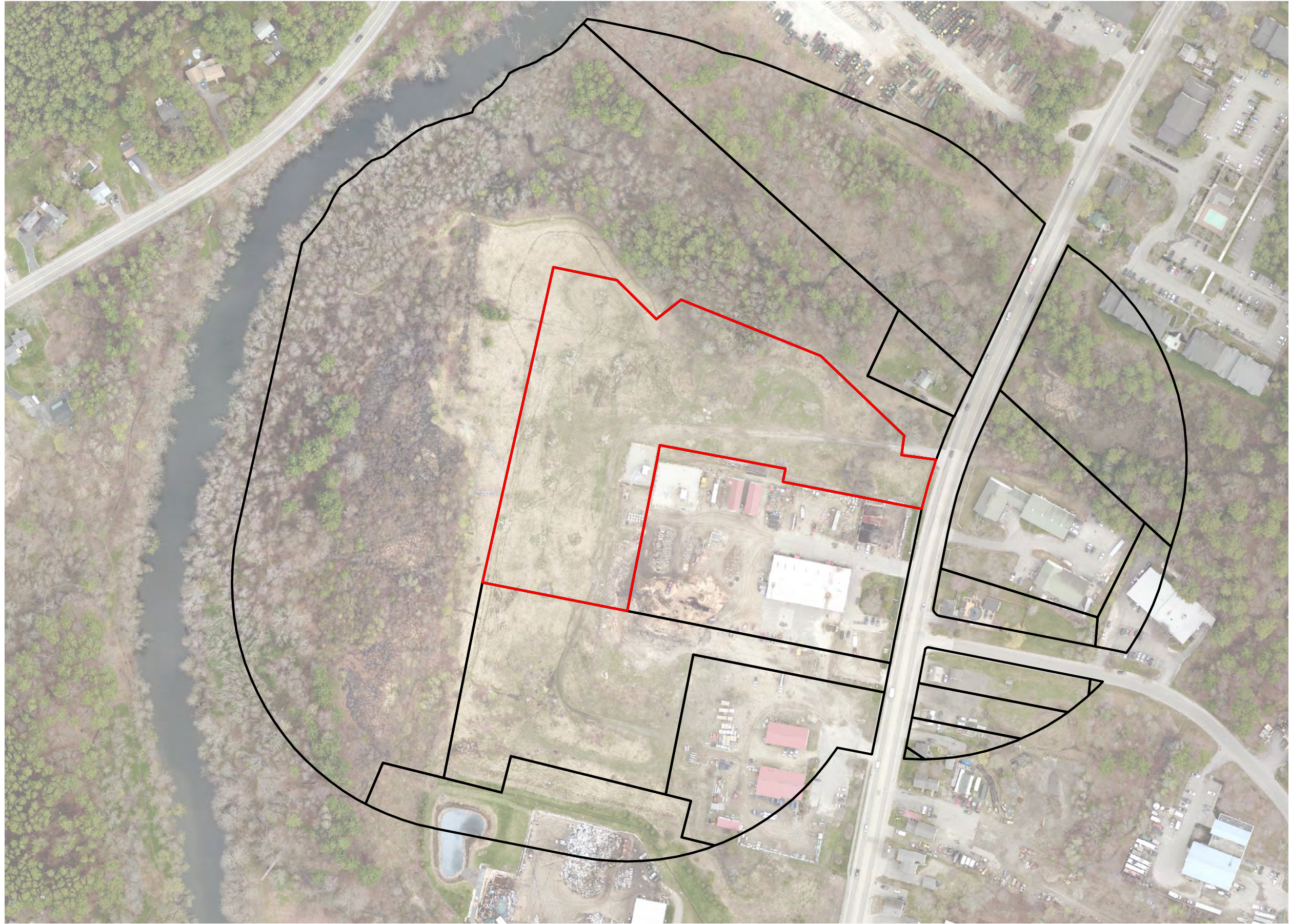
ASSESSED USE (% area):

- 58.9** Governmental
- 16.8** Multi-use Commercial
- 10.0** Parking lots
- 5.2** Twenty-one Plus Family
- 4.4** Single Family
- 3.7** Warehouse/storage

OTHER (<1% area)
manufacturing

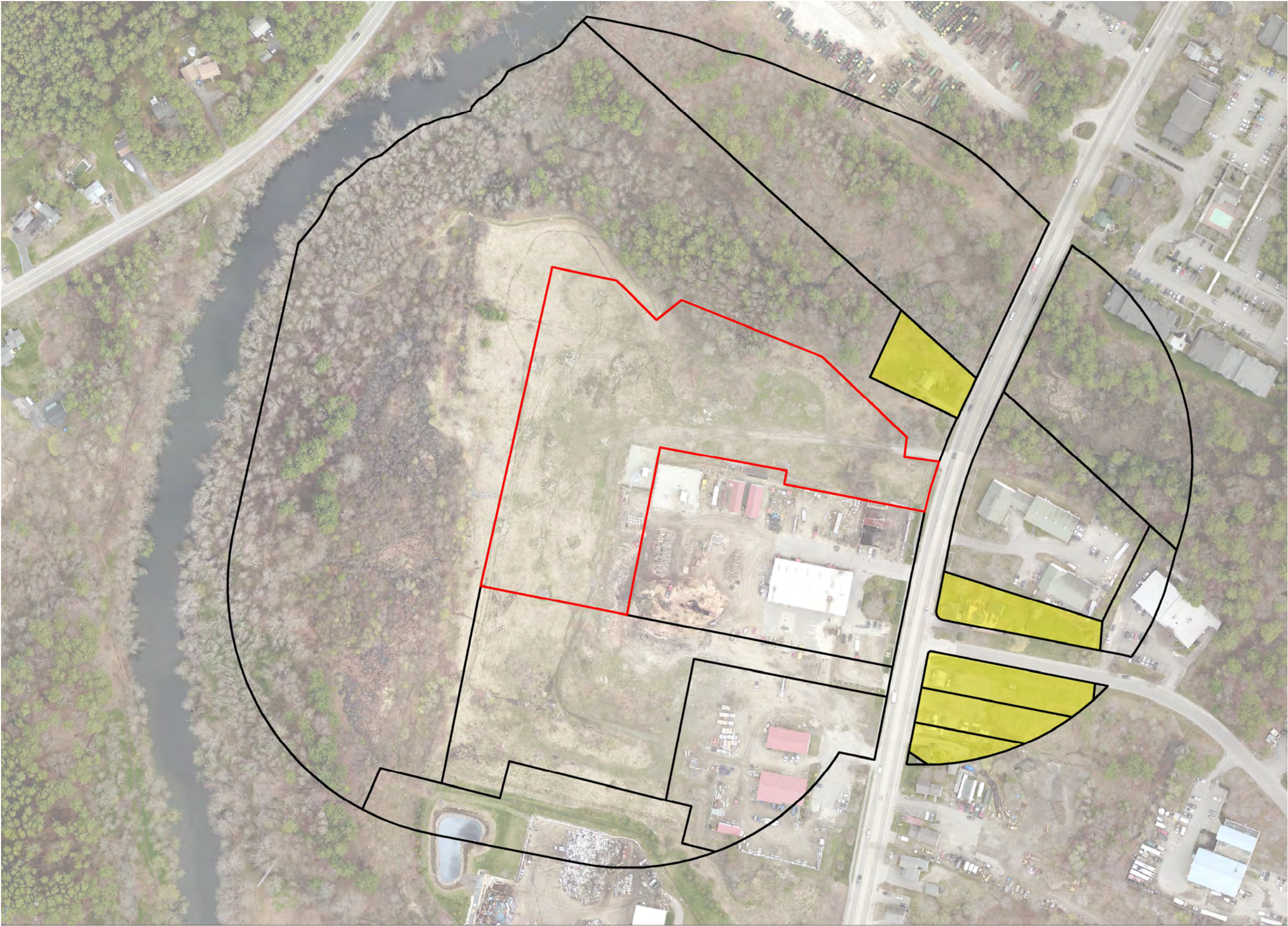


654 Riverside St.



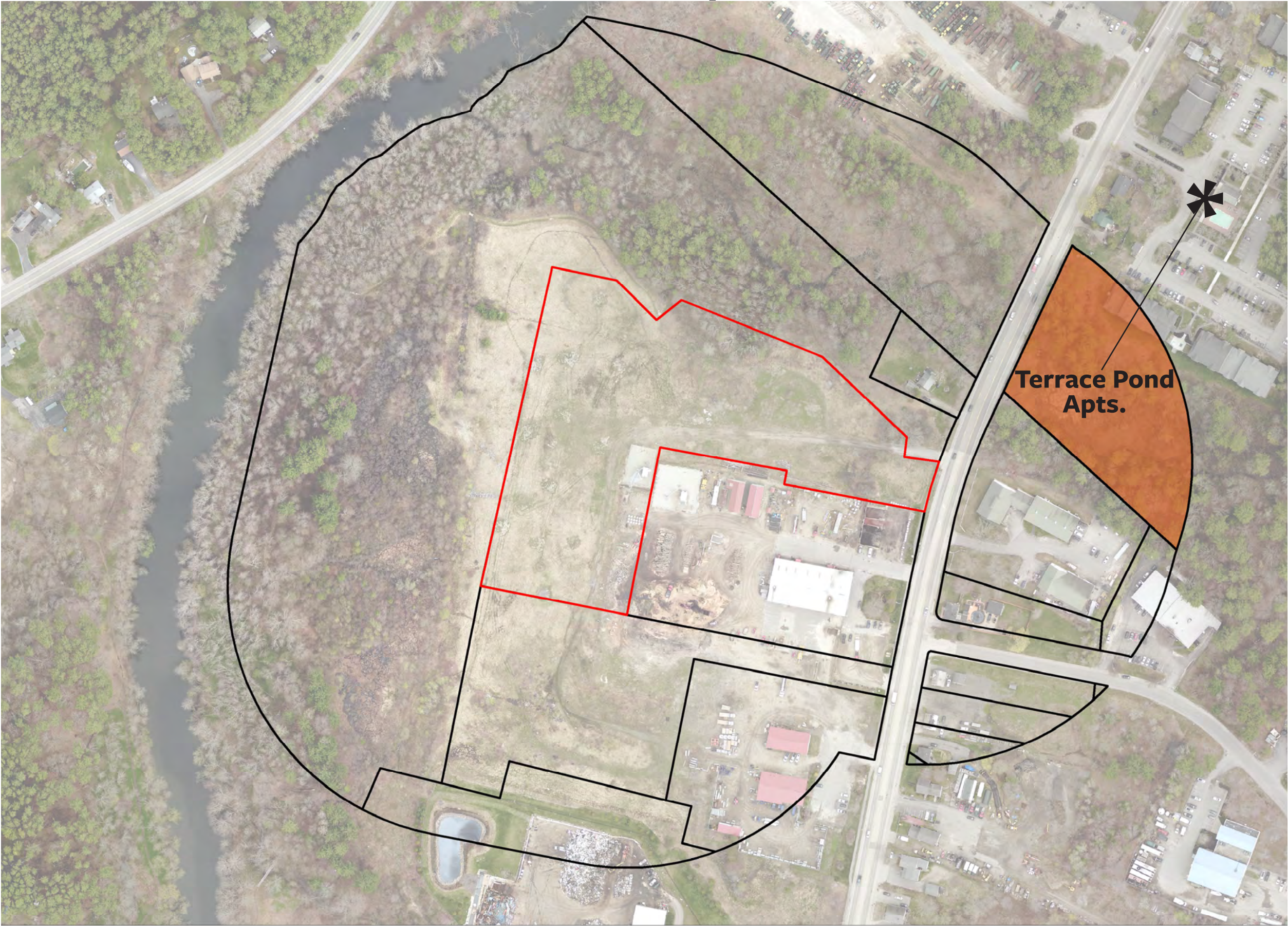
654 Riverside St: single family

one fam units: ~5 five plus fam units: ~117* total units: ~122

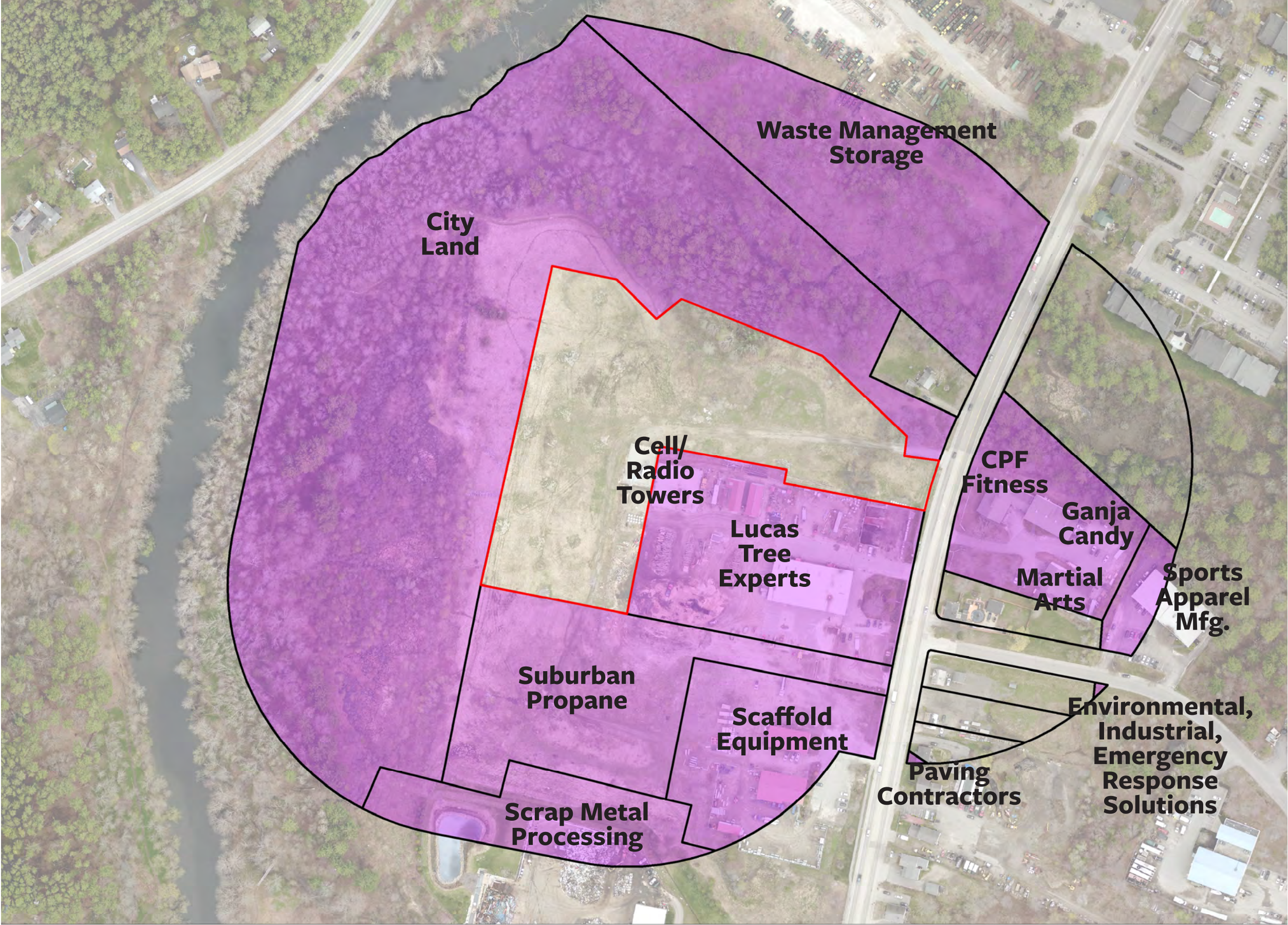


654 Riverside St: larger residential

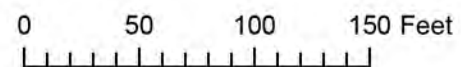
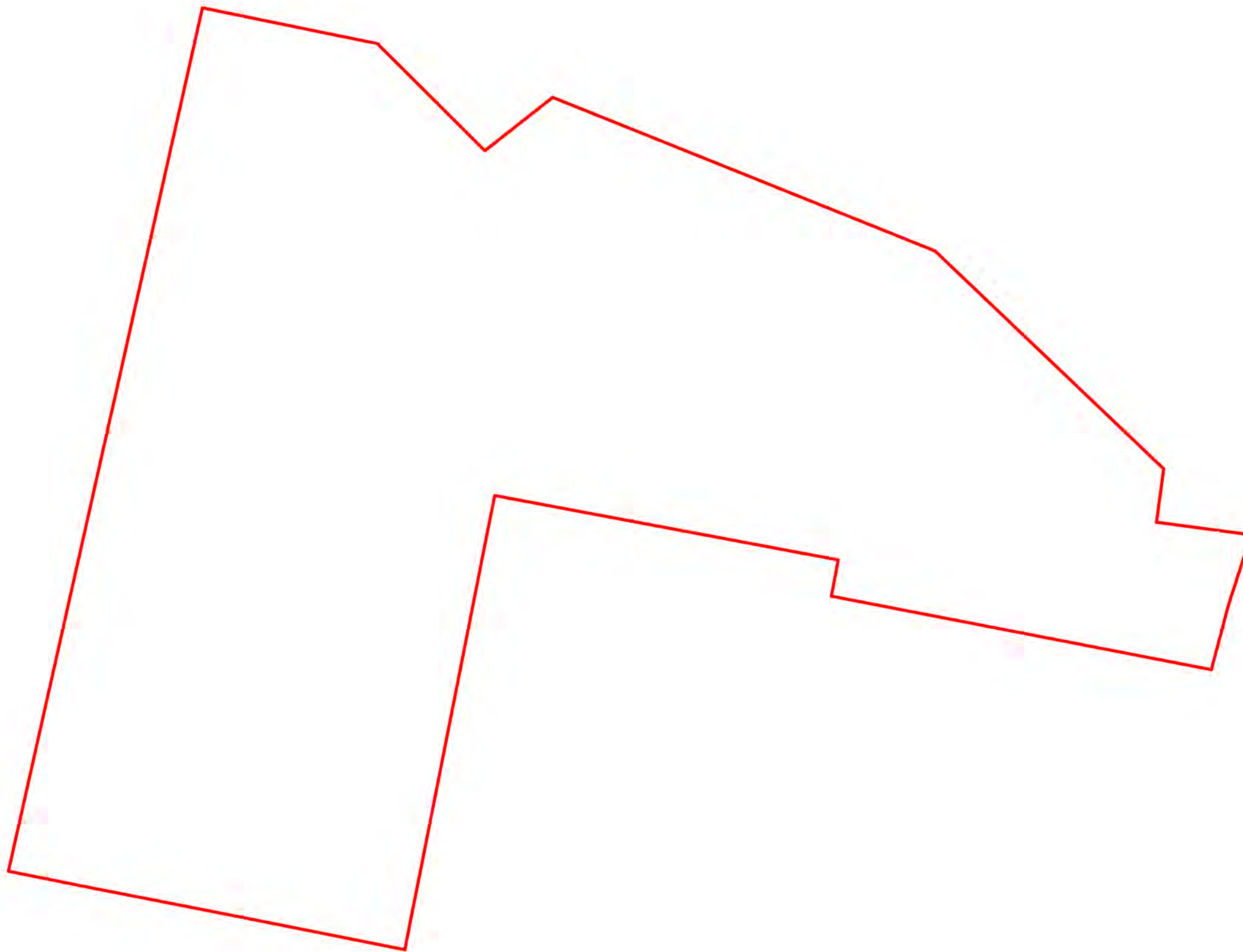
one fam units: ~5 five plus fam units: ~117* total units: ~122



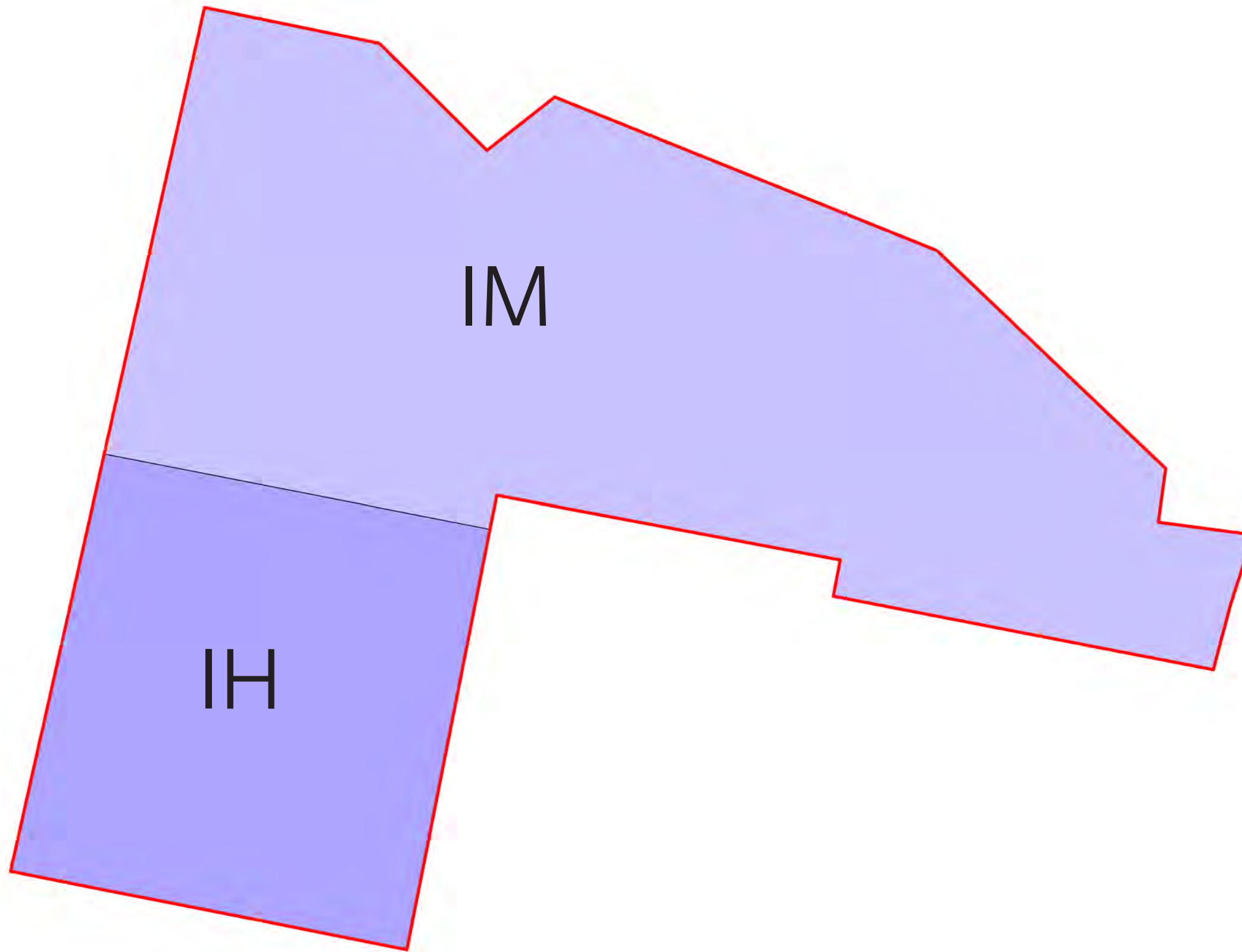
654 Riverside St: other uses



654 Riverside St.



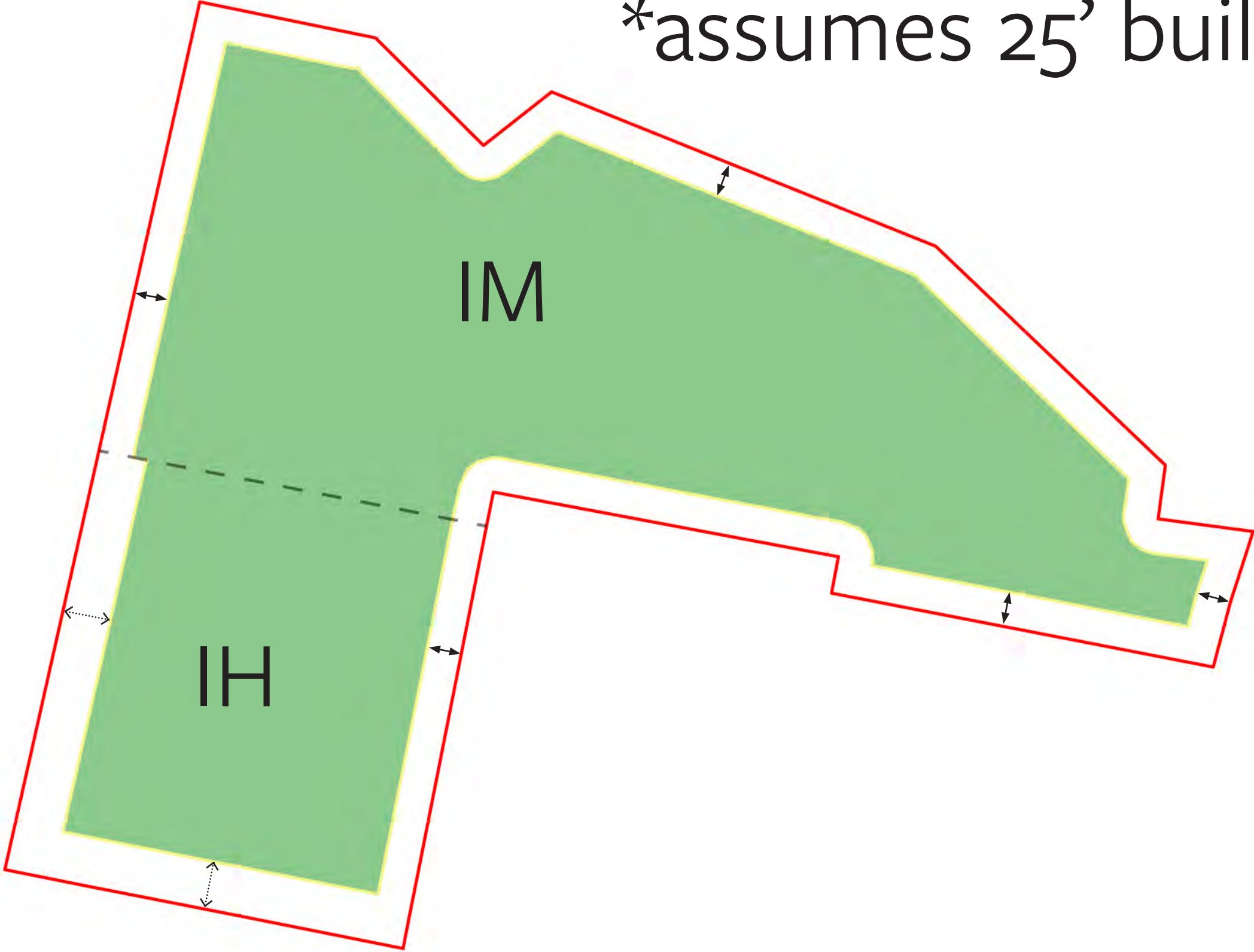
654 Riverside St: site zoning



0 50 100 150 Feet

654 Riverside St: zoning envelope*

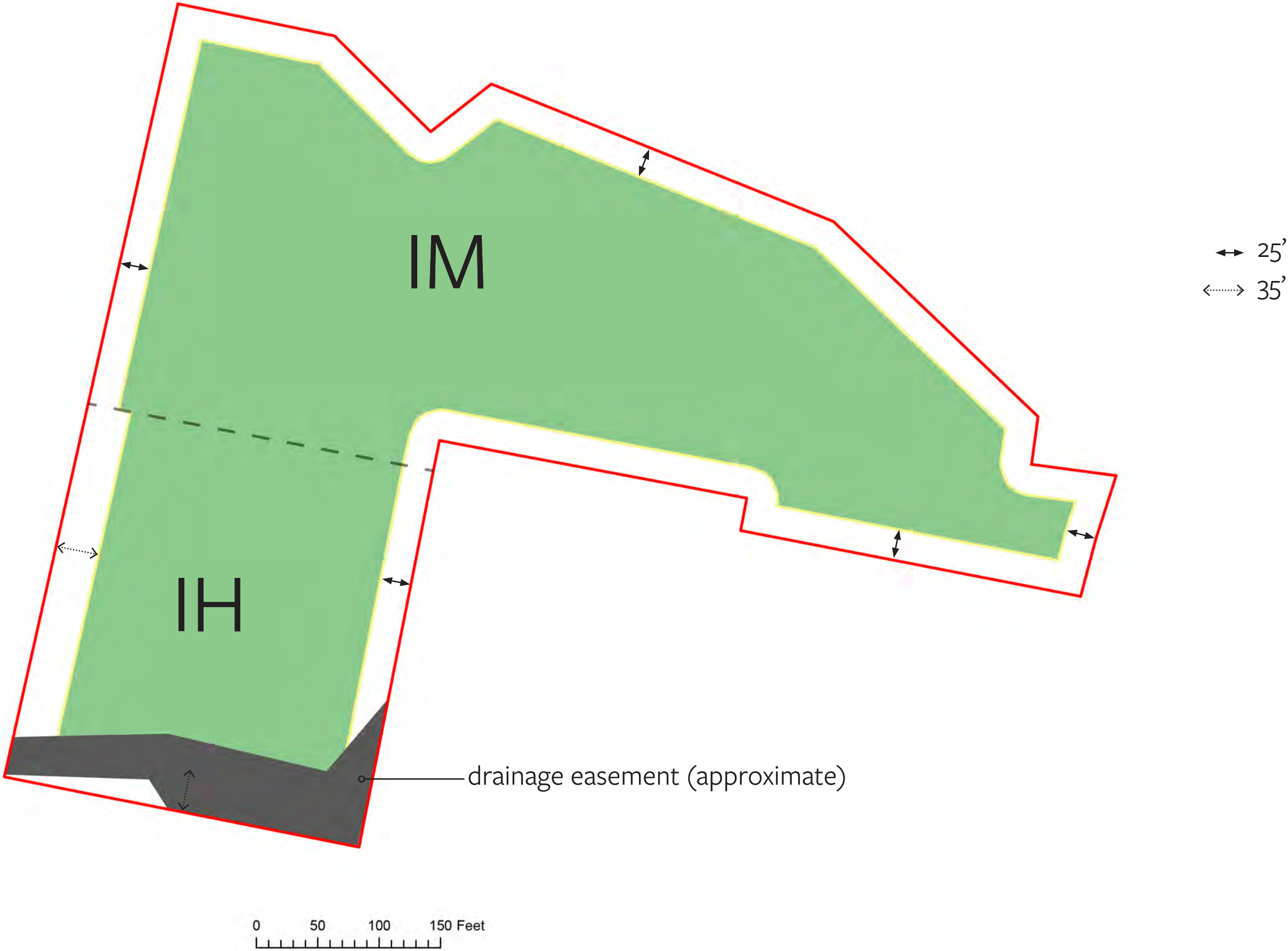
*assumes 25' building



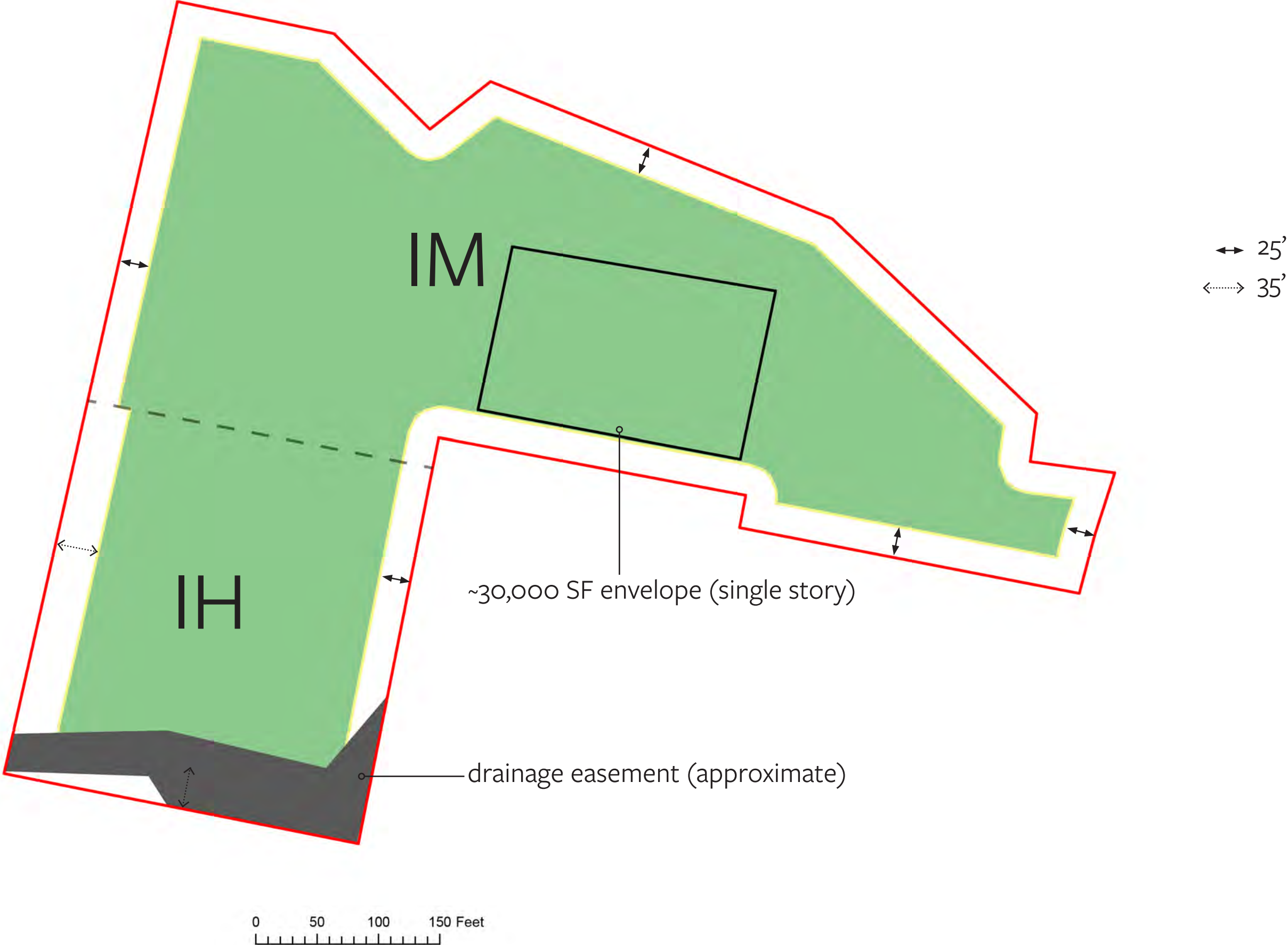
↔ 25'
↔ 35'

0 50 100 150 Feet

654 Riverside St: drainage easement



654 Riverside St: ~30k SF building



654 Riverside St: context



0 50 100 150 Feet

654 Riverside St: site challenges



VRAP

Flood Zone (limited)

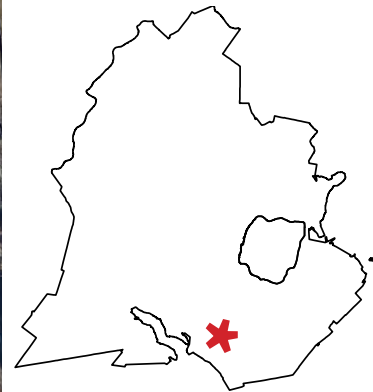
Nearby Industry

Pedestrian Access

Offered for Sale

(interested buyer)

County Way



County Way

ON SITE ZONING (% Area)

95.0 IL

5.0 B2

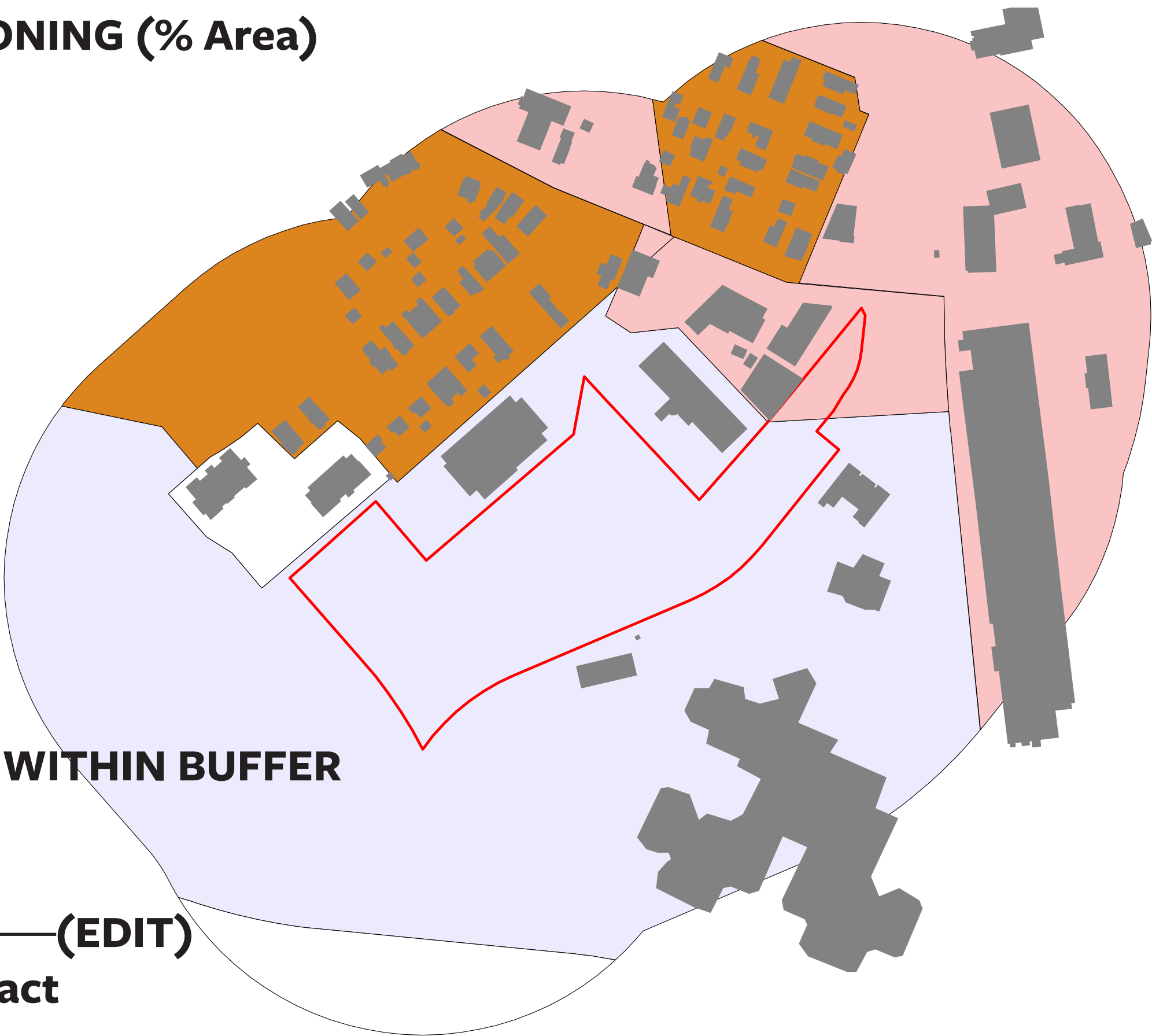
ZONING % WITHIN BUFFER

53.5 IL

23.1 B2

17.3 R6 ← (EDIT)

6.1 Contract



County Way

ASSESSED USE (% area):

- 41.5** Governmental
- 19.2** Retail Services
- 12.7** Null
- 5.3** Benevolent/charitable
- 5.2** Single Family
- 3.6** Two Family
- 3.5** Office Business
- 2.5** Three Family
- 1.2** Five to Ten Family
- 1.2** Twenty-one plus Family
- 1.1** Multi-use Commercial

OTHER (<1% area)

- parking lots**
- manufacturing**
- religious**
- transportation**
- vacant land**

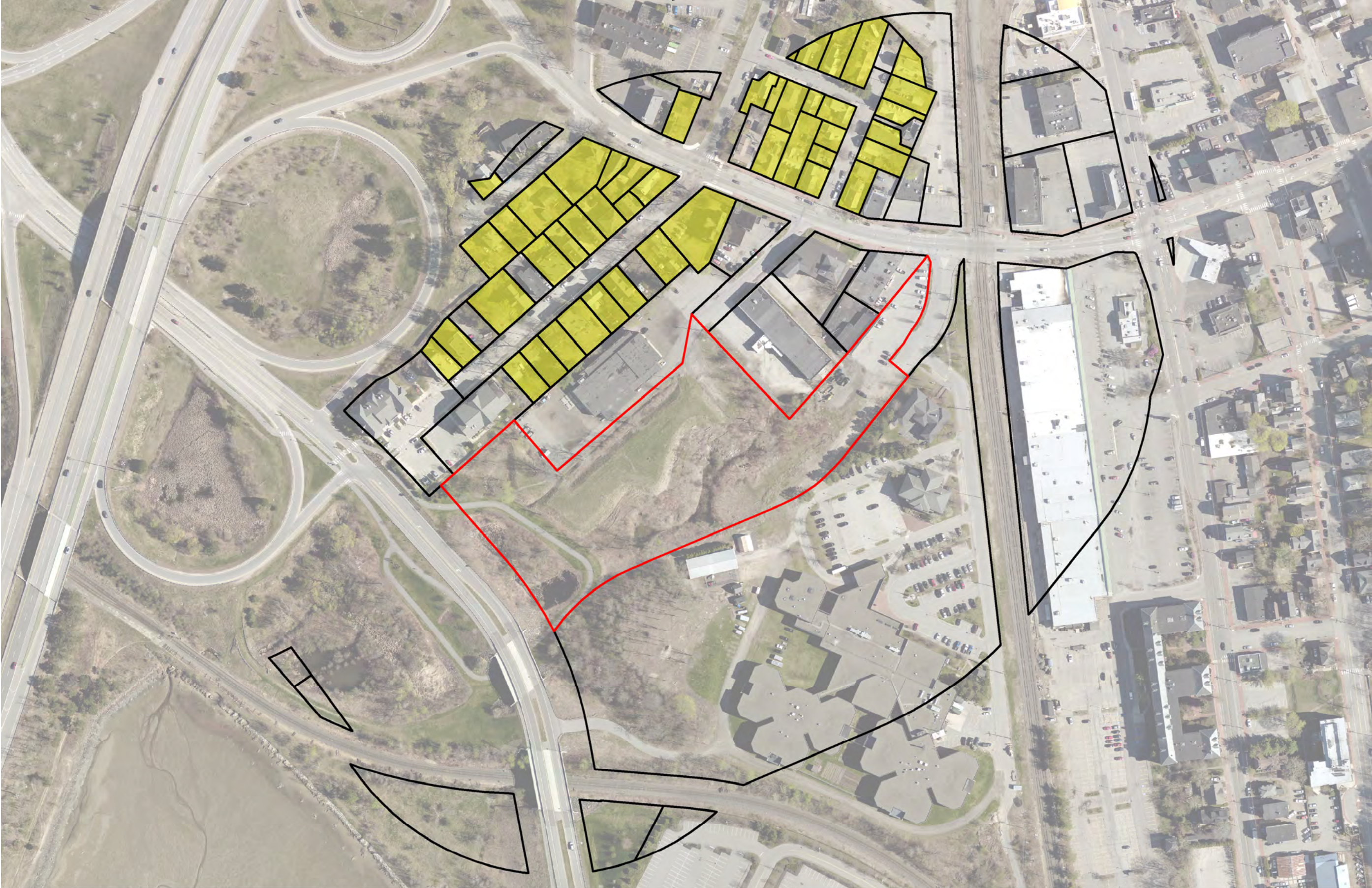


County Way



County Way: 1-4 family

one to four fam units: ~90 five plus fam units: ~55 total units: ~145

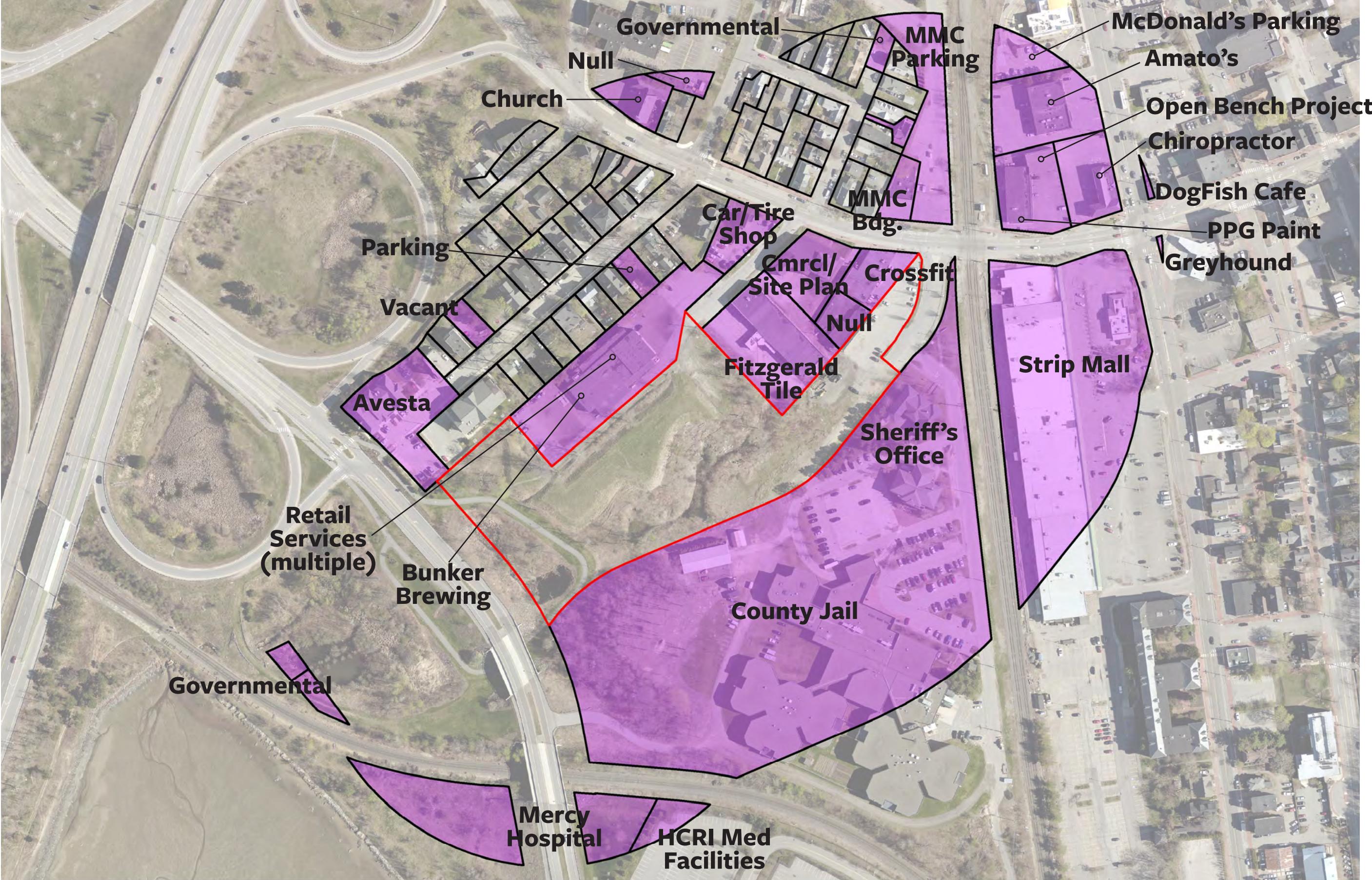


County Way: larger residential

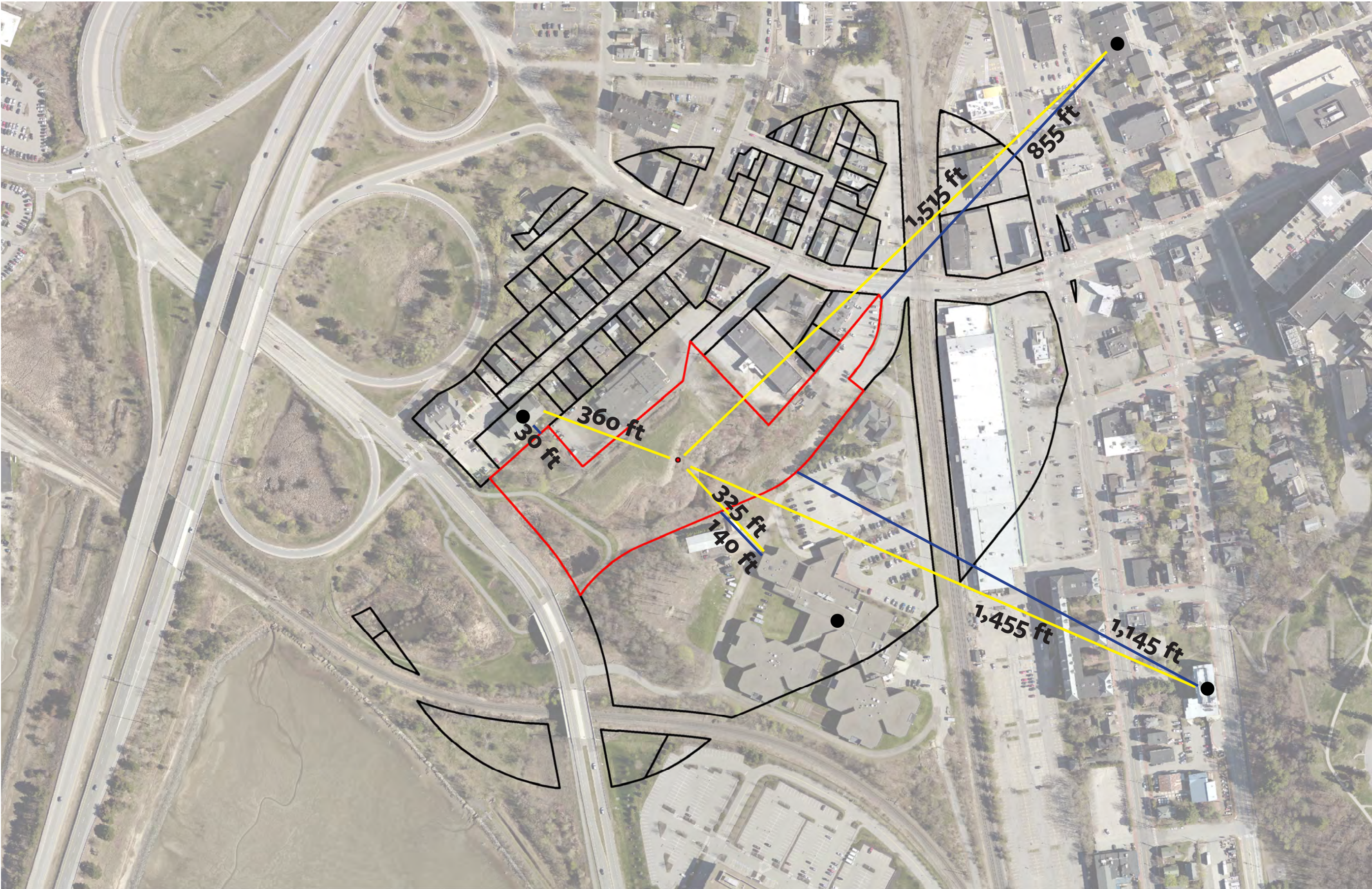
one to four fam units: ~90 five plus fam units: ~55 total units: ~145



County Way: other uses



County Way: requested distances

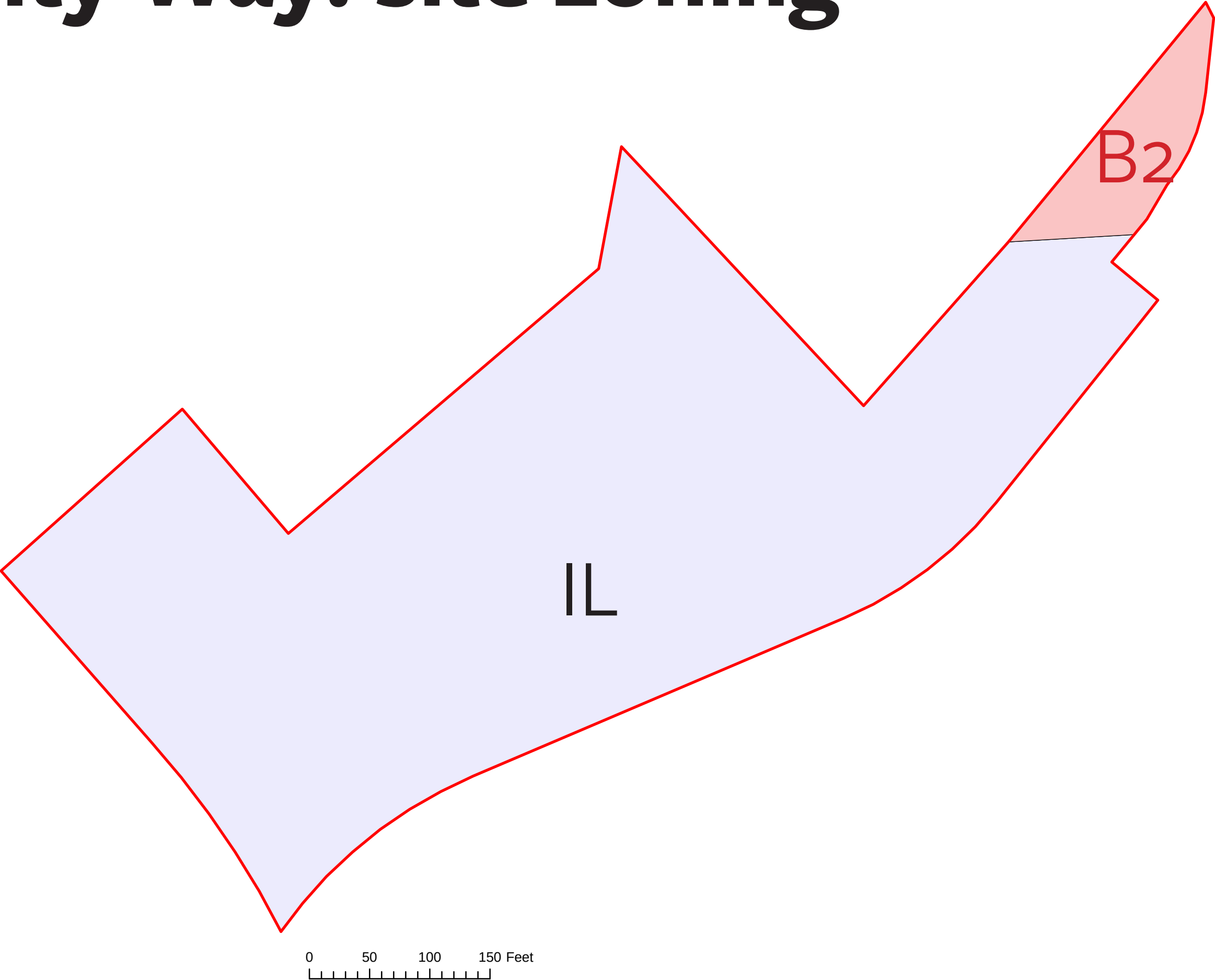


County Way

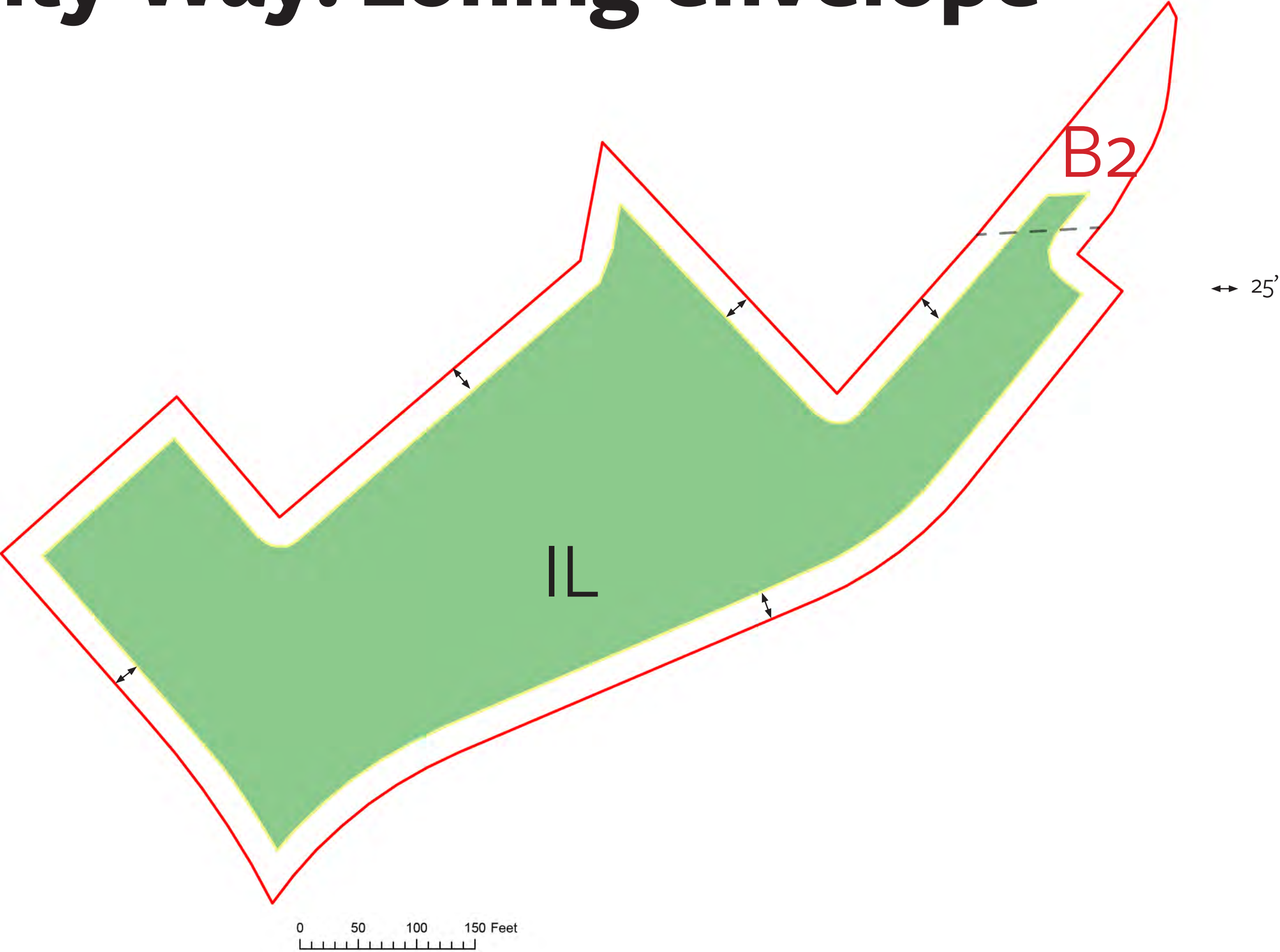


0 50 100 150 Feet

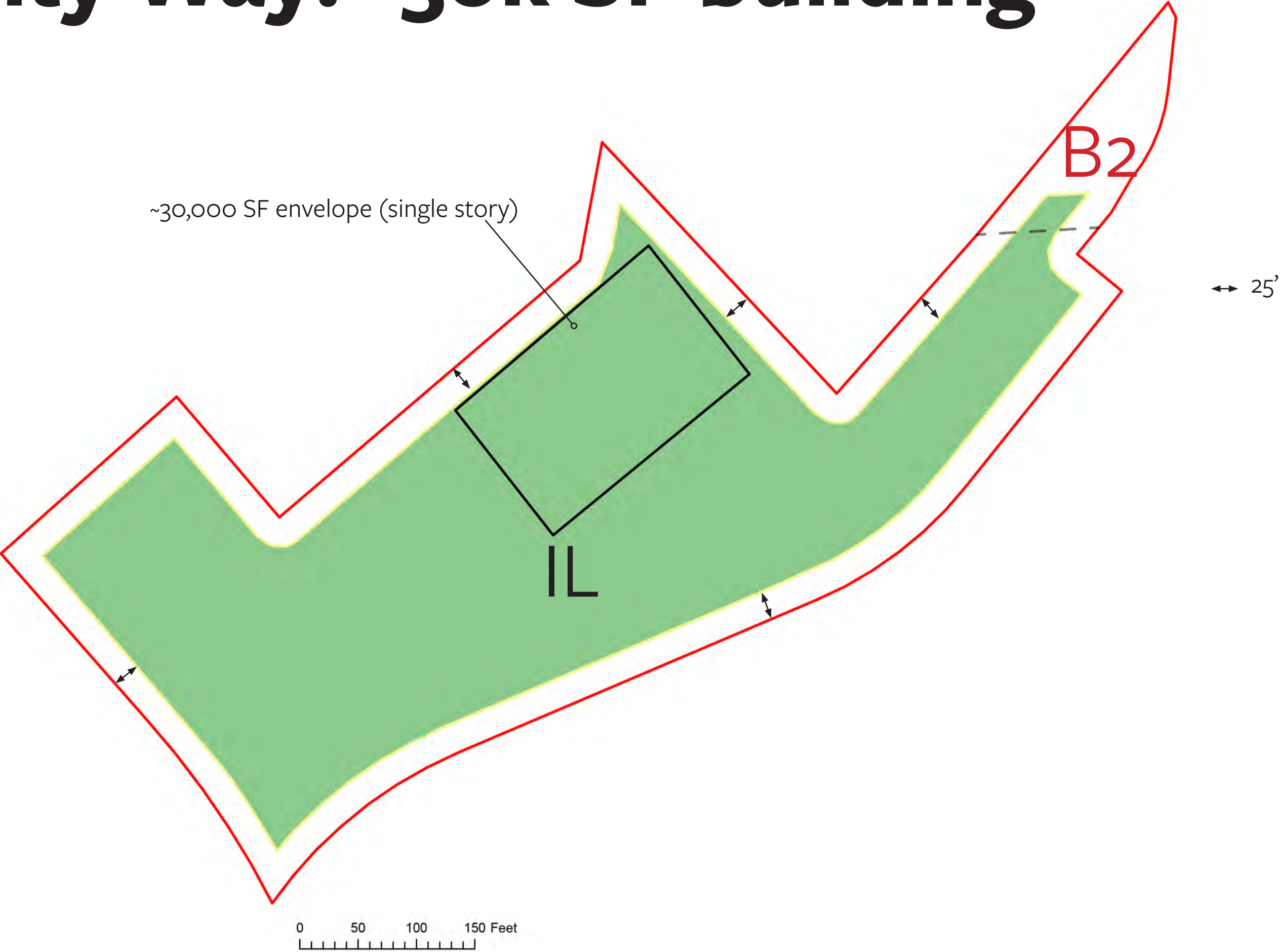
County Way: site zoning



County Way: zoning envelope



County Way: ~30k SF building



County Way: context



0 50 100 150 Feet

County Way: context cont'd



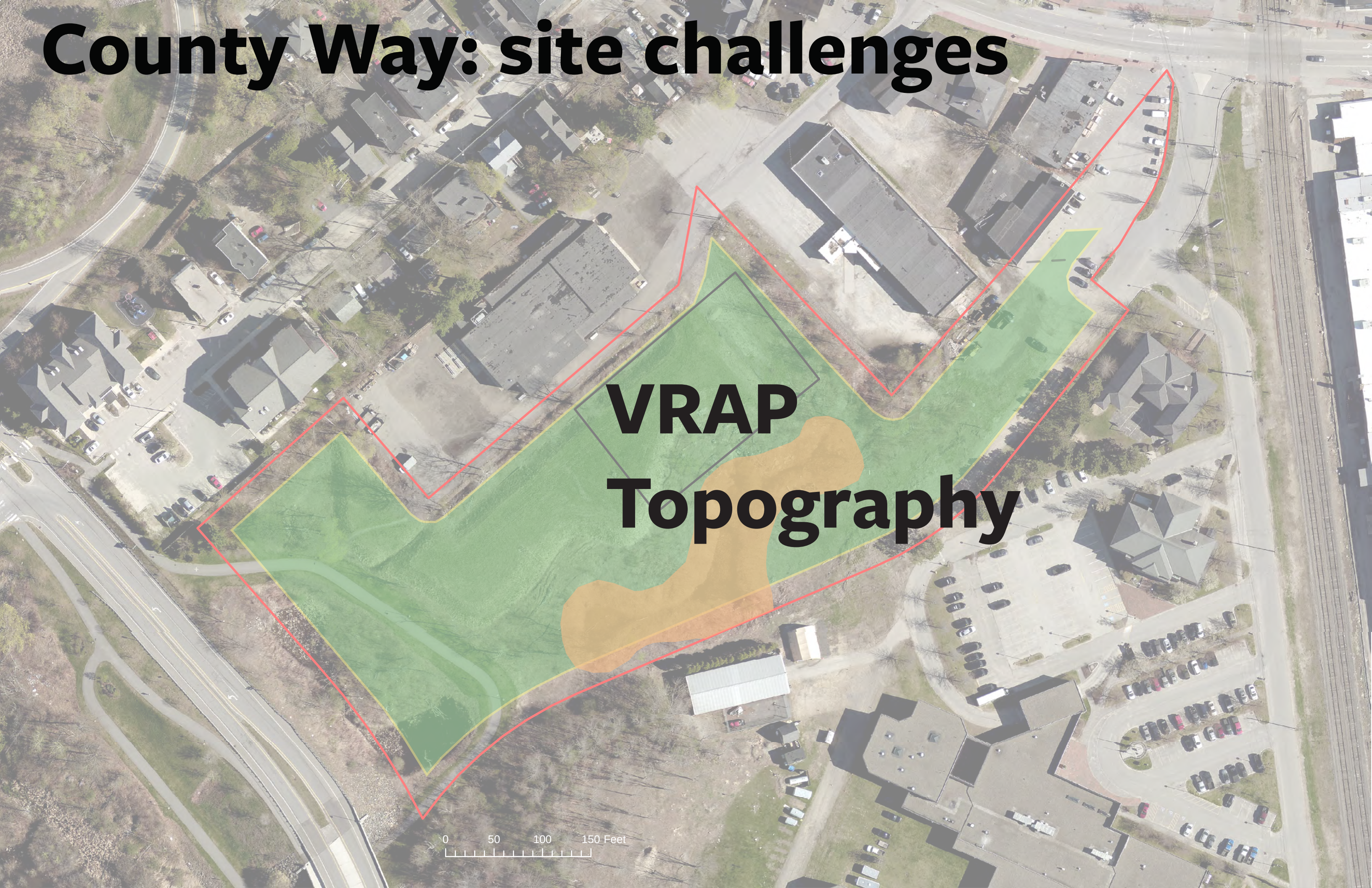
0 50 100 150 Feet

County Way: site challenges

VRAP

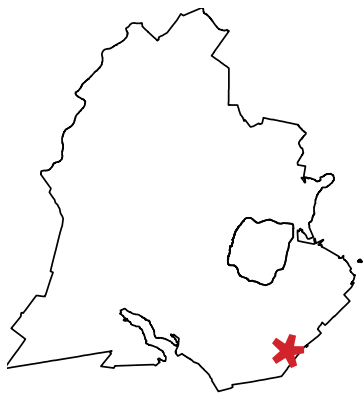
Topography

0 50 100 150 Feet



This aerial photograph shows a residential area with several houses and parking lots. A large green area, outlined in red, represents the VRAP (Village Residential Access Point) site. Within this green area, a brownish-orange shape indicates the topography. A scale bar at the bottom left shows distances of 0, 50, 100, and 150 feet. The text 'County Way: site challenges' is at the top, and 'VRAP Topography' is overlaid on the green area.

Angelo's Acre



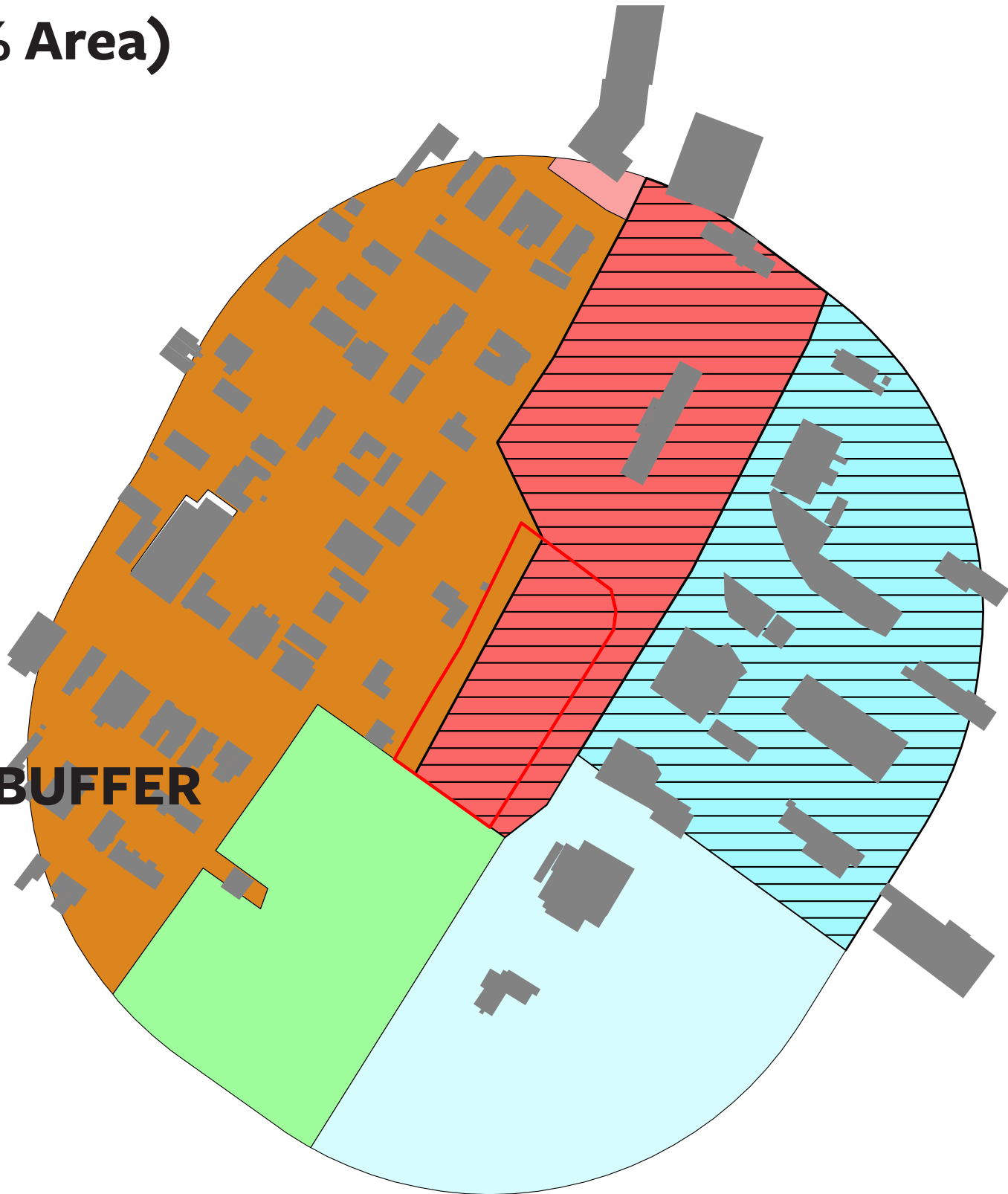
Angelo's Acre

ON SITE ZONING (% Area)

80.4 B5b
19.6 R6

ZONING % WITHIN BUFFER

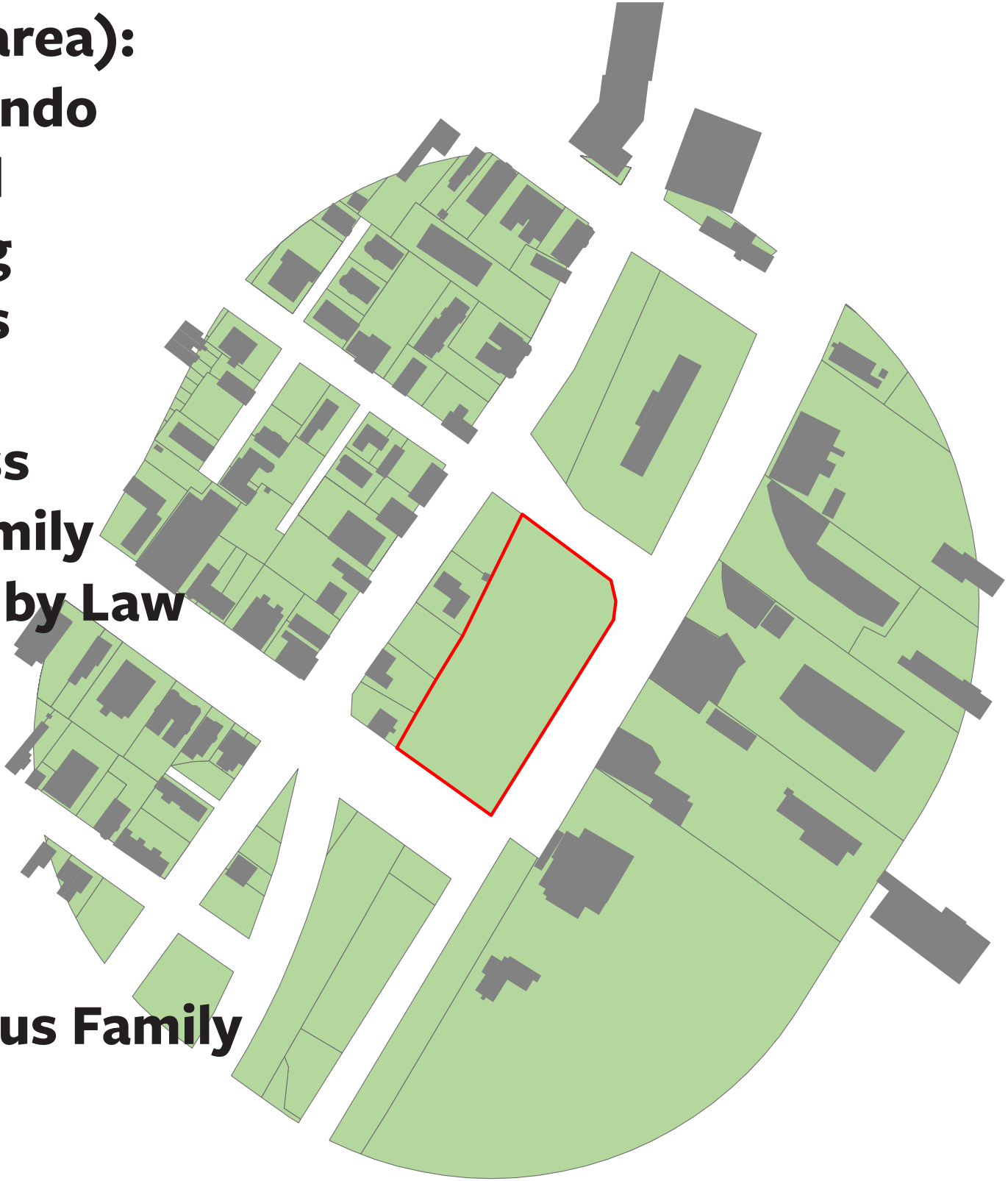
33.9 R6
20.0 WCZ
17.8 WPDZ
15.6 B5b
11.6 ROS
0.7 Contract
0.4 B3



Angelo's Acre

ASSESSED USE (% area):

- 37.9 Residential Condo**
- 20.6 Governmental**
- 7.9 Manufacturing**
- 4.3 Retail Services**
- 4.0 Wholesale**
- 3.6 Office Business**
- 3.2 Five to Ten Family**
- 3.2 Other Exempt by Law**
- 2.2 Single Family**
- 2.1 Vacant Land**
- 2.0 Four Family**
- 1.7 Three Family**
- 1.6 Null**
- 1.4 Twenty-one Plus Family**
- 1.1 Land Bank**



- OTHER (<1% area)**
- two family**
 - benevolent/charitable**
 - eleven to twenty family**
 - warehouse/storage**
 - parking lots**
 - commercial condos**
 - transportation**

Angelo's Acre



Angelo's Acre: 1-4 family

one to four fam units: ~97 five plus fam units: ~55 total units: ~145



Angelo's Acre: larger residential

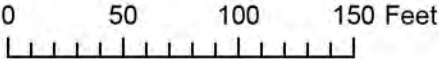
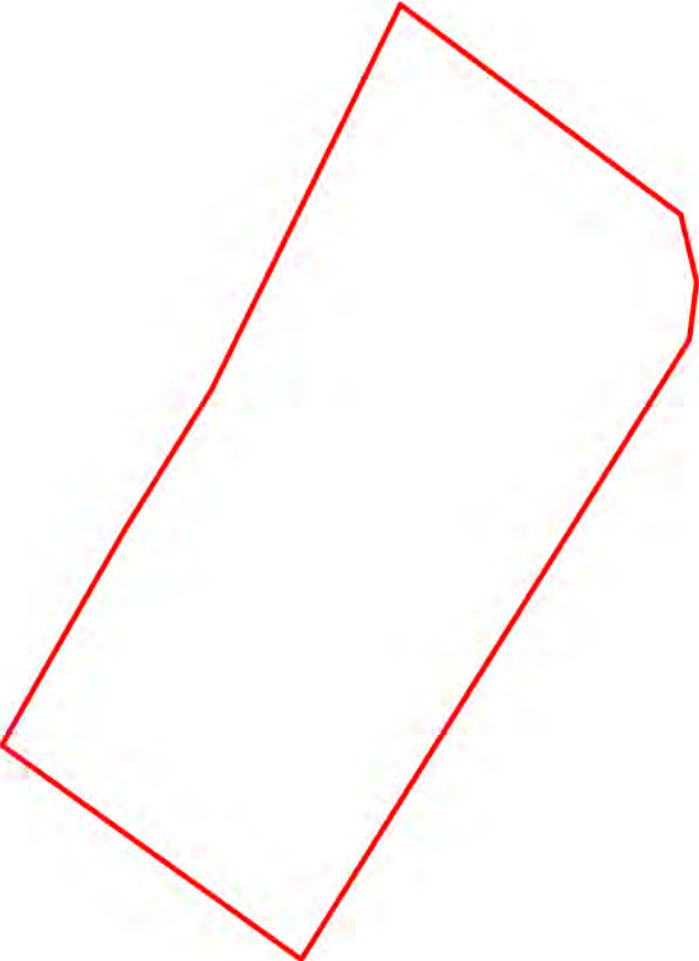
one to four fam units: ~97 five plus fam units: ~269 total units: ~366



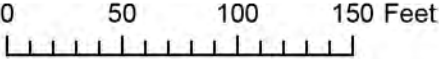
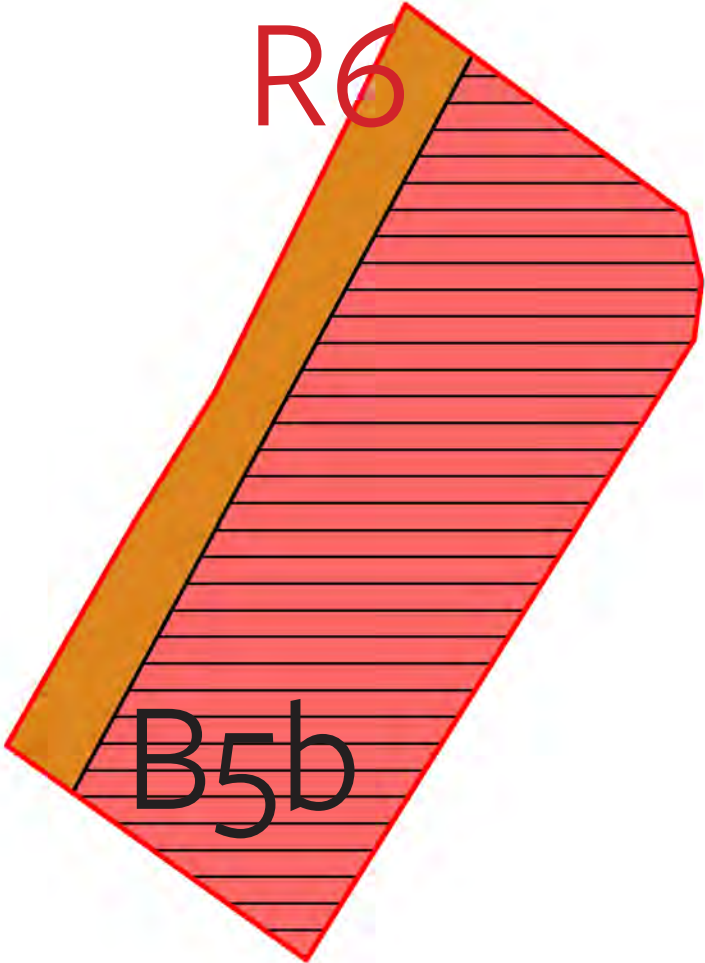
Angelo's Acre: other uses



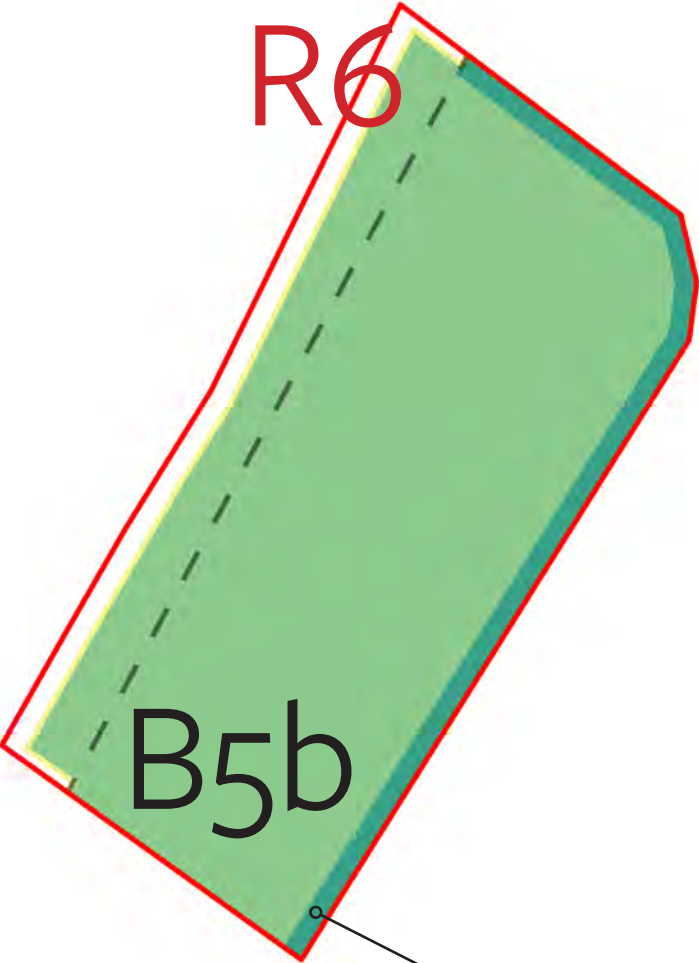
Angelo's Acre:



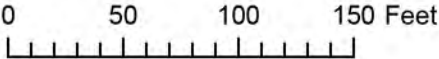
Angelo's Acre: site zoning



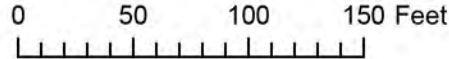
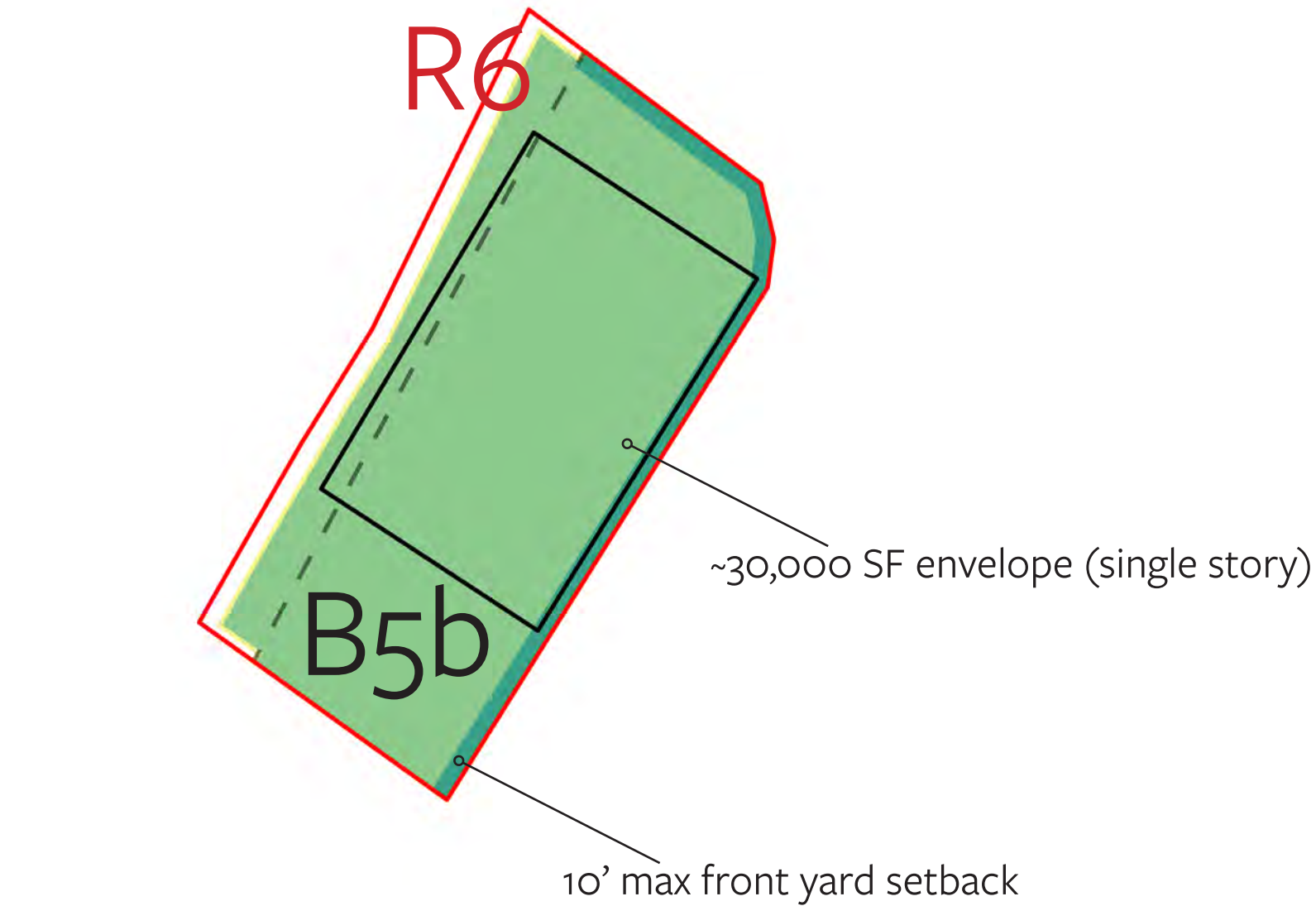
Angelo's Acre: zoning envelope



10' max front yard setback



Angelo's Acre: ~30k SF building



Angelo's Acre: context



0 50 100 150 Feet

Angelo's Acre: site concerns

Smallest Site
Surrounding Context
Site Testing Req'd
Current Use: Parking

0 50 100 150 Feet

Next Steps

654 Riverside St.

Angelo's Acre

County Way Acquisition



HHS analysis:

staff and partner feedback

Council direction:

which sites continue to be feasible and desirable?

Further analysis:

sites may harbor unforeseen constraints

Report back:

which sites remain feasible and compelling?

Additional Council direction:

narrowing site(s) selection

Questions?



MEMORANDUM
City Council Agenda Item

FROM:

DATE: May 14, 2019

SUBJECT: **Order 248-18/19 Approving a Homeless Services Center at 654 Riverside Street - Sponsored by the Health & Human Services and Public Safety Committee, Councilor Belinda S. Ray, Chair.**

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 5/20/2019

Final Action

Can action be taken at a later date: Yes Yes.

PRESENTATION:

Councilor Ray, Chair of the HHS & Public Safety Committee.

I. SUMMARY

654 Riverside Street is one of two potential homeless services center sites the HHS & Public Safety Committee voted to recommend to the full City Council.

II. AGENDA DESCRIPTION

The Health & Human Services and Public Safety Committee met on April 16, 2019 and voted 3 - 0 to forward this order to the City Council for consideration of two potential homeless services center sites. It intended that the City Council as a whole would consider both and determine which one was the best option for the City.

This order approves 654 Riverside Street as the location for the Homeless Services Center.

A public hearing on this item will be held this evening.

Mayor Strimling is requesting that final action on this item be postponed to the June 3, 2019 City Council meeting.

III. BACKGROUND

The HHS & Public Safety Committee has worked to analyze potential Homeless Service Center site locations in the City of Portland that meet a best practice model. Sites have been screened to meet specific zoning and lot size requirements. On April 16th, 2019, the Committee moved to recommend the Angelo's Acre and Riverside locations to the full Council.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

It is the goal of the City of Portland to undertake work on a new state-of-the-art, adult emergency shelter to replace the Oxford Street Shelter. The new shelter will be open 24-hours a day, 7-days a week with on-site meals and a wide range of services including: health and mental health care, substance use treatment, housing assistance, peer support, case management, employment assistance, and more.

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

The City of Portland's shelter guests and valued staff deserve to live and work in a respectful and safe environment. We will no longer allow some

of our most vulnerable community members to live in inadequate conditions and in locations where they are easily abused, taken advantage of, and judged for their perceived shortcomings.

The current adult shelter on Oxford Street is leased, poorly configured, and requires residents to vacate the facility every morning with all of their belongings. The building has three floors which require almost double the number of staff who could oversee guests in a single-story building designed specifically as a shelter. It also has cramped sleeping space which necessitates floor mats rather than cots and utilizes a large area for sleeping in the eaves of the building.

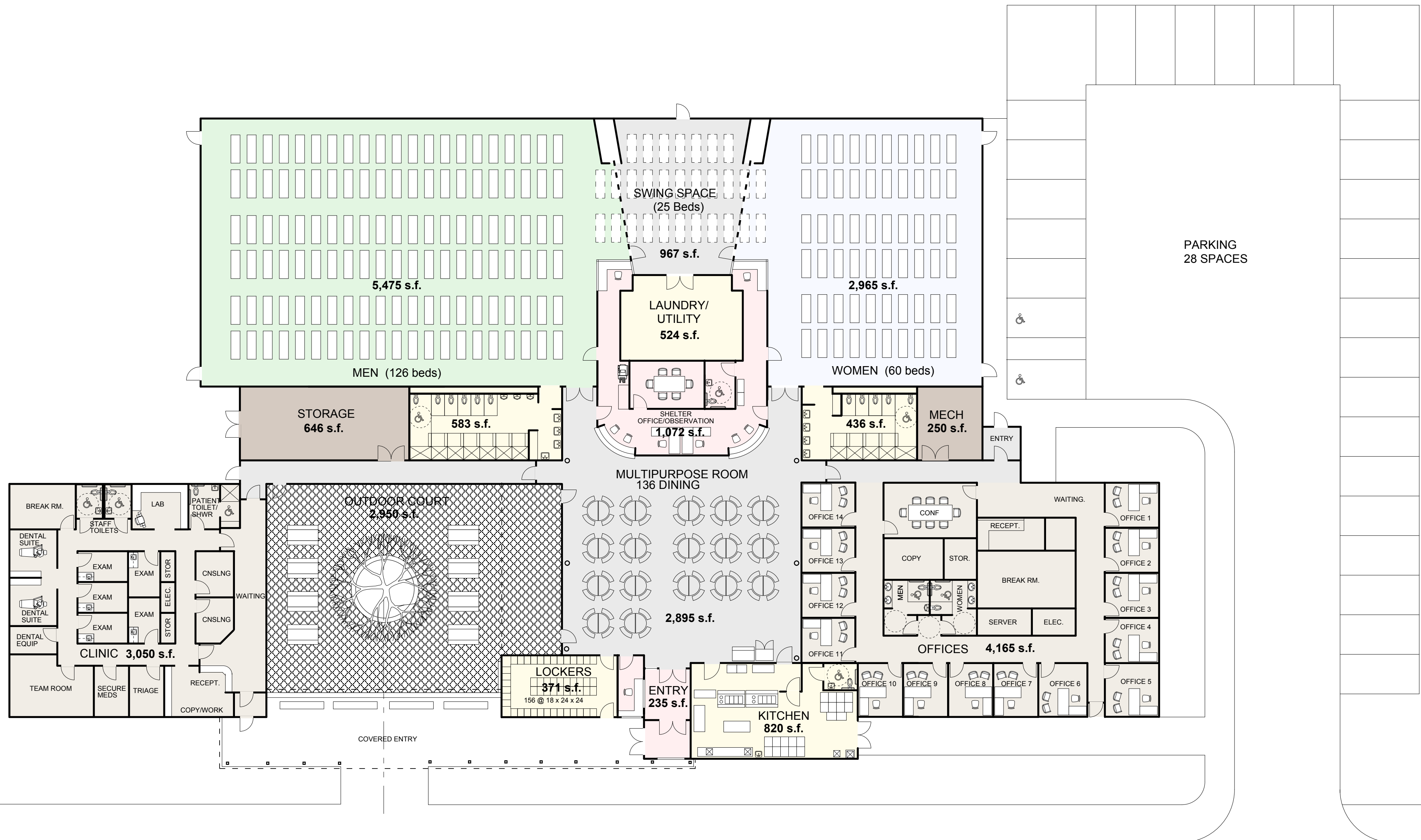
VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Draft Shelter Floor Plan
2. Health and Human Services Homeless Services Center Jan 22 2019 Meeting Presentation
3. HHS Informational Memo 3.26.219
4. HSC_Presentation_March19_2019_V3_reduced_size.3.19.209pdf
5. Riverside_Street_Site_Area_VRAP
6. Shelter List Memo
7. Shelter List
8. Shelter Location Provider Feedback for 3.19.19
9. Staying at Oxford Street in 2018
10. Transient Drownings Table
11. Transient Water Deaths
12. 636 Riverside Street Soils and Geotechnical Information
13. Best Practices for New Shelter
14. DEP Email Re VRAP Certification_1

Prepared by:

Date: 5/14/2019



0 8 16 32 48 64

DRAFT CONCEPT



5 Milk Street, Portland, ME 04101
207.774.4811 | wintonscott.com

Homeless Shelter
Portland, Maine

First Floor Concept Plan

Scale: 1" = 16'-0"

A 1

January 18, 2017
REV. 3.21.17
REV. 7.6.17
REV. 8.23.17



The Future of Homeless Services in Portland



Health & Human Services Committee Meeting

January 22, 2019

This presentation and ongoing conversations include preliminary information on the homeless services center relocation project. The information includes potential site locations and information regarding potential partners. We realize the mere mention of various locations can be concerning for our residents. No final decisions have been made at this point. This information is solely intended for discussion purposes only.

Combination of Low Barrier HSC + Specialty Beds

Partnership with Avesta Housing & The Opportunity Alliance

150 low barrier beds on one site

+

Specialty Beds

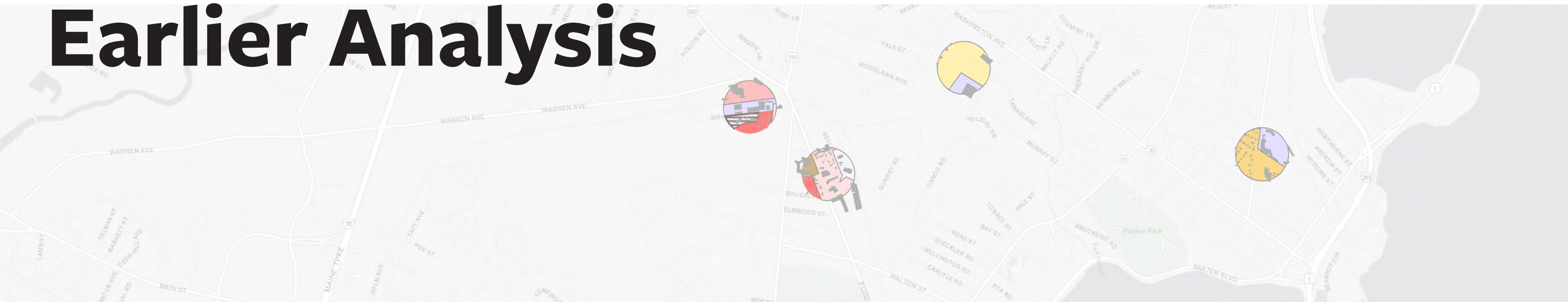
Policy Guidance

Staff would like to recommend that as we are in the process of deciding where and how to locate a new service center, that the Council take a look at long-standing policies regarding local and state guidelines for shelter eligibility and responsibility.

Shelter Location(s): Further Inquiry



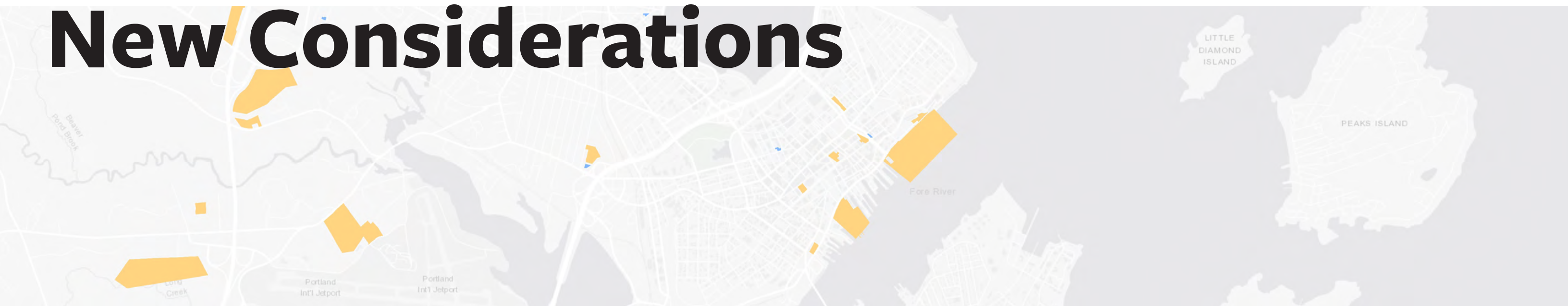
Earlier Analysis



Housing Committee Search



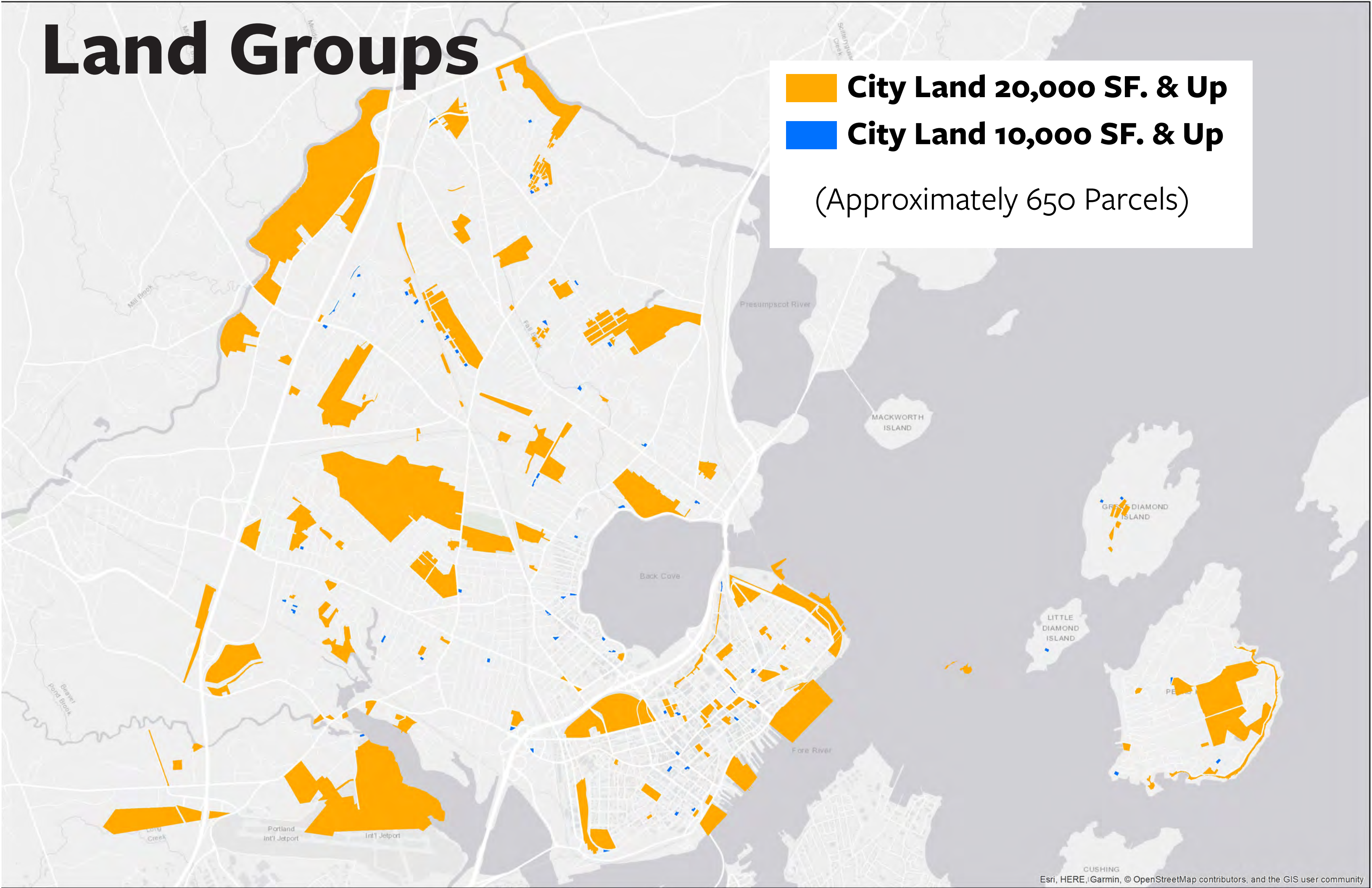
New Considerations



Land Groups

-  **City Land 20,000 SF. & Up**
-  **City Land 10,000 SF. & Up**

(Approximately 650 Parcels)



Quick Reductions

- City Land 20,000 SF. & Up
- City Land 10,000 SF. & Up

(Approximately 30 Sites)

Screened:

- Land Bank
- Parks & Cemeteries
- Wet Properties, Watersheds
- Prohibitive Uses
- Islands
- Highway Infrastructure
- Etc.

Quick Categories

Existing Structures

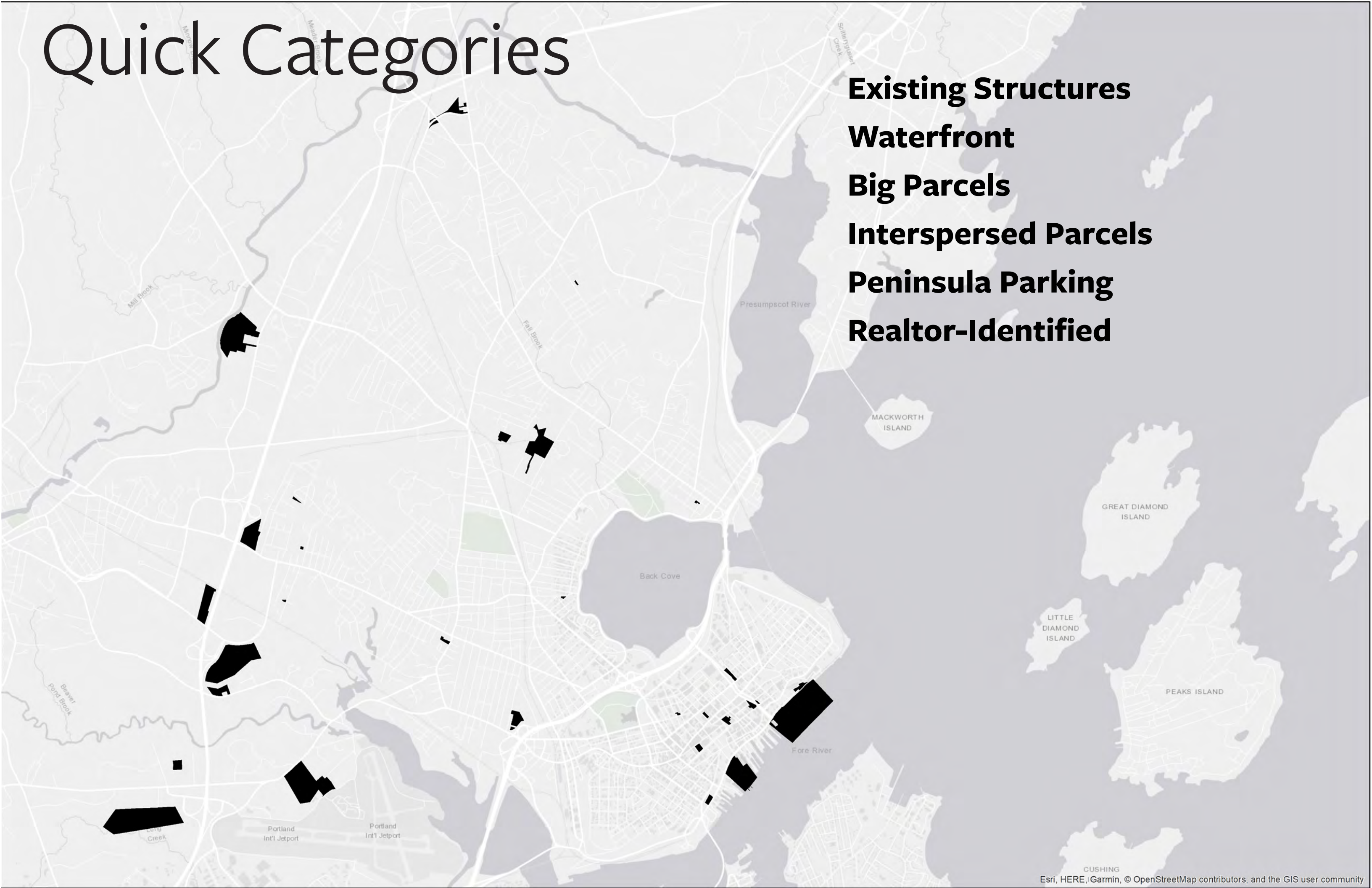
Waterfront

Big Parcels

Interspersed Parcels

Peninsula Parking

Realtor-Identified



Existing Structures

- **Large, City-owned sites**
- **Demolition / retrofits may be expensive**
- **Re-use may hinder design**



Existing Structures

DPW / P & R Buildings

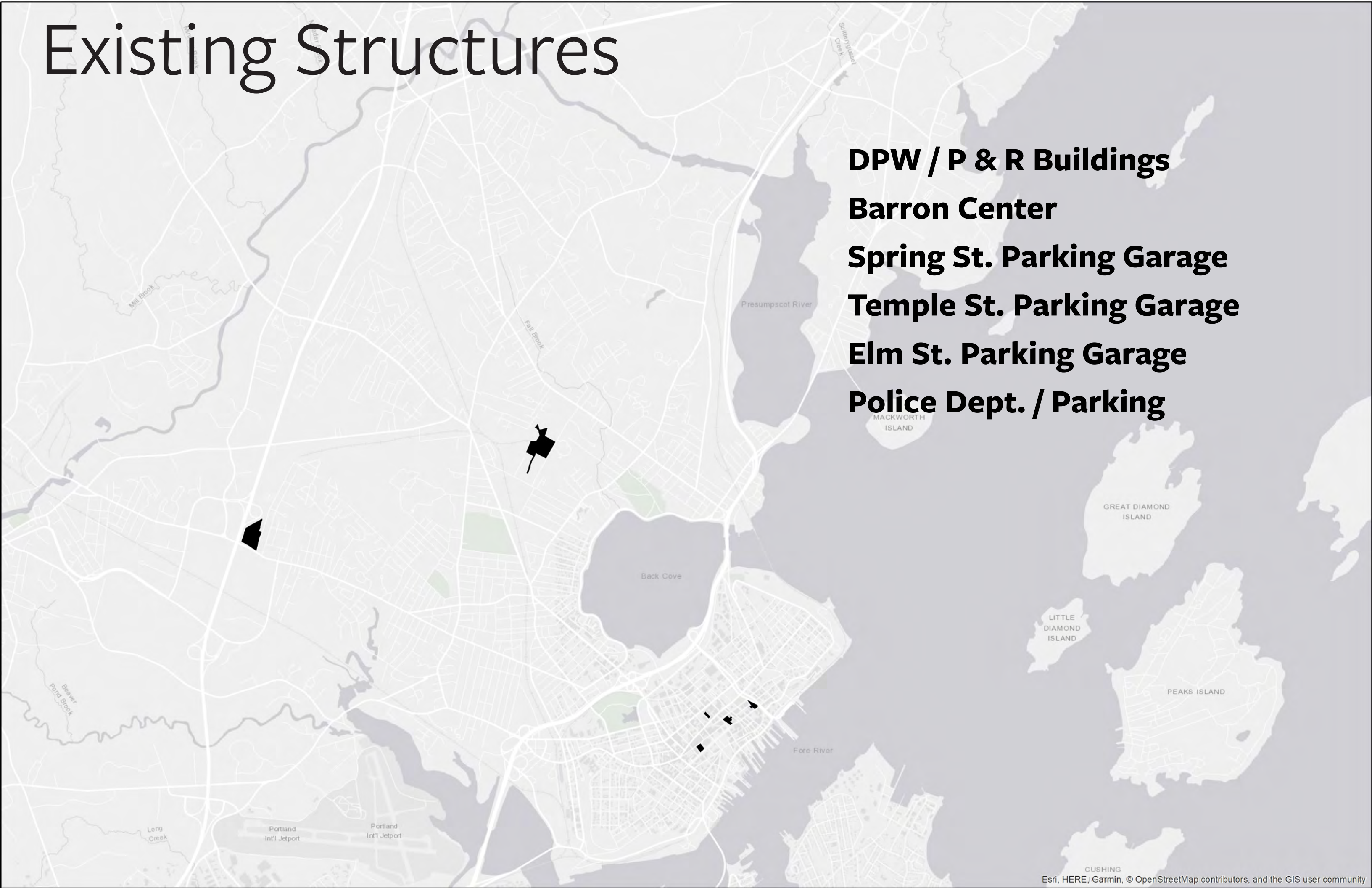
Barron Center

Spring St. Parking Garage

Temple St. Parking Garage

Elm St. Parking Garage

Police Dept. / Parking





DPW / P & R Buildings

Barron Center

Police HQ

Elm St. Garage

Temple St. Garage

Spring St. Garage

Existing Structures: Quick Pass

The size of the parking garages (and therefore the cost and impact of demolition) and the complexity of the Police space appear preventative.

The Barron Center property includes unused land, existing parking lots, and potentially convertible space.

~~**DPW / P & R Buildings**~~

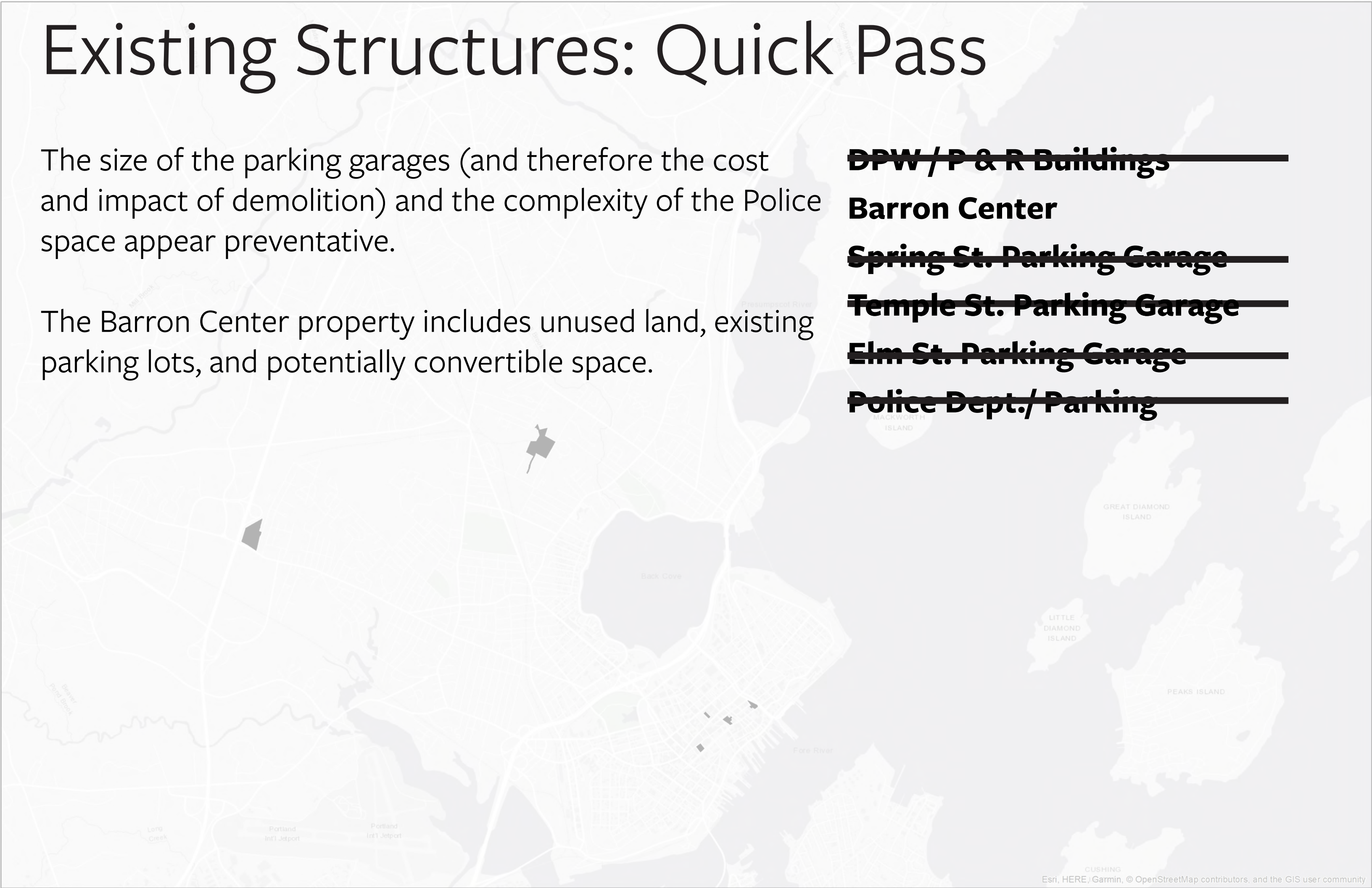
Barron Center

~~**Spring St. Parking Garage**~~

~~**Temple St. Parking Garage**~~

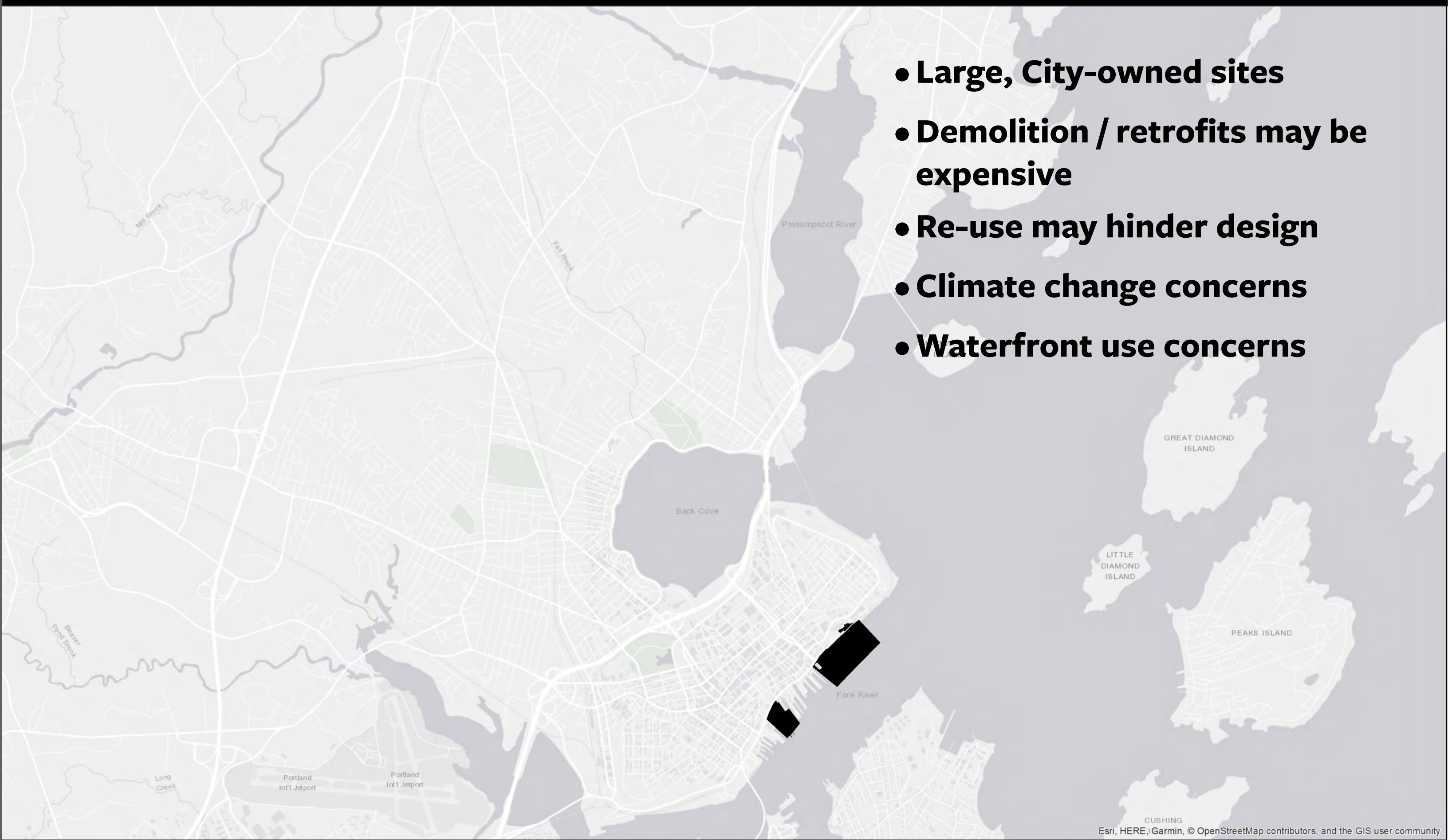
~~**Elm St. Parking Garage**~~

~~**Police Dept./ Parking**~~



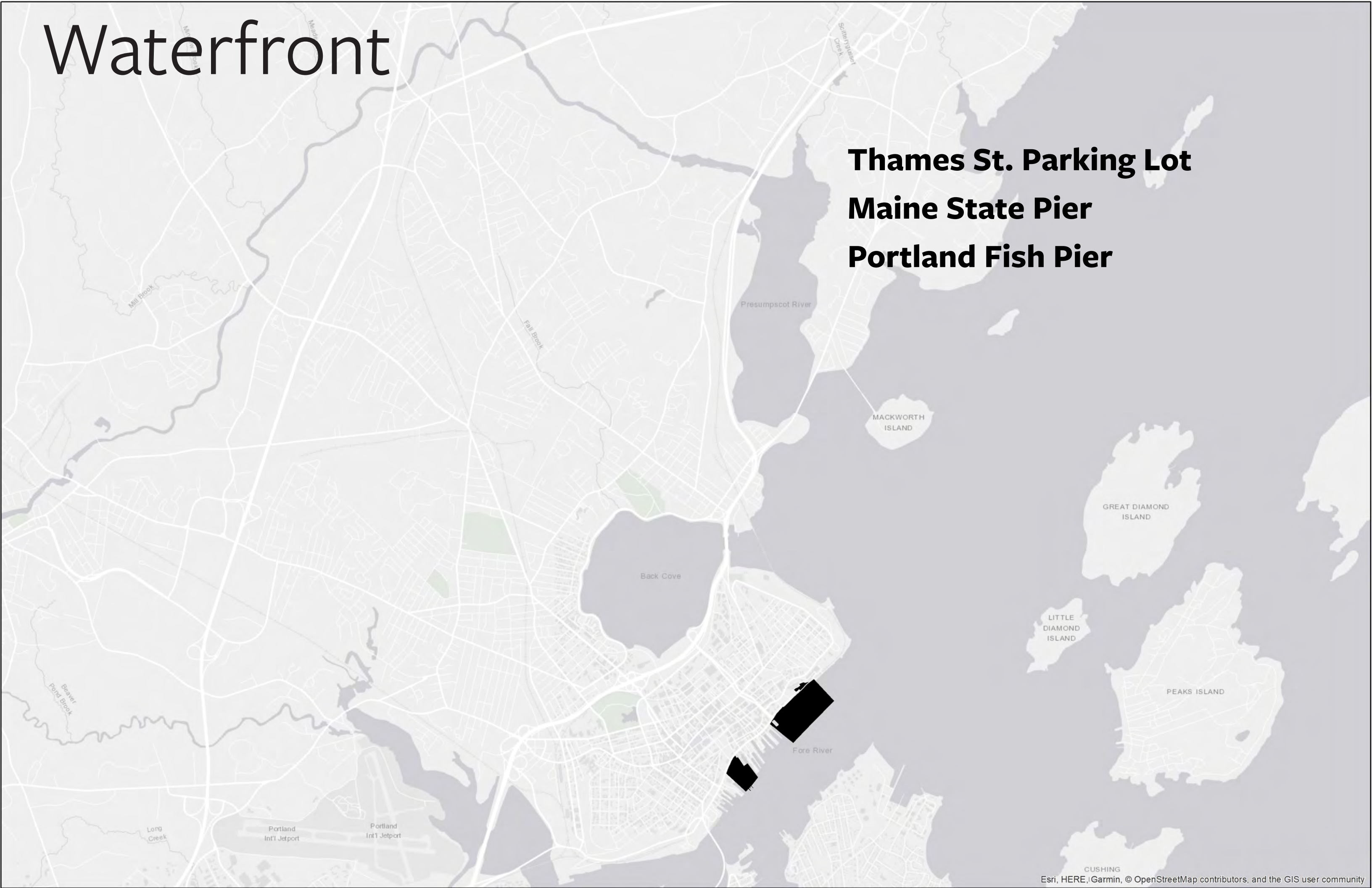
Waterfront

- **Large, City-owned sites**
- **Demolition / retrofits may be expensive**
- **Re-use may hinder design**
- **Climate change concerns**
- **Waterfront use concerns**



Waterfront

Thames St. Parking Lot
Maine State Pier
Portland Fish Pier





Thames St. Parking Lot

This aerial photograph shows the harbor of Portland, Maine. Three specific areas are highlighted with red outlines. The 'Thames St. Parking Lot' is a small rectangular area on the city street grid, outlined in red. The 'Maine State Pier' is a long pier extending into the harbor, also outlined in red. The 'Portland Fish Pier' is another pier further down the harbor, outlined in red. The harbor water is a deep greenish-blue, and the surrounding city is densely packed with buildings and streets. In the bottom right, there are several large white oil storage tanks and a grassy area.

Maine State Pier

Portland Fish Pier

Waterfront: Quick Pass

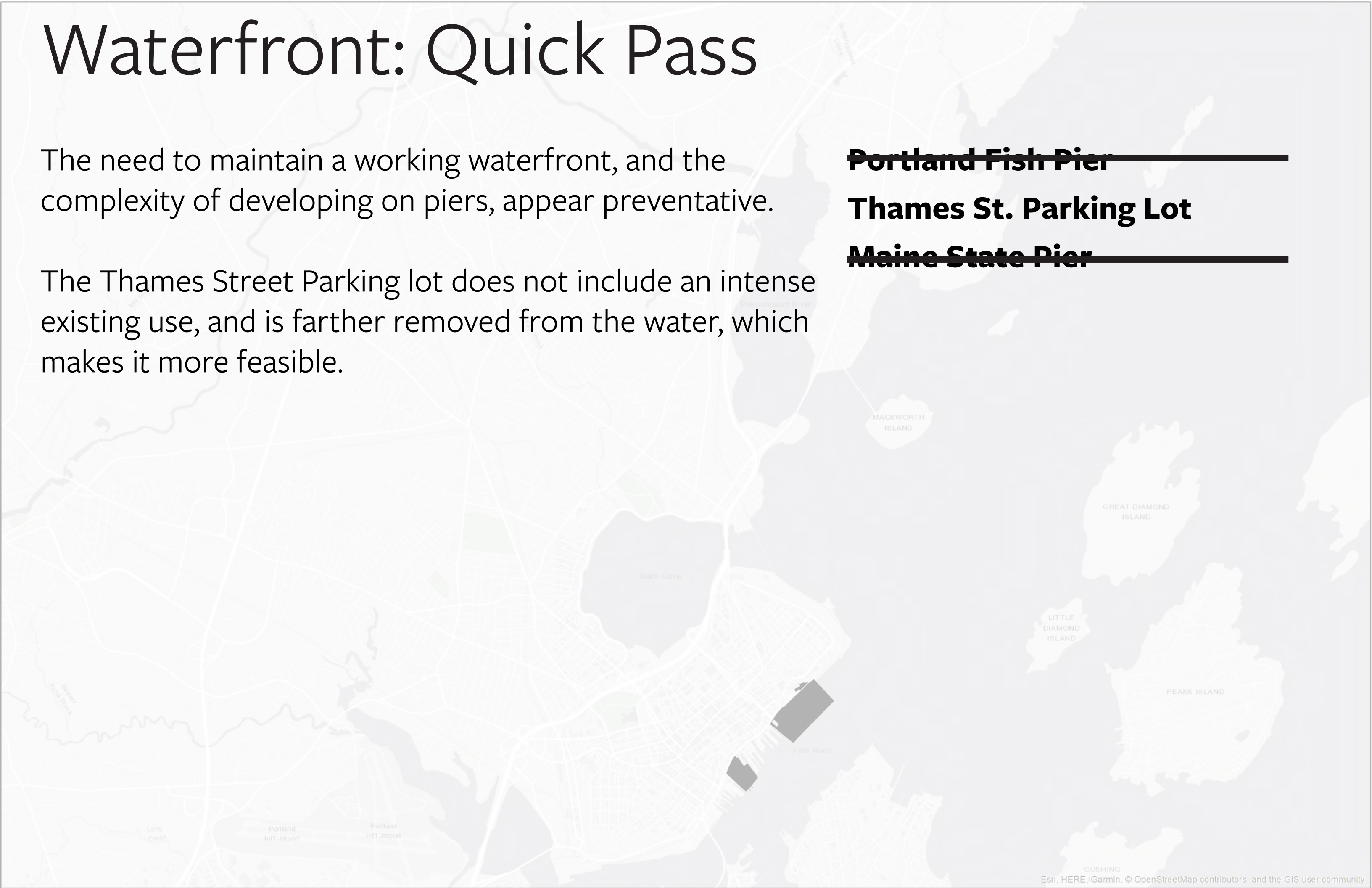
The need to maintain a working waterfront, and the complexity of developing on piers, appear preventative.

The Thames Street Parking lot does not include an intense existing use, and is farther removed from the water, which makes it more feasible.

~~Portland Fish Pier~~

Thames St. Parking Lot

~~Maine State Pier~~



Big Parcels

- Large, City-owned sites
- Tend to be at “edges” of City



Big Parcels

District Rd.

Land Leading to Airport

Former West School

o Westbrook St.

o Rand Rd. (Office Park)

1819 Westbrook St.

Riverside Recycling Facility

622 Auburn St.

Unmapped:

Possible Land Acquisition



622 Auburn St.

Riverside Recycling Center

1819 Westbrook St.

o Rand Rd.

o Westbrook St.

Former West School Site

1956 Congress St.

District Rd.

Big Parcels: Quick Pass

The sizes of these properties open up possibilities. Given sufficient funding and will, most could conceivably host a new building. These sites are generally in or around industrial, institutional, and/or commercial areas.

The o Westbrook Site includes hillside, is of interest to the Land Bank, and is located near more suitable property. A possible land acquisition at County Way is in a feasible location but may include site concerns.

The funds used to purchase several sites (land leading to the airport, District Road, Rand Road) limit the uses that can occur on each. This land would need to be purchased back, eliminating a key benefit of City-owned land.

~~**District Rd.**~~

~~**Land Leading to Airport**~~

Former West School

~~**o Westbrook St.**~~

~~**o Rand Rd. (Office Park)**~~

1819 Westbrook St.

Riverside Industrial Park

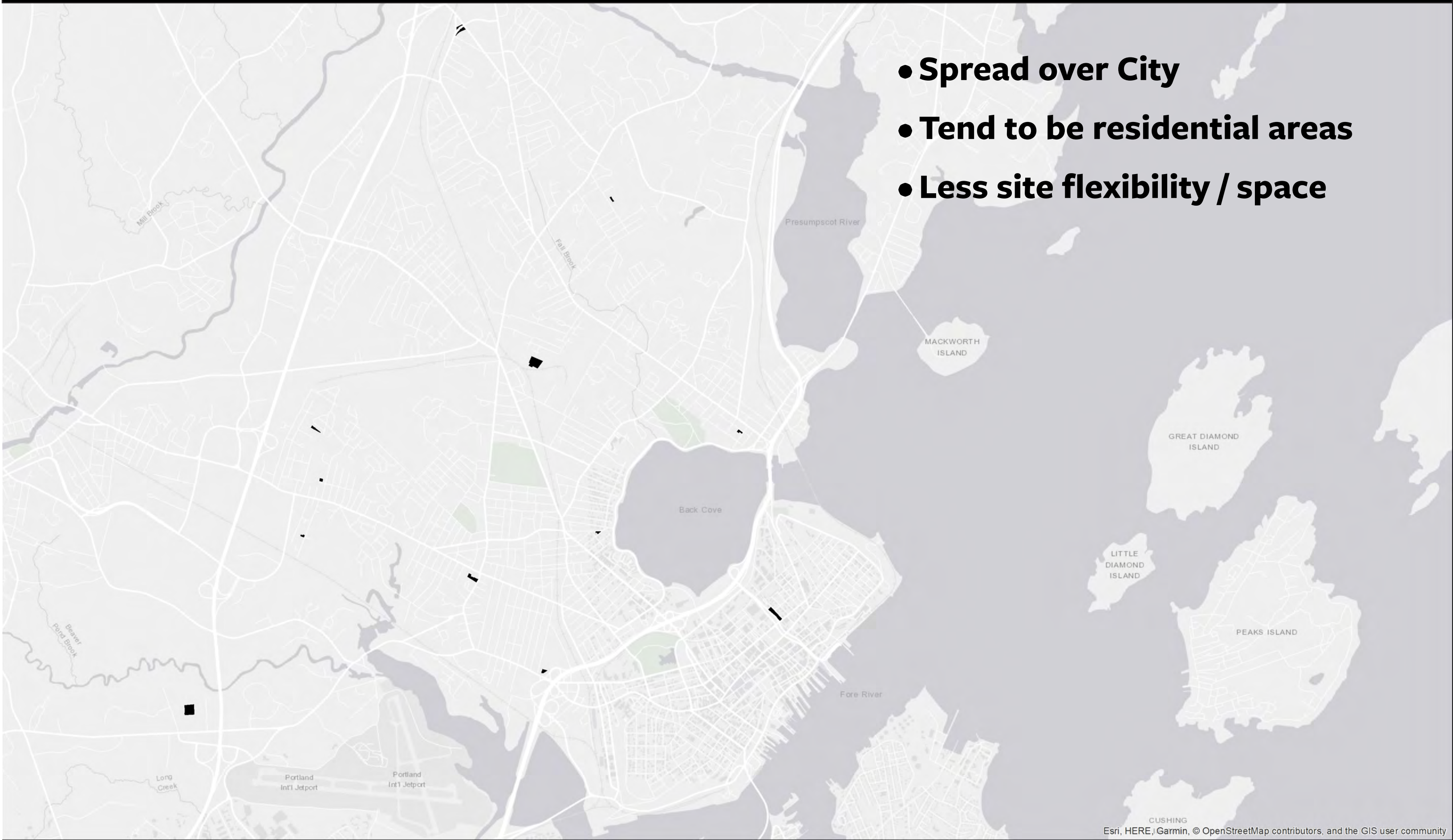
622 Auburn St.

Unmapped:

Possible Land Acquisition

Interspersed Parcels

- **Spread over City**
- **Tend to be residential areas**
- **Less site flexibility / space**



Interspersed Parcels

3 Hutchins Dr.
o Ravina St.
200 Lambert St.
o Cornell St.
43 Douglass St.
111 Rowe Ave.
56 Clifton St.
91 Riggs St.
21 Randall St.
o Utah Ave.
2092 Washington Ave.
Rosemont Fire Station Land
Franklin Reserve

An aerial photograph of Seattle, Washington, showing the city's urban layout, green spaces, and waterfront. The map is overlaid with several semi-transparent grey rectangular boxes, each containing a white text label for a specific location. Red dots mark the locations of these labels. The labels are arranged in a descending staircase pattern from the top left towards the bottom right. The locations include residential streets, a station, and a reserve. The waterfront and surrounding islands are visible on the right side of the map.

2092 Washington Ave.

200 Lambert St.

o Utah Ave.

o Cornell St.

o Ravina St.

21 Randall St.

91 Riggs St.

56 Clifton St.

111 Rowe Ave.

Rosemont Station Land

Franklin Reserve

43 Douglass Street

3 Hutchins Dr.

Interspersed Parcels: Quick Pass

The smaller sizes of some of these properties, and their locations (generally among single family neighborhoods, sometimes on paper streets) make them less feasible. They may be suitable for other social service models.

- o Cornell Street and 3 Hutchins Drive are larger and more industrial in nature. The former borders a residential neighborhood and may have environmental constraints. The latter is situated between other buildings, but given sufficient funds and will it may be feasible.

The Rosemont Fire Station would otherwise be considered a prohibitive existing use, but City-owned land behind the station makes it notable.

Franklin Reserve is also notable as a large area of undeveloped land on peninsula.

3 Hutchins Dr.

~~**6 Ravina St.**~~

~~**200 Lambert St.**~~

~~**6 Cornell St.**~~

~~**43 Douglass St.**~~

~~**111 Rowe Ave.**~~

~~**56 Clifton St.**~~

~~**91 Riggs St.**~~

~~**21 Randall St.**~~

~~**6 Utah Ave.**~~

~~**2092 Washington Ave.**~~

Rosemont Fire Station Land

Franklin Reserve

Peninsula Surface Parking Lots

- **Located near downtown**
- **Flat, clear site**
- **Less site flexibility / space**
- **Loss of parking**



Peninsula Surface Parking Lots

Angelo's Acre
33 Portland St.
83 Middle St.

Unmapped:
157 Brackett St.
176 Clark St.



33 Portland St.

83 Middle St.

Angelo's Acre

Peninsula Parking Lots: Quick Pass

The location and relative site simplicity of parking lots close to downtown offer possibilities. While 33 Portland Street and 83 Middle Street are somewhat constrained, both these sites and Angelo's Acre could conceivably host a new building.

The unmapped lots on Brackett and Clark Streets are across the street from the Reiche School, which may make them infeasible.

Angelo's Acre
33 Portland St.
83 Middle St.

Unmapped:

~~**157 Brackett St.**~~

~~**176 Clark St.**~~

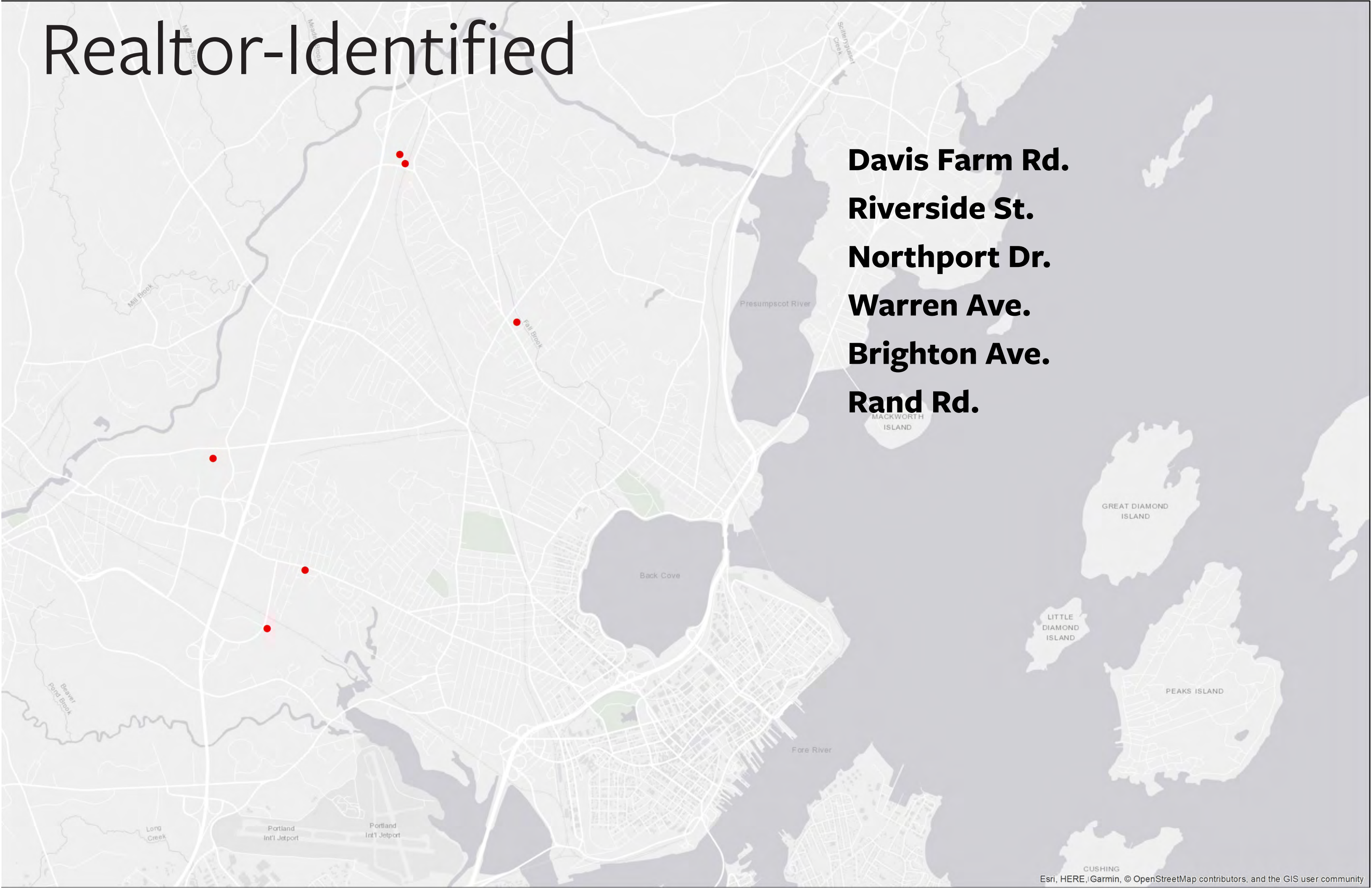
Realtor-Identified

- **Require rental or purchase**
- **Demolition / retrofits may be expensive**
- **Re-use may hinder design**



Realtor-Identified

Davis Farm Rd.
Riverside St.
Northport Dr.
Warren Ave.
Brighton Ave.
Rand Rd.



An aerial photograph of a coastal town, likely in New England, showing a dense residential area with a grid-like street pattern. A river or estuary flows through the town, with a large body of water on the right side. Several streets are highlighted with red dots and labels. The labels are: Riverside St. (top left), Davis Farm Rd. (top center), Northport Dr. (center right), Warren Ave. (middle left), Brighton Ave. (bottom center), and Rand Rd. (bottom left).

Riverside St.

Davis Farm Rd.

Northport Dr.

Warren Ave.

Brighton Ave.

Rand Rd.

Realtor-Identified: Quick Pass

Given sufficient funding and will, these sites could host relevant uses. However, all would include significant costs not applicable to City-owned land.

The Warren Avenue site appears most feasible due to its size, location, and existing conditions.

~~**Davis Farm Rd.**~~

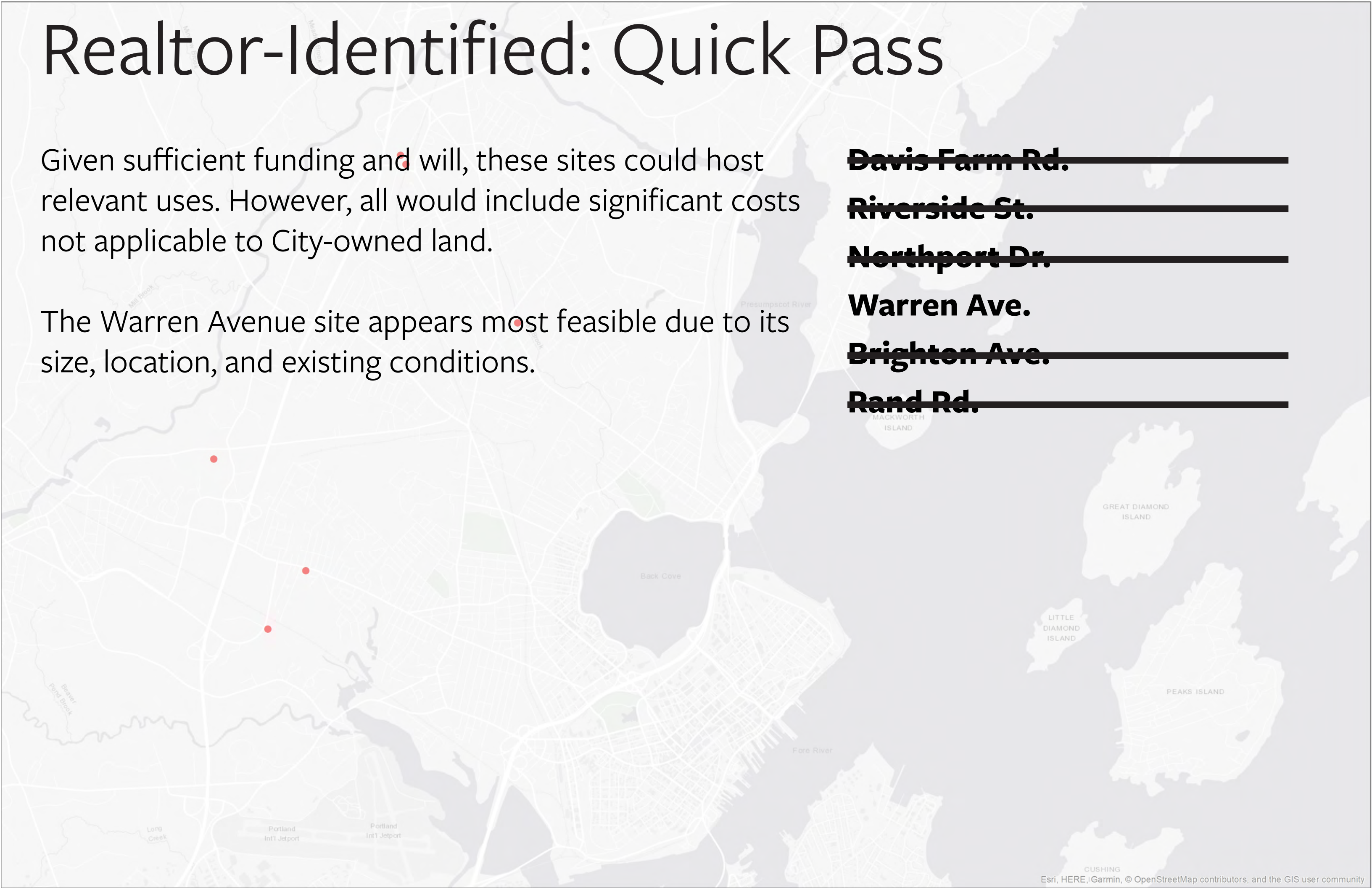
~~**Riverside St.**~~

~~**Northport Dr.**~~

Warren Ave.

~~**Brighton Ave.**~~

~~**Rand Rd.**~~



Most Reasonable (?) Quick Pass

- Thames St. Parking Lot
- Barron Center
- Former West School
- 1819 Westbrook St.
- Riverside Industrial Park
- 622 Auburn St.
- County Way Acquisition
- 3 Hutchins Dr.
- Franklin Reserve
- Rosemont Fire Station Land
- Angelo’s Acre
- 33 Portland St.
- 83 Middle St.
- Warren Ave. Realty Site

14

Different assumptions, criteria, or judgements may yield different results.

Most Reasonable (?) Quick Pass

Thames St. Parking Lot

Barron Center

Former West School

1819 Westbrook St.

Riverside Industrial Park

622 Auburn St.

County Way Acquisition

3 Hutchins Dr.

Franklin Reserve

Rosemont Fire Station Land

Angelo's Acre

33 Portland St.

83 Middle St.

Warren Ave. Realty Site



Most Reasonable (?) Quick Pass

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Rosemont Fire Station Land

Angelo's Acre

33 Portland St.

83 Middle St.

Warren Ave. Realty Site



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Warren Ave. Realty Site



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Warren Ave. Realty Site



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Warren Ave. Realty Site



Most Reasonable (?) Quick Pass

Thames St. Parking Lot

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County Way Acquisition

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Rosemont Fire Station Land

Angelo's Acre

33 Portland St.

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Warren Ave. Realty Site



Most Reasonable (?) Quick Pass

Thames St. Parking Lot

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Most Reasonable (?) Quick Pass

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Rosemont Fire Station Land

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Most Reasonable (?) Quick Pass

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Most Reasonable (?) Quick Pass

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Most Reasonable (?) Quick Pass

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Most Reasonable (?) Quick Pass

Thames St. Parking Lot

Barron Center

Former West School

1819 Westbrook St.

Riverside Industrial Park

622 Auburn St.

County Way Acquisition

3 Hutchins Dr.

Franklin Reserve

Rosemont Fire Station Land

Angelo's Acre

33 Portland St.

83 Middle St.

Warren Ave. Realty Site



Most Reasonable (?) Quick Pass

Thames St. Parking Lot

Barron Center

Former West School

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Next Steps

Thames St. Parking Lot

Barron Center

Former West School

1819 Westbrook St.

Riverside Industrial Park

622 Auburn St.

County Way Acquisition

3 Hutchins Dr.

Franklin Reserve

Rosemont Fire Station Land

Angelo's Acre

33 Portland St.

83 Middle St.

Warren Ave. Realty Site

Policy direction:

which sites are sufficiently feasible and desirable?

Additional site analysis:

any of these sites may harbor unforeseen constraints

Report back:

which sites remain feasible and compelling?

Additional leadership direction:

narrowing site(s) selection

However...

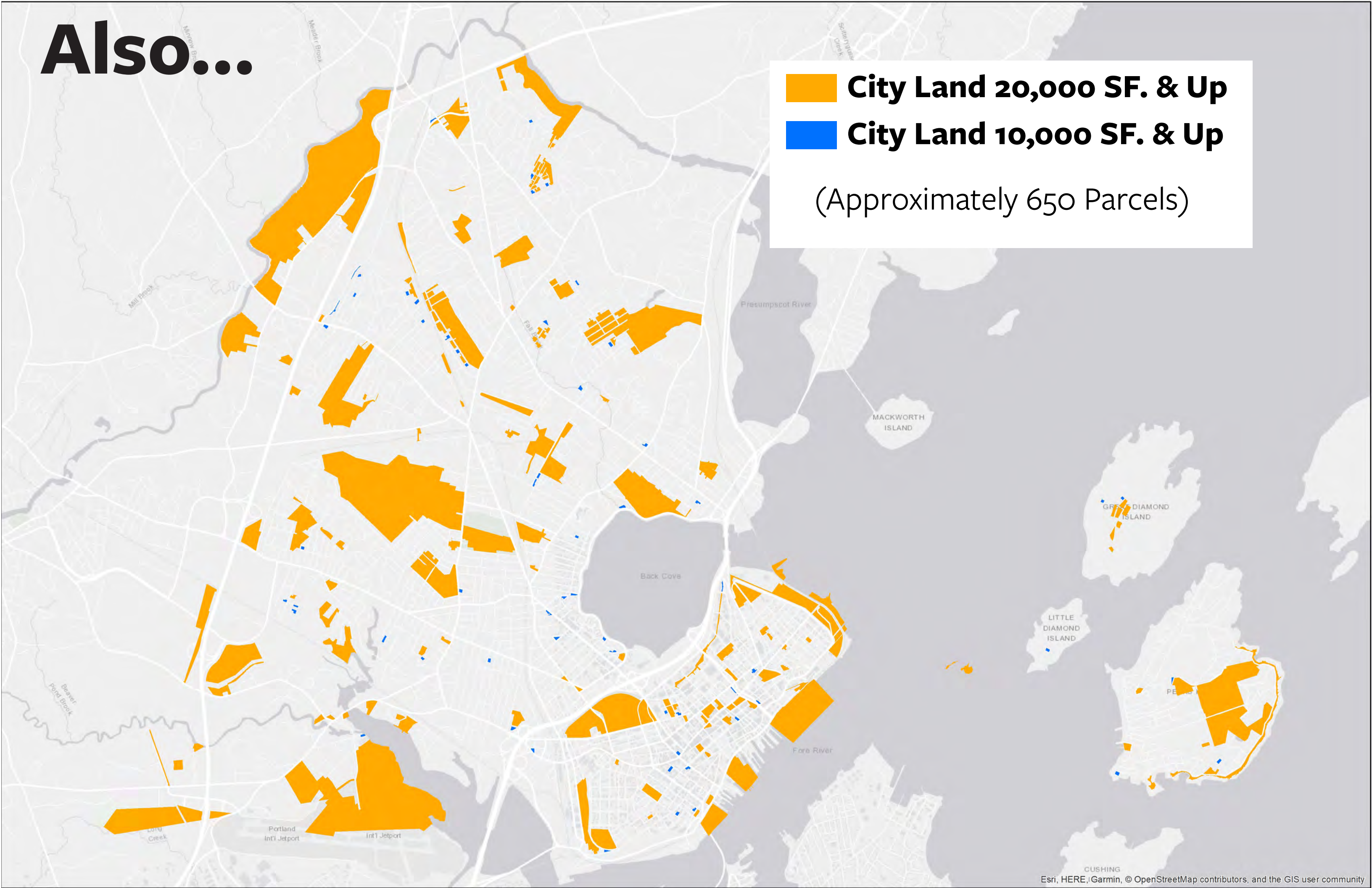
- City Land 20,000 SF. & Up
- City Land 10,000 SF. & Up

(Approximately 30 Sites)

Screened:

- Land Bank
- Parks & Cemeteries
- Wet Properties, Watersheds
- Prohibitive Uses
- Islands
- Highway Infrastructure
- Etc.

Also...



Questions?



Homeless Services Informational Memo
City of Portland
City Council Health and Human Services and Public Safety Committee
March 19, 2019

Prepared By: Rob Parritt, Homeless Services Consultant
To: Jon Jennings, City Manager

At the February 26 Health and Human Services and Public Safety Committee meeting, the Committee narrowed down a list of potential Homeless Services Center locations from 11 to 3 sites. Once the Committee members settled on the three sites, City staff from the Planning and Urban Development and Health and Human Services Departments were tasked with providing additional information on the three sites. HHS staff has identified several sectors of information that have been found to be pertinent to the discussion regarding a new site from a social services perspective; basic zoning criteria being one. In May of 2017, the Planning Board made some zoning adjustments regarding emergency shelter.

The zoning specifically lists several criteria pertaining to emergency shelters and building design. It will be important for any potential site to be able to meet the following criteria.

- Space for on-site providers to provide a variety of services for shelter residents
- A private, screened outdoor area
- A centralized office design with clear sight lines
- ¼ mile access to Metro; or be within ½ mile of Metro with space inside large enough inside to accommodate ALL guests and implement strategies to help residents utilize transit
- Enough space for security searches
- 1 parking space for every two employees
- A Management Plan addressing shelter management responsibilities, process for resolving neighborhood concerns, staffing, access restrictions, on site surveillance, safety measures, controls for resident behavior and noise levels and monitoring reports

HHS staff will provide information regarding the proposed sites' proximity to existing resources and service providers. The concentration of and access to social services has been a constant talking point throughout the site location process so staff felt it important to provide that information. Please note that although access to Metro is an important factor, there will be additional transportation services regardless of site location. These services include a City shuttle van, continued access to taxi vouchers and coordinating with providers for other alternate forms of transportation.

It is important to hear from community service providers to see if the three proposed sites will work for them or if there are concerns that need to be identified so that partnerships can be identified that will allow our shelter residents to receive much needed services. Key partners and community agencies have been contacted and asked to provide feedback on the three proposed sites. The agencies we have contacted thus far include...

Avesta, Amistad, Catholic Charities- ACT Team, Cultivating Community, GA/HIRE, City of Portland- Mobile Medical Outreach, Frannie Peabody, CHOM, Goodwill Northern New England Workforce Services, Milestone Recovery, Portland Adult Education, Portland PD-Community Policing, Portland Public Library, Preble Street, PTLA, SARSSM, Shalom House, Spurwink Mental Health Center, TOA/PATH,

Through These Door and HVJ. Please see the attached exhibits regarding the feedback we received from agencies. Exhibit 1.

Please reference this informational table for a quick overview on transportation access, providers near each site, services available near each site and themes that occurred based on feedback from service providers...

Table 1.1

Site	Metro Access	Providers Located Near Proposed Site	Services Offered by Providers	Provider Feedback Themes
Angelo's Acre 431 Commercial Street	Yes	• Amistad • Learning Works • Catholic Charities • STRIVE U • Frannie Peabody Center • Milestone Recovery • Florence House • VA Clinic • Through These Doors Domestic Violence Outreach at the Portland Police Department	• Emergency Shelter • Detox • Peer Support • Case Management • Medical Treatment • Mental Health Care • Meals • Vet Services • Healthcare • Housing Navigation • DV Services • Street Outreach • HOME Team • HIV/AIDS Services • Anti-trafficking services • ESL • Education • Youth Services	• Waterfront safety concerns • Weather Exposure • Ease of access to transportation and amenities • Likely opposition from businesses and residents
County Way	Yes	• Shalom House • Florence House • Iris Network • Logan Place • Metro Office • Learning Works	• Case Management • Emergency Shelter • Services for Blind People • Transportation • Housing Navigation • Housing Subsidies • Anti-trafficking services • ESL • Education • Youth Services	• Some concerned with proximity to jail • Acceptable access to transportation and services • Could be seen as hiding the homeless • Likely opposition from businesses/residents

Riverside Street 654 Riverside Street	Yes	• Spurwink • Riverton Community Policing • ITN Portland	• Transportation • Community Policing • Case Management • Crisis Services • Behavioral Health • Youth Services • Autism Services • Refugee Services • Foster Care Services	• Isolation • Physical Access • Hiding the homeless • Long bus ride • Difficult for MAT • programs to operate • Difficult to access services
--	-----	---	--	--

Table 1.1 Summary:

In summary, all three sites appear to meet accessibility criteria regarding Metro access as clearly stated in the zoning language.

The number of service providers within a close distance of each site varies from site to site. Angelo's Acre is the site that has the most service providers located in a close proximity, County Way had the second most and the Riverside location had the least. It is worth noting that although there are social service providers within a reasonable proximity of each site, not all of those services are designed specifically for people experiencing homelessness.

Community service providers were asked to weigh in on each potential location. One clear concern raised by providers is the safety concerns raised by the Angelo's Acre site due to its proximity to the waterfront. Community providers do not seem to view any location as an obstacle for continuing to provide on-site services except for administering any sort of medication assisted treatment (MAT). Some feedback seems to indicate that the location at Riverside Street is perceived as being isolated and could potentially be seen as "hiding the homeless." At least one provider stated that the proposed location at County Way would have a similar effect of "hiding the homeless." Most community providers do not seem to have an issue with a services center being located closely to the Cumberland County Jail campus (only one provider noted this as a concern).

This memo is not meant to steer the Committee's opinion or indicate staff preference for any location. The information gathered is being presented so that the HHS&PS Committee can make an informed decision based solely on information provided at their request. City staff also completed a SWOT analysis on each location as requested during the February 26 HHS&PS Committee Meeting and can be found below in table 1.2.

Staff examined what social services, medical services, emergency services, employment opportunities and schools are located within a close proximity of the three proposed sites. Staff created a table providing specific details of what entities are located near each potential site. Please reference table 1.3.

SWOT (Strengths, Weaknesses, Opportunity, Threats)

Table 1.2

Site	Strengths	Weaknesses	Opportunity	Threats
Angelo's Acre	Flat Parcel, City Owned, Metro Access	Waterfront Proximity, Water Safety Concerns, Small Site, Traffic Concerns	Community Integration, Employment	Potential issues with tourists/patrons, Loss of parking in Old Port
County Way	Large Parcel, Metro Access	Direct Access to Fore River, Traffic Concerns, Train Tracks	Potential Partnerships with the County, Large enough site to build a flexible building	Land Acquisition VRAP
Riverside Street	Large Parcel, Flat Parcel, Metro Access	Isolation, Access, Water Safety	Large enough site to build a flexible building	VRAP

Location Matrix
Table 1.3

Service Providers within the area of Potential Homeless Service Center Locations

Angelo's Acre	County Way	Riverside Industrial Park
• Amistad 66 State Street Distance: 0.3 miles • Catholic Charities 66 State Street Distance: 0.3 miles • STRIVE U 12 Nye Street Distance: 0.2 miles • Frannie Peabody Center 30 Danforth Street Distance: 0.4 miles • Milestone Recovery 65 India Street Distance: 1. mile • Florence House 190 Valley Street Distance: 1.2 miles • VA Clinic 144 Fore Street Distance: 1.1 miles • Learning Works 181 Brackett Street Distance: 1.6 miles • Through These Doors Domestic Violence Outreach at the Portland Police Department 109 Middle Street Distance: 0.9 miles	• Shalom House 106 Gilman Street Distance: 1.1 miles • Florence House 190 Valley Street Distance: 1.2 miles • Iris Network 189 Park Ave Distance: 0.8 miles • Learning Works 181 Brackett Street Distance: 1.1 miles • Logan Place 52 Frederic Street Distance: 0.5 miles • Metro 114 Valley Street Distance: 1.4 miles	• Spurwink 899 Riverside Street Distance: 420ft • Riverton Community Policing 57 Riverton Drive Distance: 0.6 miles • ITN Portland 90 Bridge Street Distance: 3.8 miles

Fire Stations within the area of Potential Homeless Service Center Locations

Angelo's Acre	50 County Way	Riverside Industrial Park
• Fire Headquarters 380 Congress St.Portland, ME 04101 Distance: .9 miles • Bramhall Station 784 Congress St.Portland, ME 04102 Distance: .9 miles	• Bramhall Station 784 Congress St.Portland, ME 04102 Distance: .7 miles	• Riverton Station 1592 Forest Ave.Portland, ME 04103 Distance: 1.2 miles

Employment Opportunities

Angelo's Acre	50 County Way	Riverside Industrial Park
• Over 160 restaurants/bars/coffee shops. • Hospitality options in multiple old port hotels • Working waterfront, to include fish markets • Seasonal employment	• McDonald's • Amato's • Dunkin Donuts • Sullivan Tire • LaQuinta • Paulin's Tire • D'Angelo's • Save-A-Lot • Dollar Tree • Denny's • HP Hood • Barber Foods • Cozy Harbor	• Riverside Recycling Facility • Hannaford • 7 Eleven • Tortilla Flat • Garbage to Garden • Orkin Pest & Termite Control • Micucci's Wholesale Foods • Seacoast Coffee Company • Family Dollar • Multiple Breweries

Schools Within the Area of Potential Sites

Angelo's Acre	50 County Way	Riverside Industrial Park
• Reiche Community School Distance: .6 miles • Waynelete Distance: 1.0 miles	• Reiche Community School Distance: 1.6 miles • Waynelete Distance: 2.2 miles	• Riverside Elementary School Distance: 1.3 miles • Casco Bay High School Distance: 2.8 miles • Portland Arts & Technology High School Distance: 2.8 miles • Lyman Moore Middle School Distance: 2.6 miles • Harrison Lyseth Elementary Distance 2.7 miles

Medical Providers Within the Area of Potential Sites

Angelo's Acre	50 County Way	Riverside Industrial Park
• Frannie Peabody Center Distance: 0.4 mile • Milestone Detox Distance: 1. Mile • VA Portland Clinic Distance: 1.1 miles • Portland Community Free Clinic Distance: 1.1 miles	• Mercy Fore River Distance: 1.4 miles • Maine Medical Center Distance: 0.8 miles • 180 Park Ave Distance: 0.7 miles • Iris Network Distance: 0.8 miles	

Exhibit 1

Shelter Location(s): Further Inquiry



February 26 List

Thames St. Parking Lot

1819 Westbrook St.

Franklin Reserve

654 Riverside St.

622 Auburn St.

Angelo’s Acre

33 Portland St.

83 Middle St.

1386 Riverside St.

3 Hutchins Dr.

County Way Acquisition

Zoning
Nearby Uses
Space
Transit Access

HHS Selections

Thames St. Parking Lot

1819 Westbrook St.

Franklin Reserve

654 Riverside St.

622 Auburn St.

Angelo’s Acre

33 Portland St.

83 Middle St.

1386 Riverside St.

3 Hutchins Dr.

County Way Acquisition

**Identified for
Continued Analysis**

654 Riverside St.



654 Riverside St. (EDIT)



654 Riverside St. (EDIT)



654 Riverside St. (EDIT)

ON SITE ZONING (% Area)

69.7 IM

30.3 IH

ZONING % WITHIN BUFFER

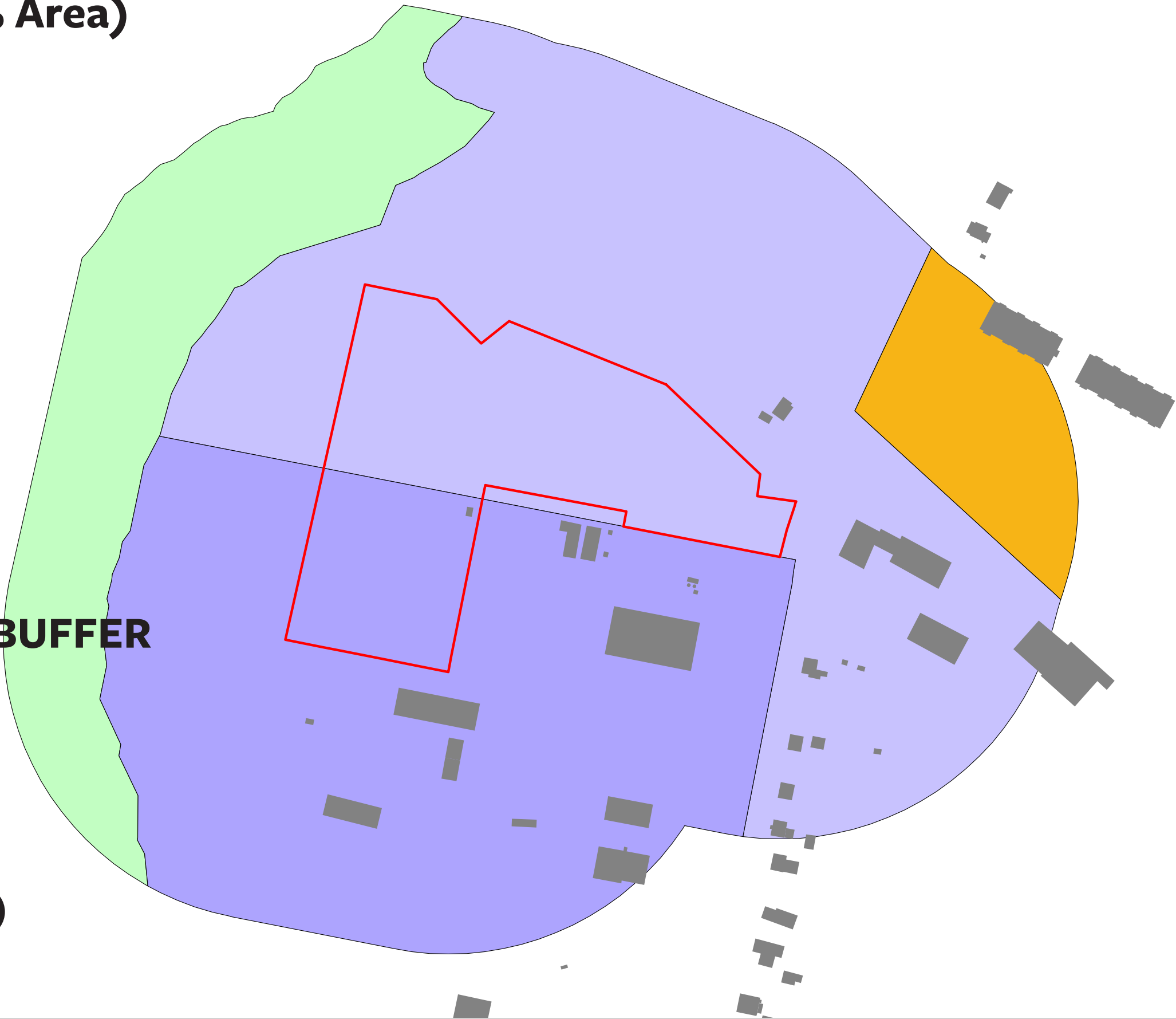
42.3 IM

34.8 IH

14.9 RPZ

5.3 R5

2.7 na (Out of City)



654 Riverside St. (EDIT)

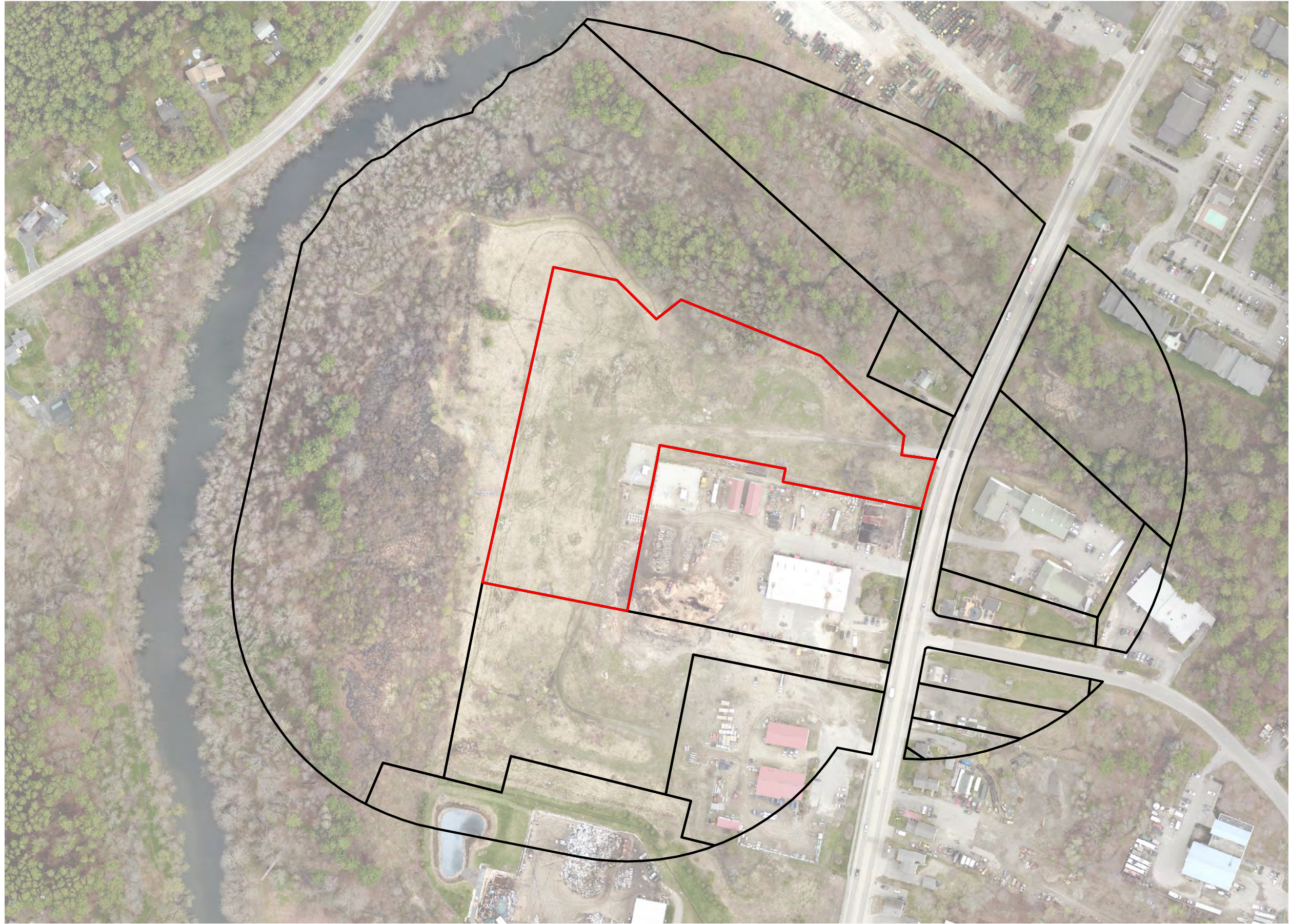
ASSESSED USE (% area):

- 58.9** Governmental
- 16.8** Multi-use Commercial
- 10.0** Parking lots
- 5.2** Twenty-one Plus Family
- 4.4** Single Family
- 3.7** Warehouse/storage

OTHER (<1% area)
manufacturing

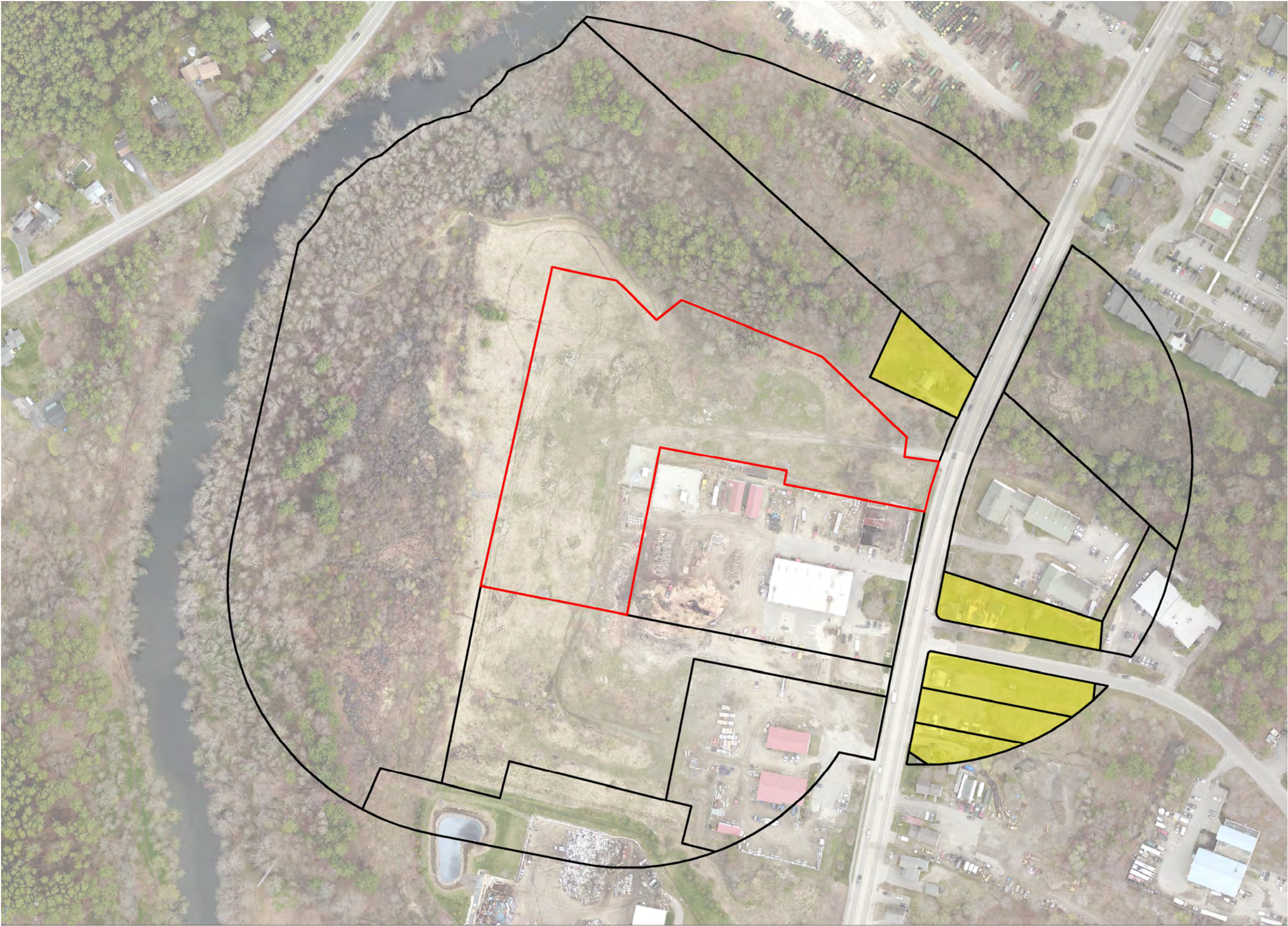


654 Riverside St.



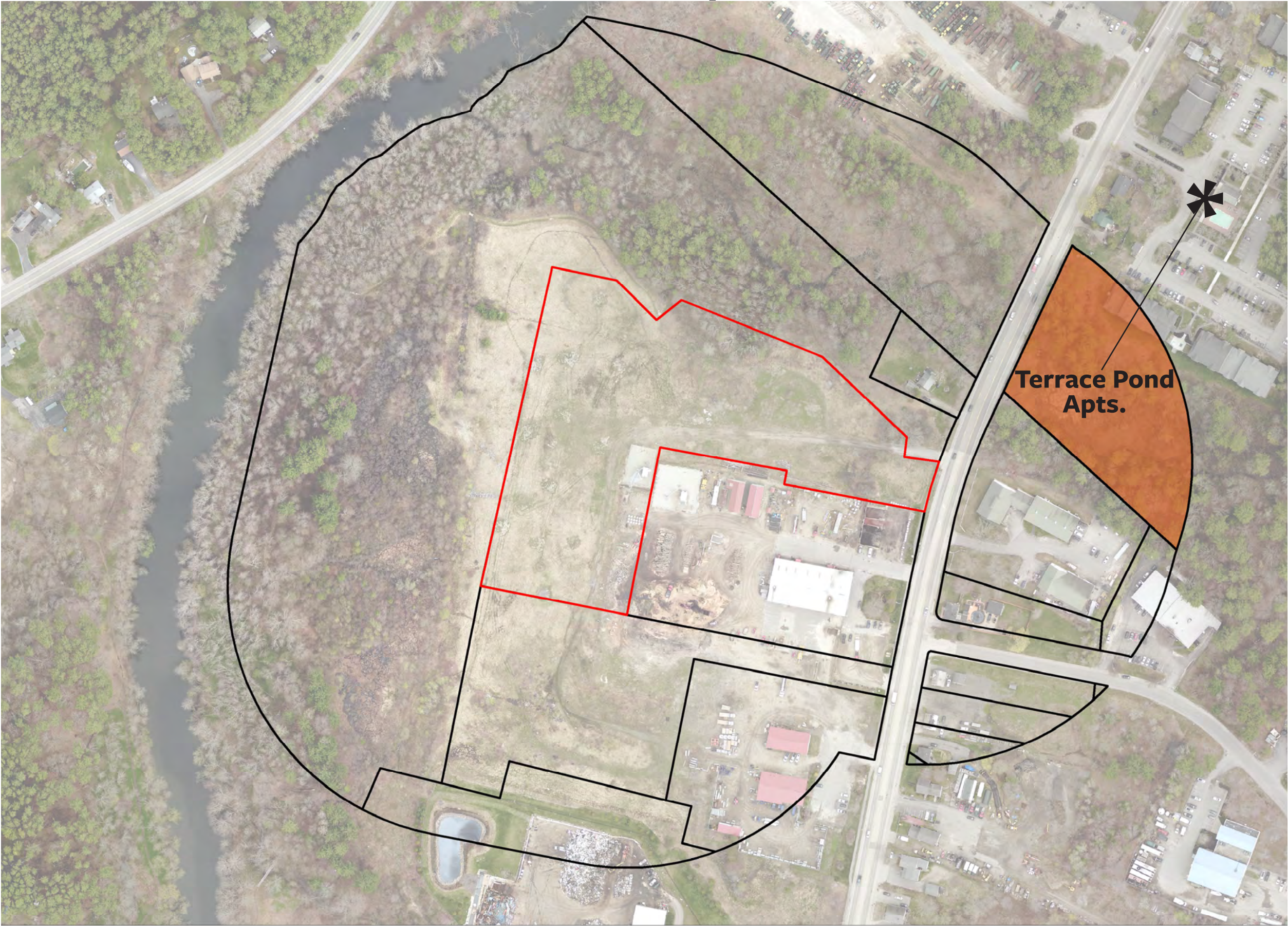
654 Riverside St: single family

one fam units: ~5 five plus fam units: ~117* total units: ~122

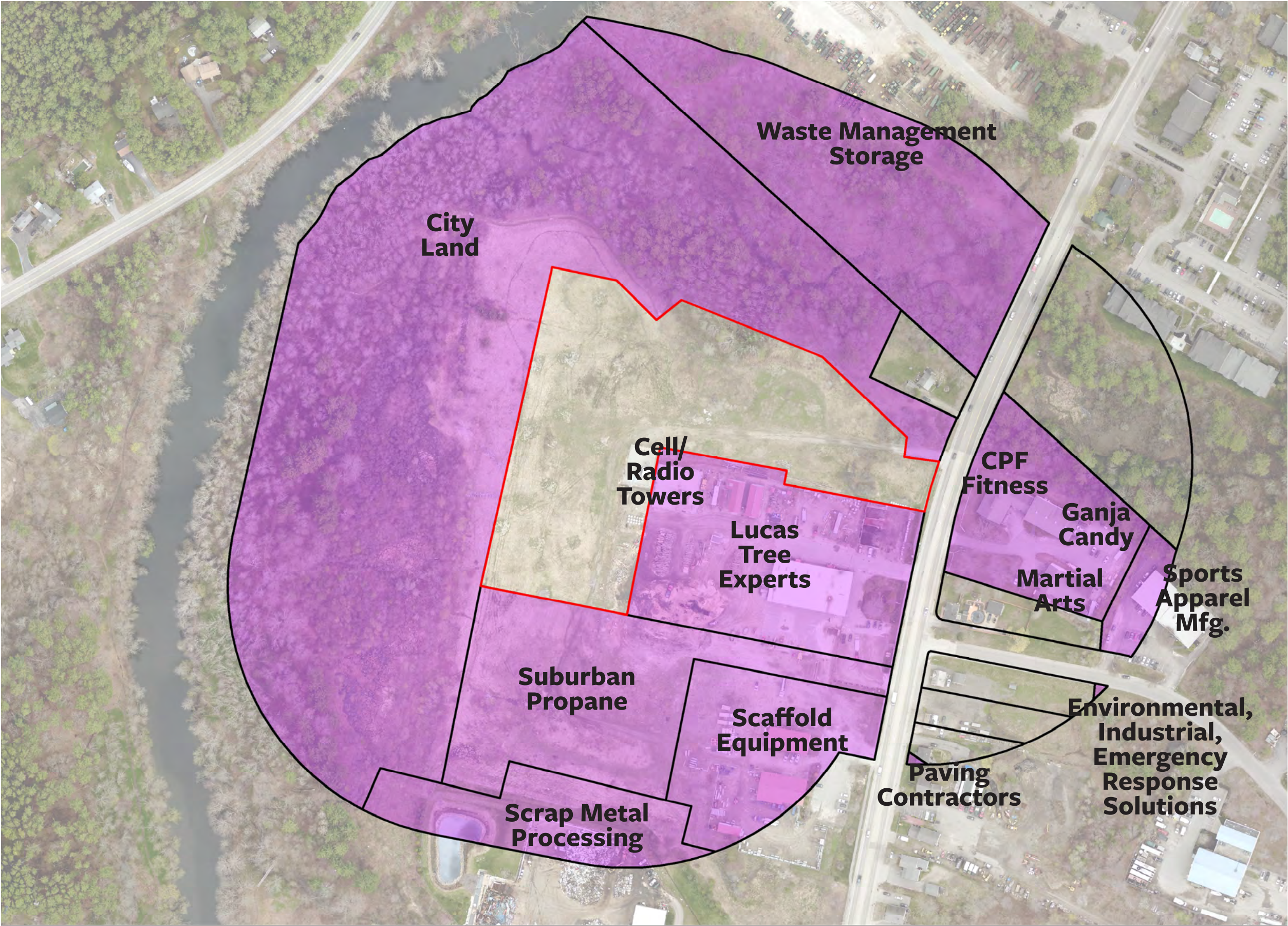


654 Riverside St: larger residential

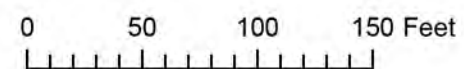
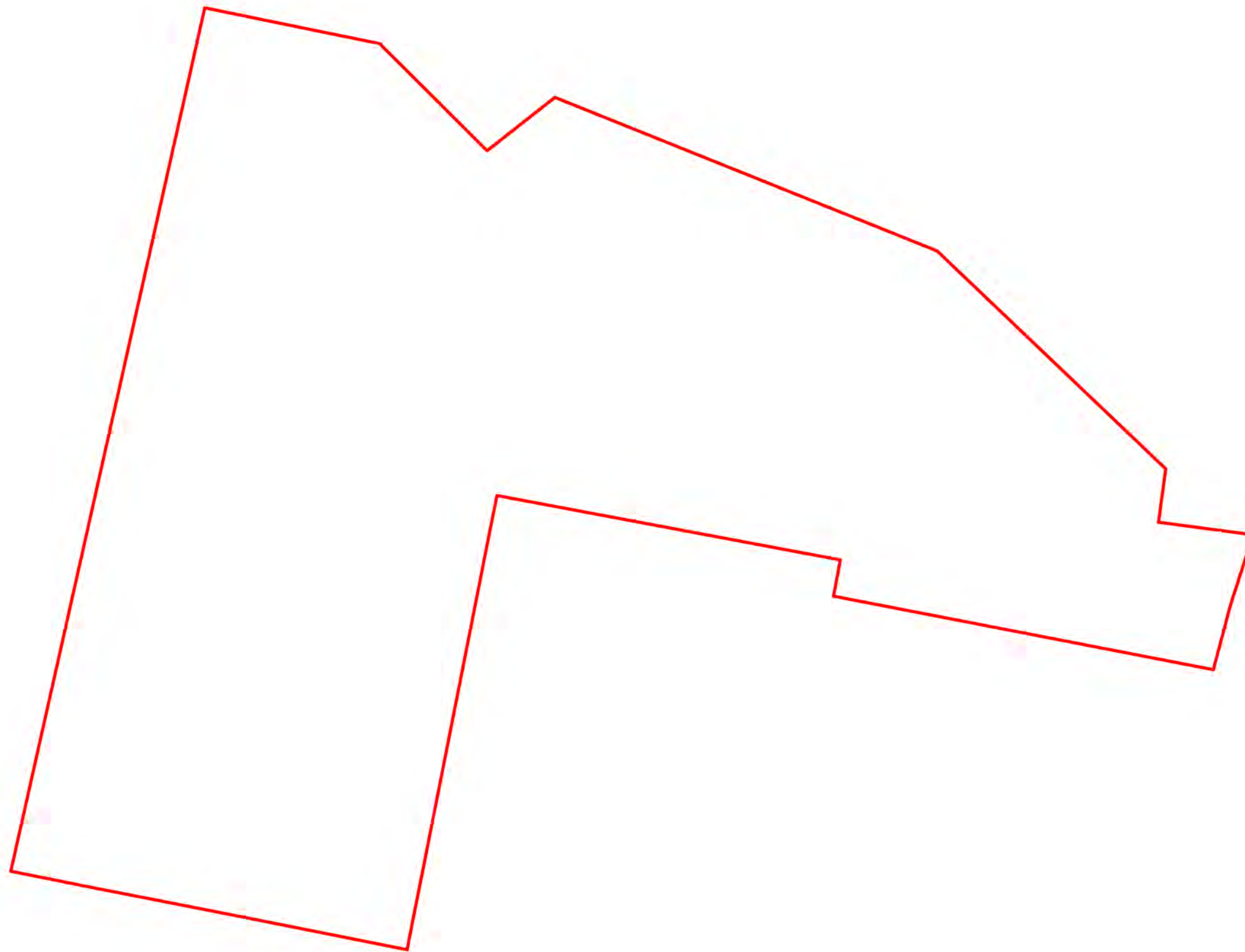
one fam units: ~5 five plus fam units: ~117* total units: ~122



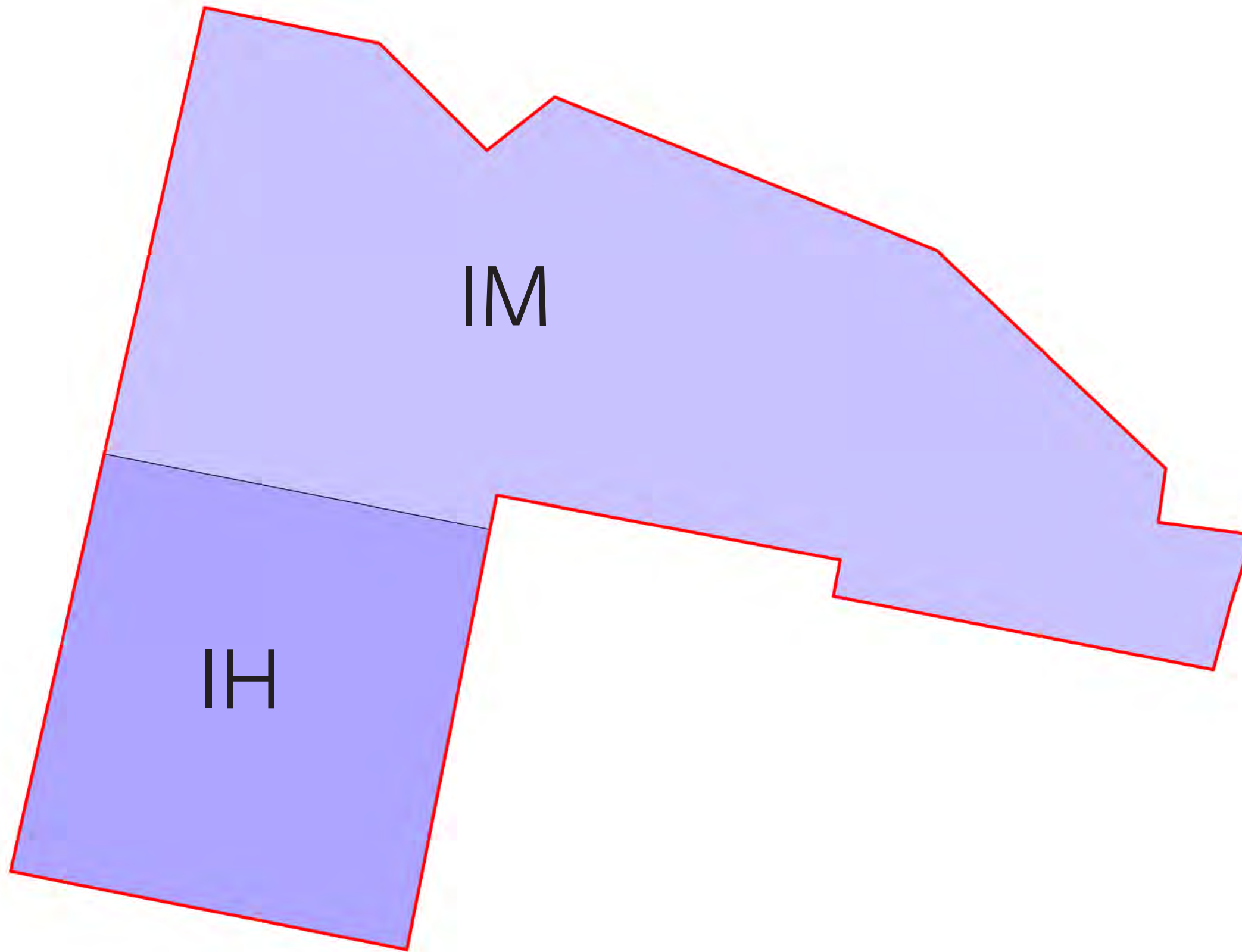
654 Riverside St: other uses



654 Riverside St.



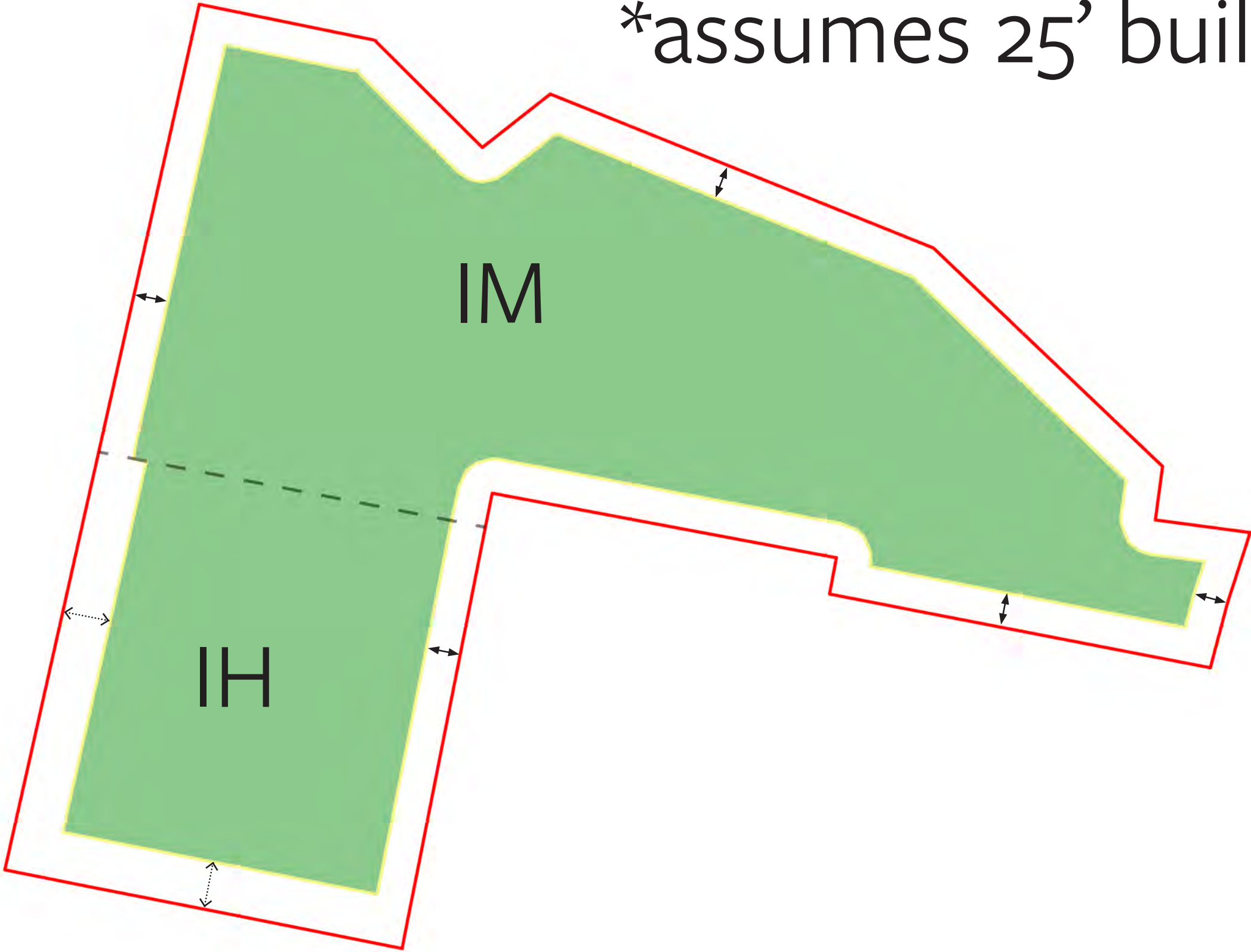
654 Riverside St: site zoning



0 50 100 150 Feet

654 Riverside St: zoning envelope*

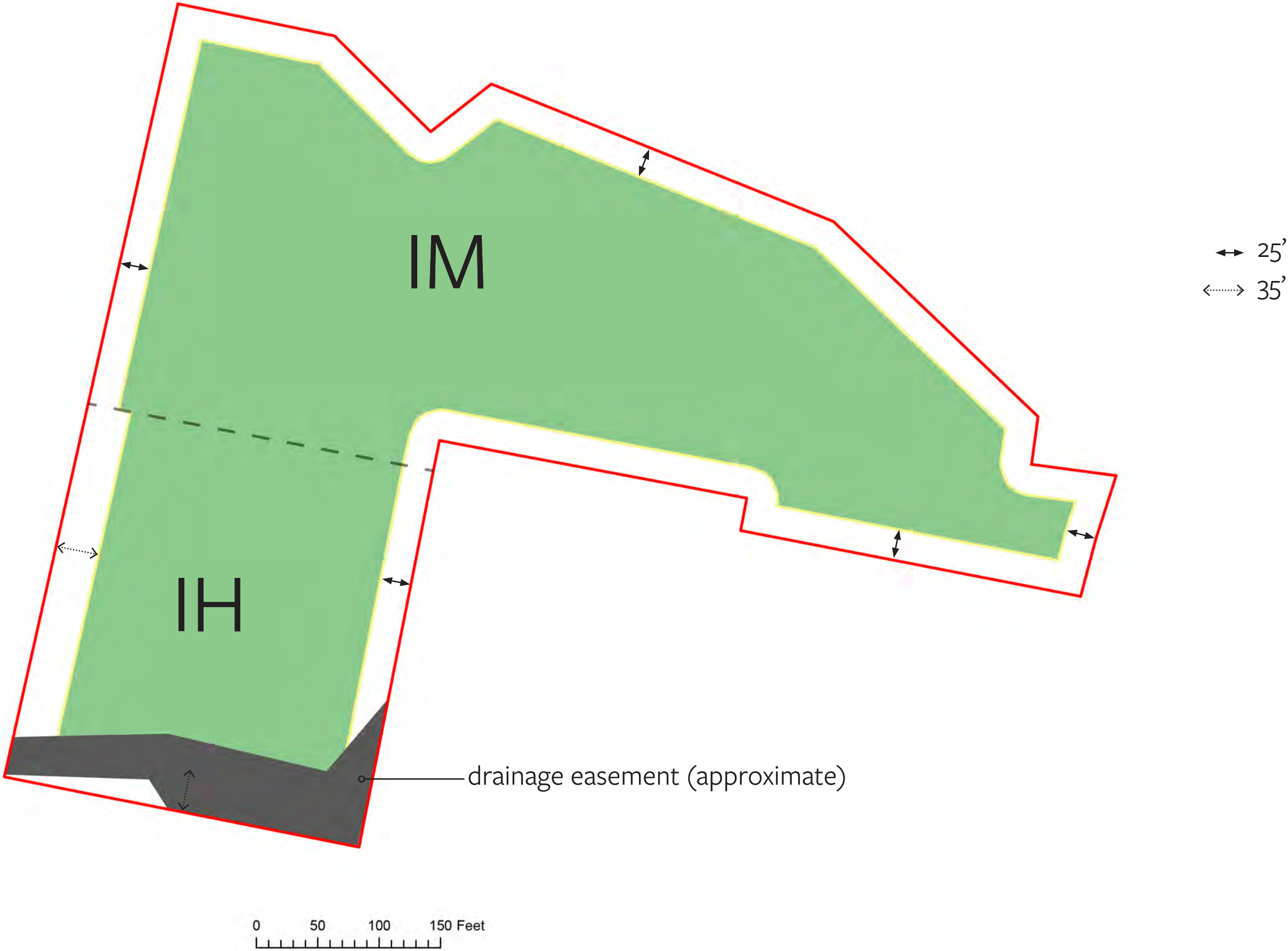
*assumes 25' building



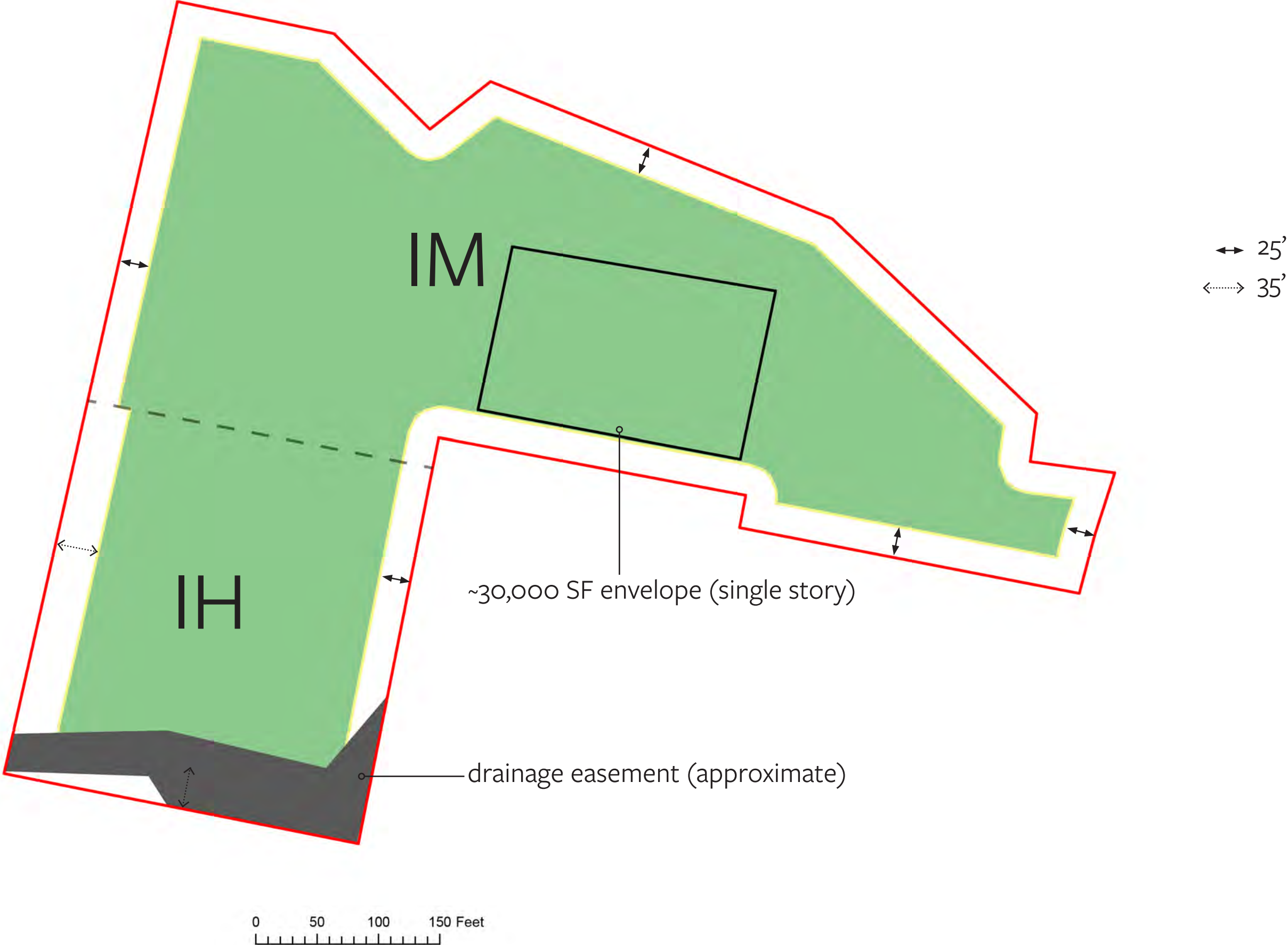
↔ 25'
↔ 35'

0 50 100 150 Feet

654 Riverside St: drainage easement



654 Riverside St: ~30k SF building



654 Riverside St: context



0 50 100 150 Feet

654 Riverside St: site challenges



VRAP

Flood Zone (limited)

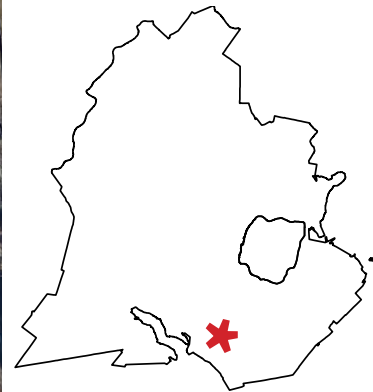
Nearby Industry

Pedestrian Access

Offered for Sale

(interested buyer)

County Way



County Way

ON SITE ZONING (% Area)

95.0 IL

5.0 B2

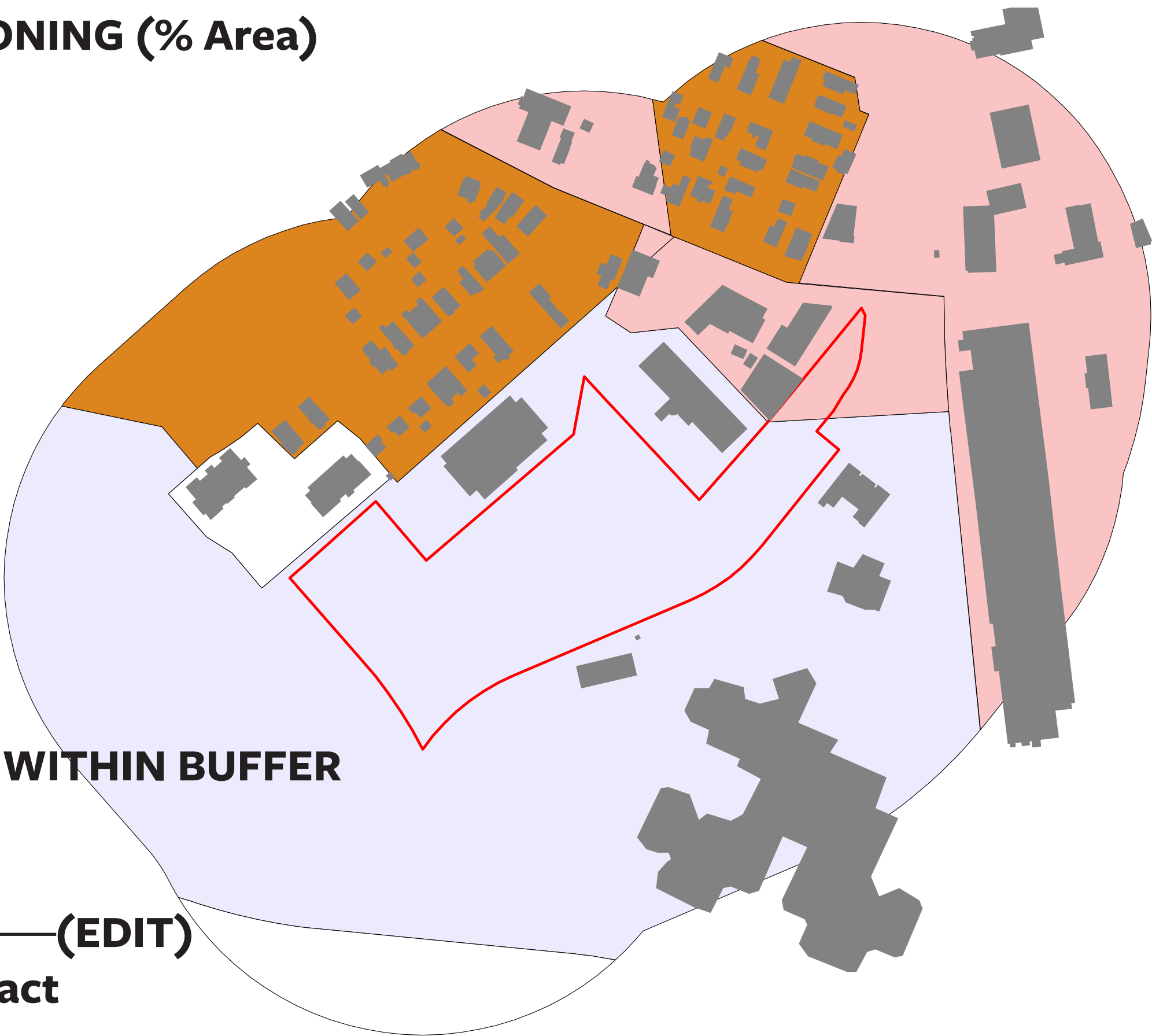
ZONING % WITHIN BUFFER

53.5 IL

23.1 B2

17.3 R6 ← (EDIT)

6.1 Contract



County Way

ASSESSED USE (% area):

- 41.5** Governmental
- 19.2** Retail Services
- 12.7** Null
- 5.3** Benevolent/charitable
- 5.2** Single Family
- 3.6** Two Family
- 3.5** Office Business
- 2.5** Three Family
- 1.2** Five to Ten Family
- 1.2** Twenty-one plus Family
- 1.1** Multi-use Commercial

OTHER (<1% area)

- parking lots**
- manufacturing**
- religious**
- transportation**
- vacant land**

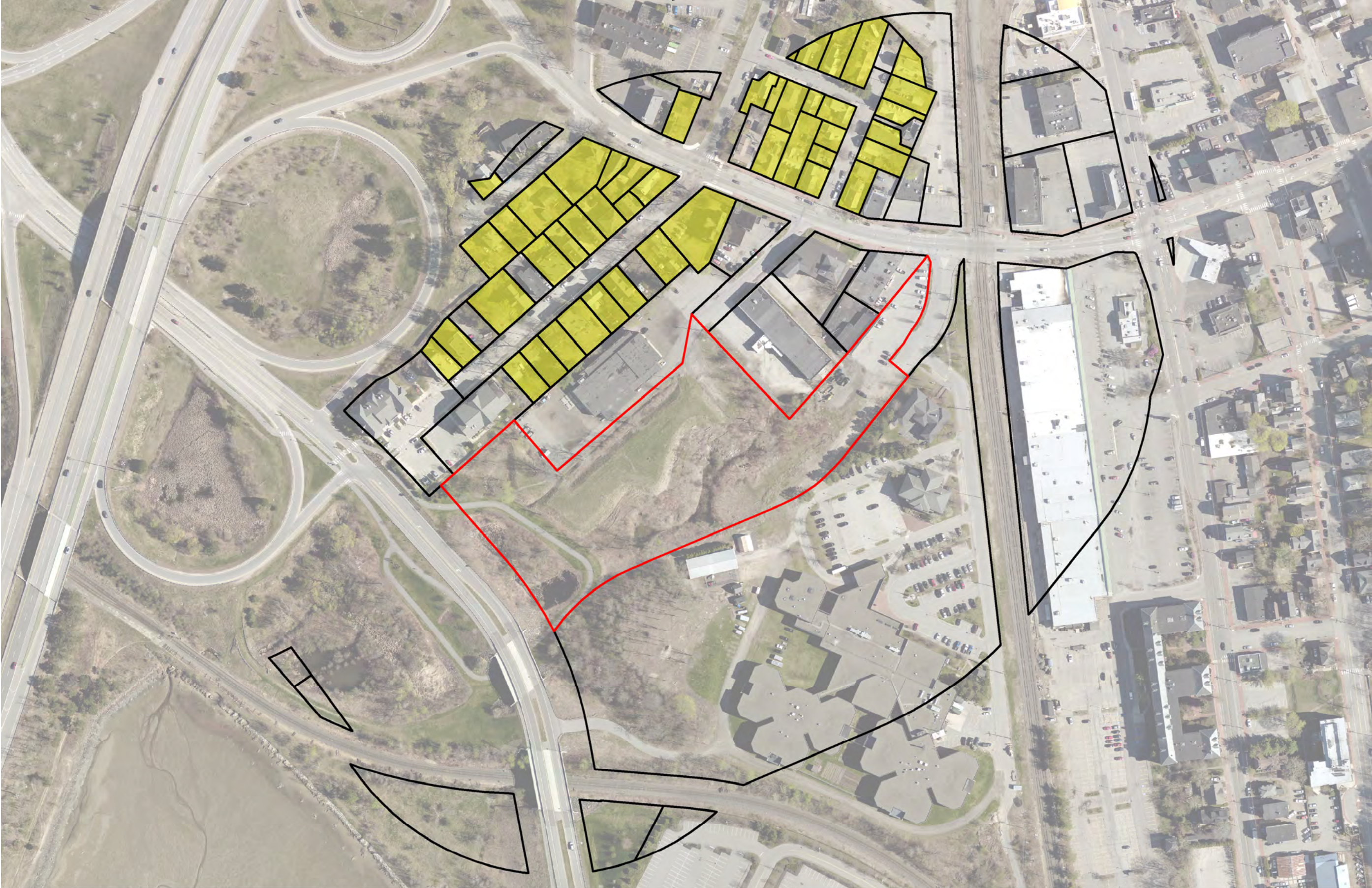


County Way



County Way: 1-4 family

one to four fam units: ~90 five plus fam units: ~55 total units: ~145

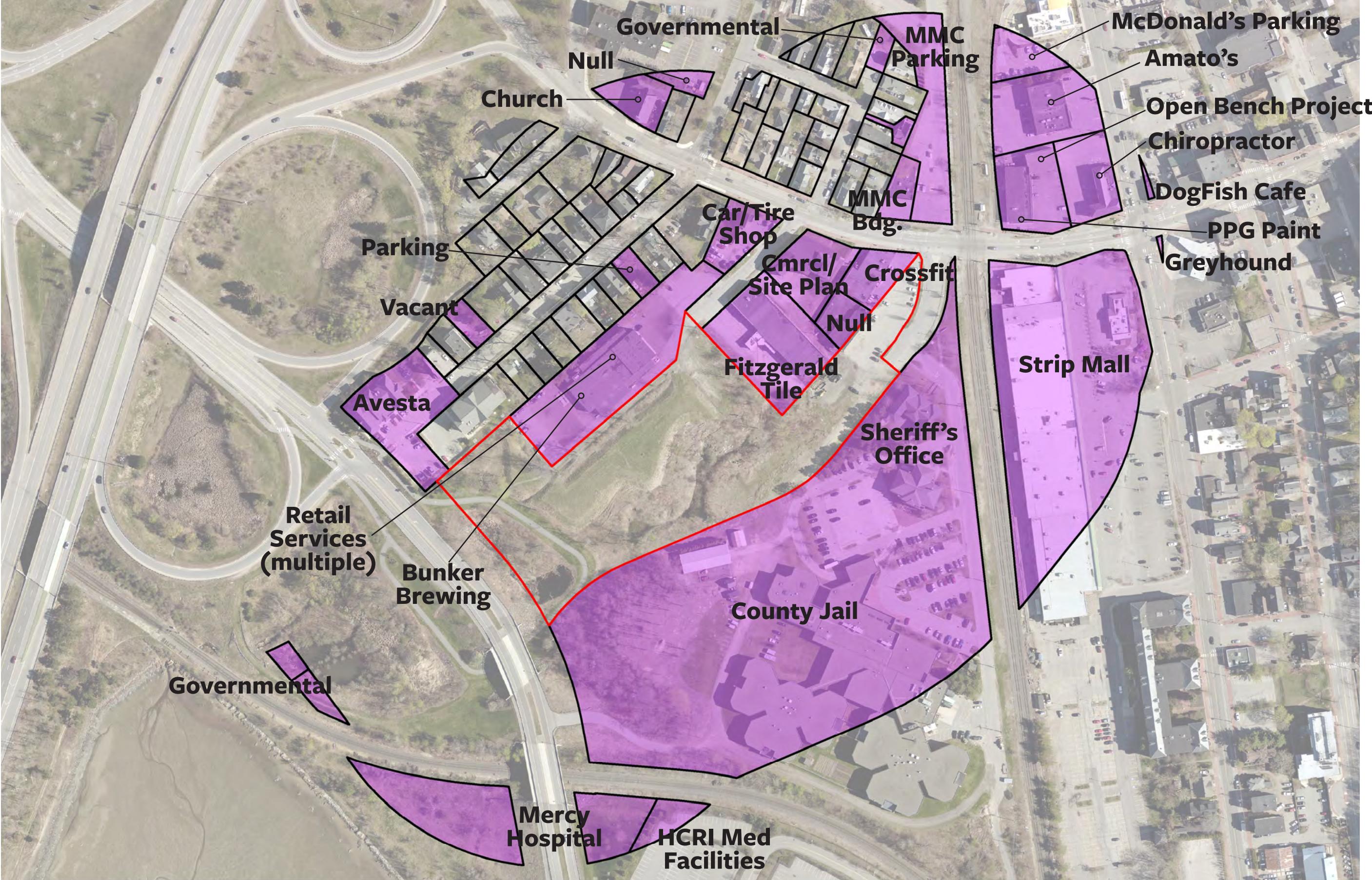


County Way: larger residential

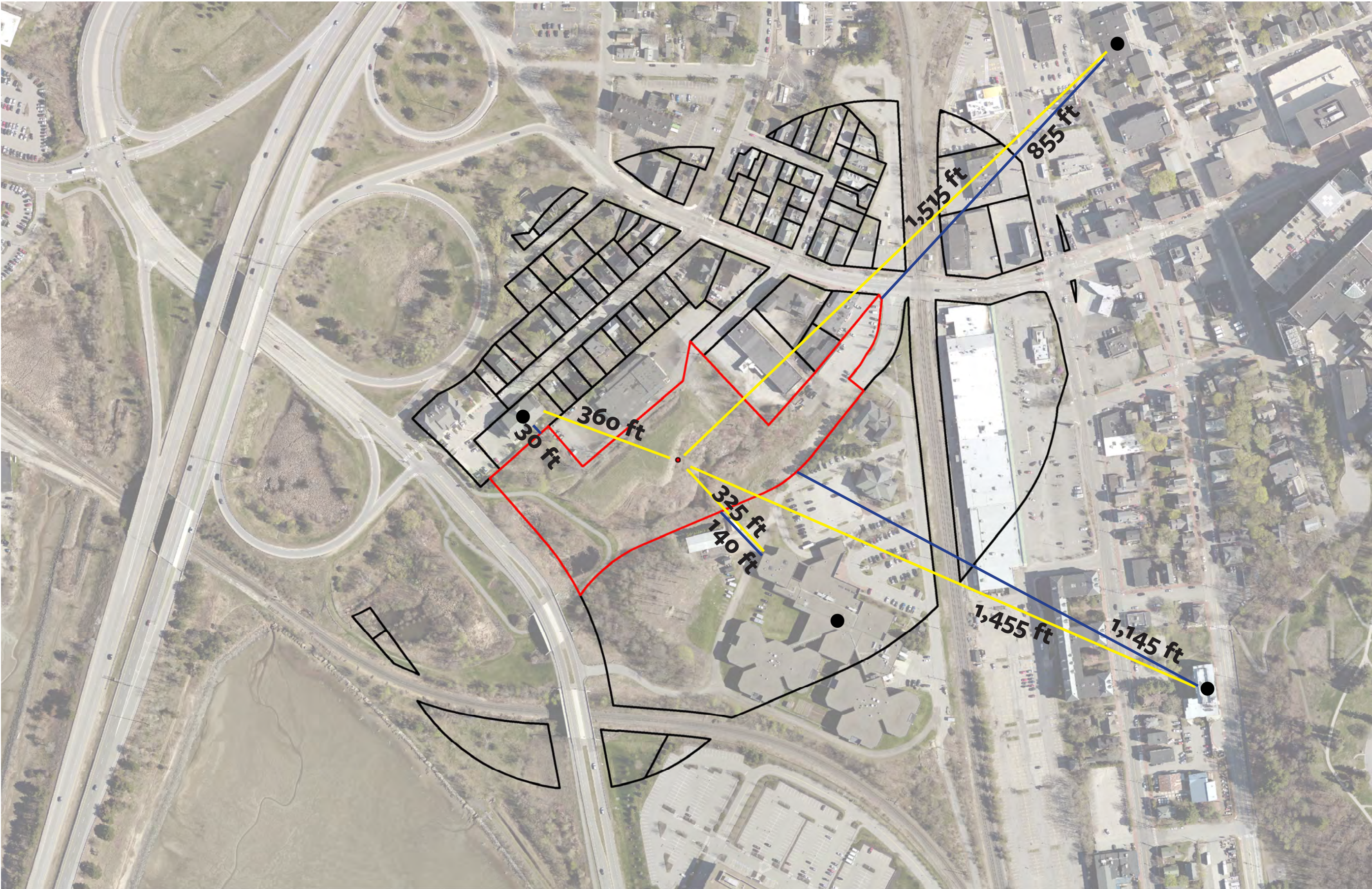
one to four fam units: ~90 five plus fam units: ~55 total units: ~145



County Way: other uses



County Way: requested distances

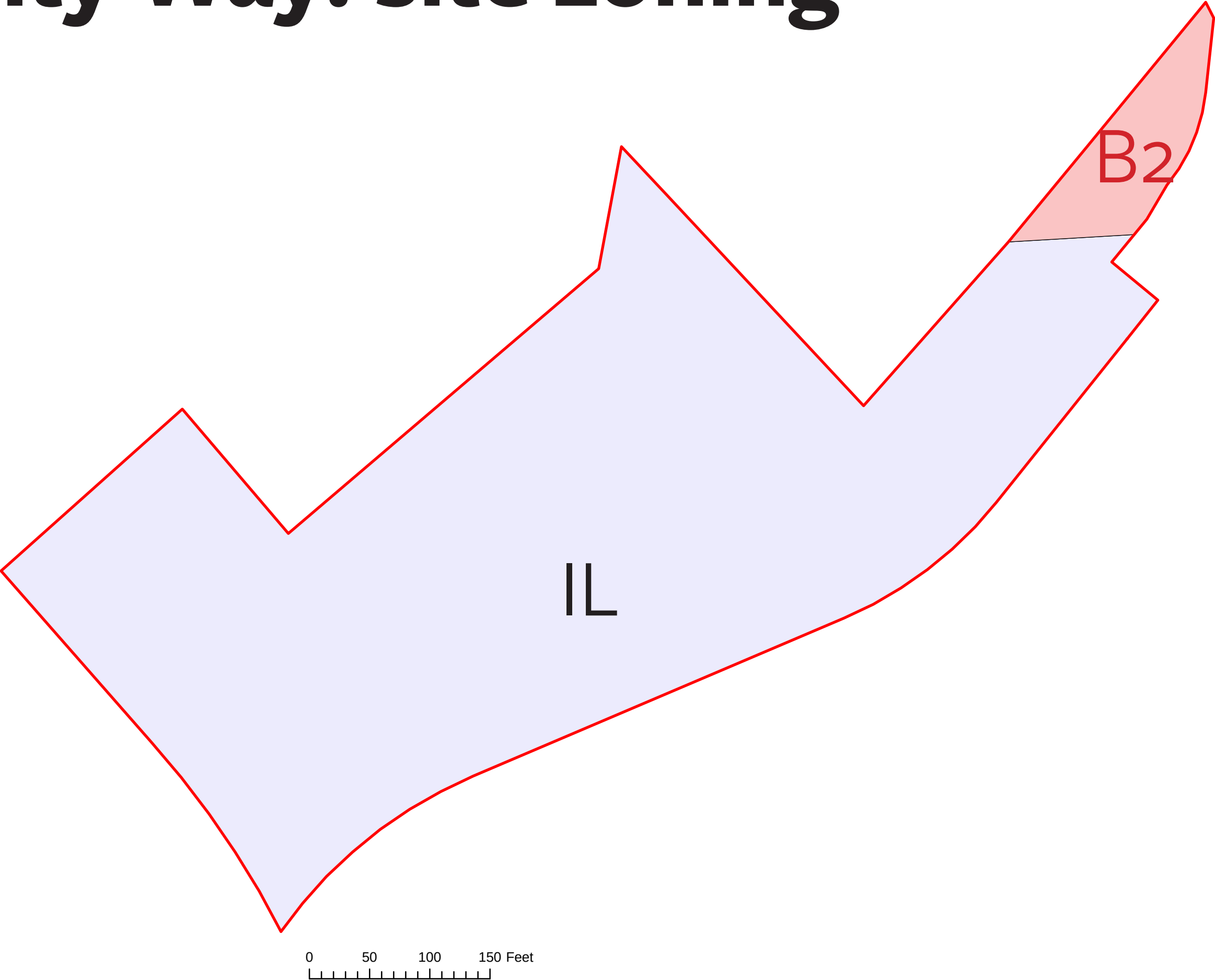


County Way

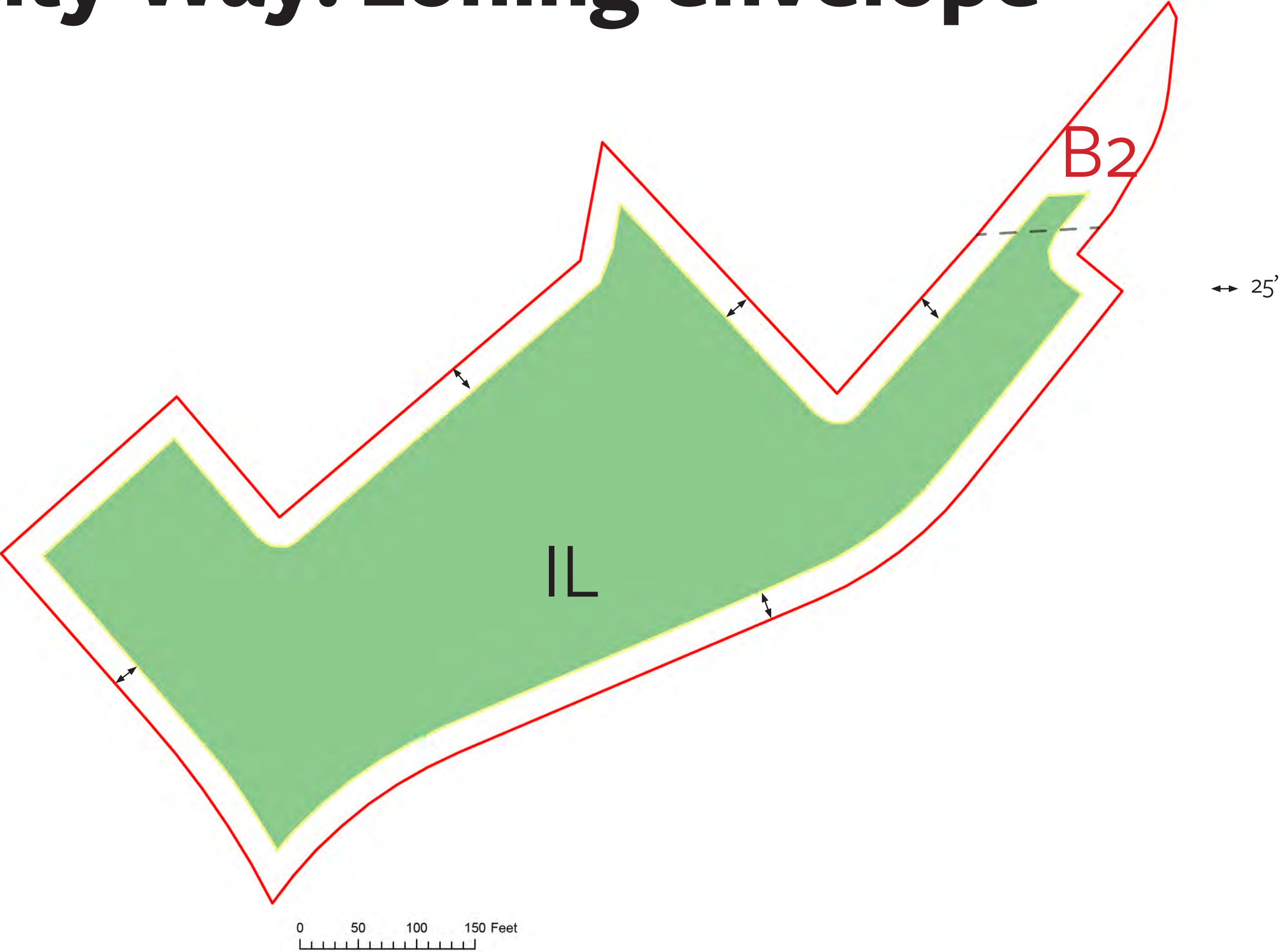


0 50 100 150 Feet

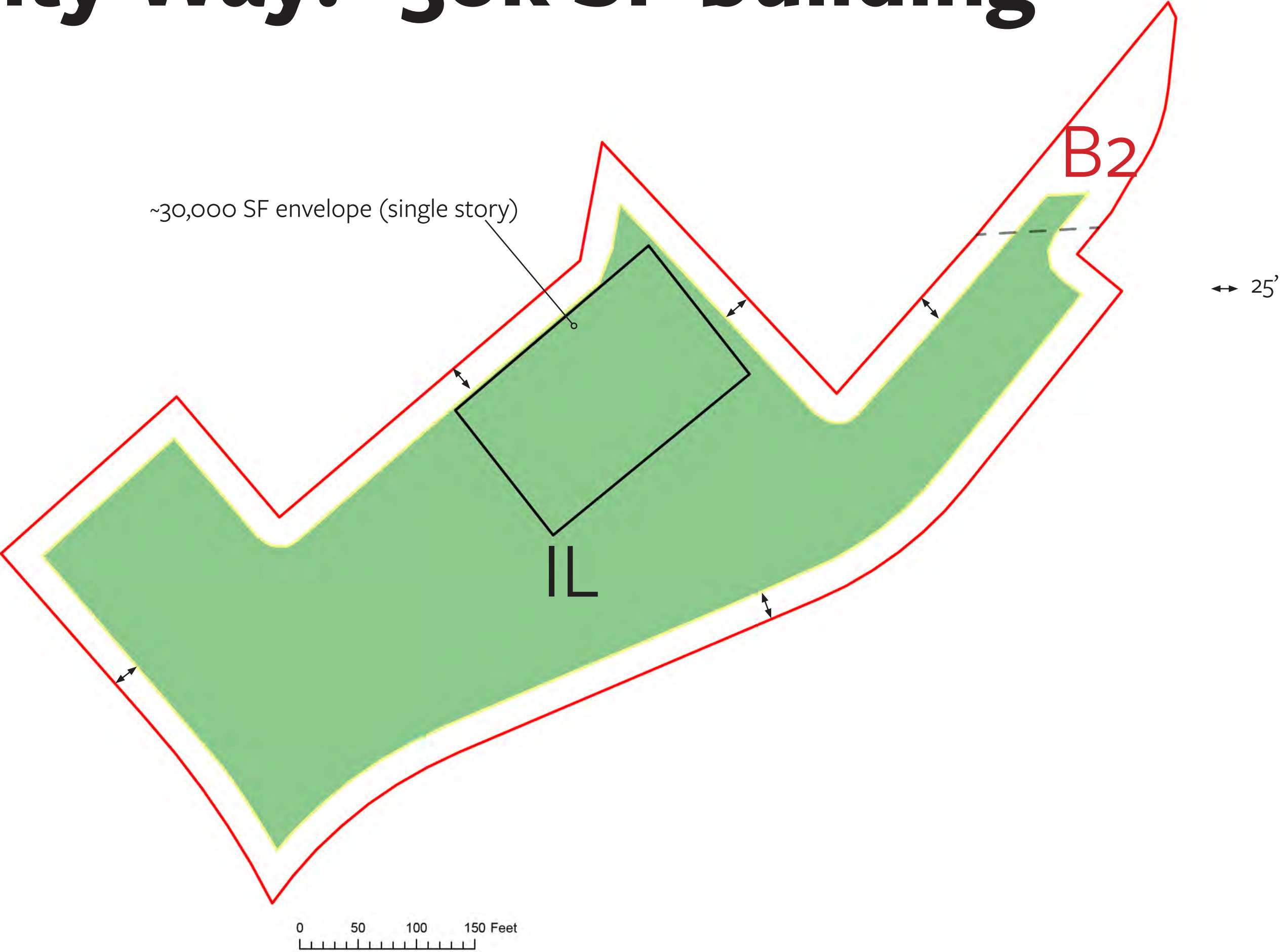
County Way: site zoning



County Way: zoning envelope



County Way: ~30k SF building



County Way: context



0 50 100 150 Feet

County Way: context cont'd



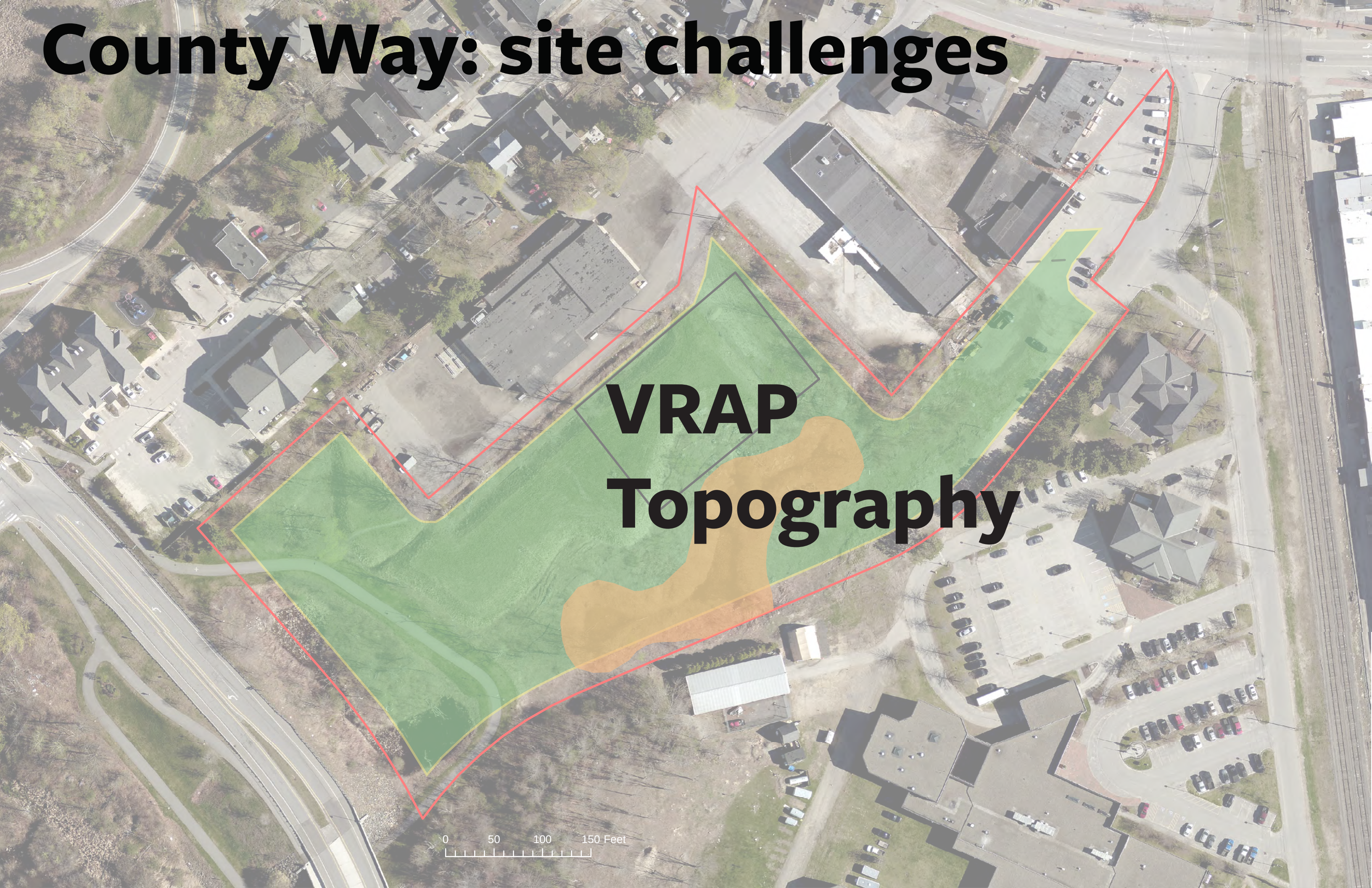
0 50 100 150 Feet

County Way: site challenges

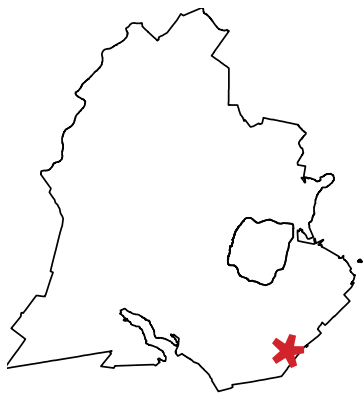
VRAP

Topography

0 50 100 150 Feet



Angelo's Acre



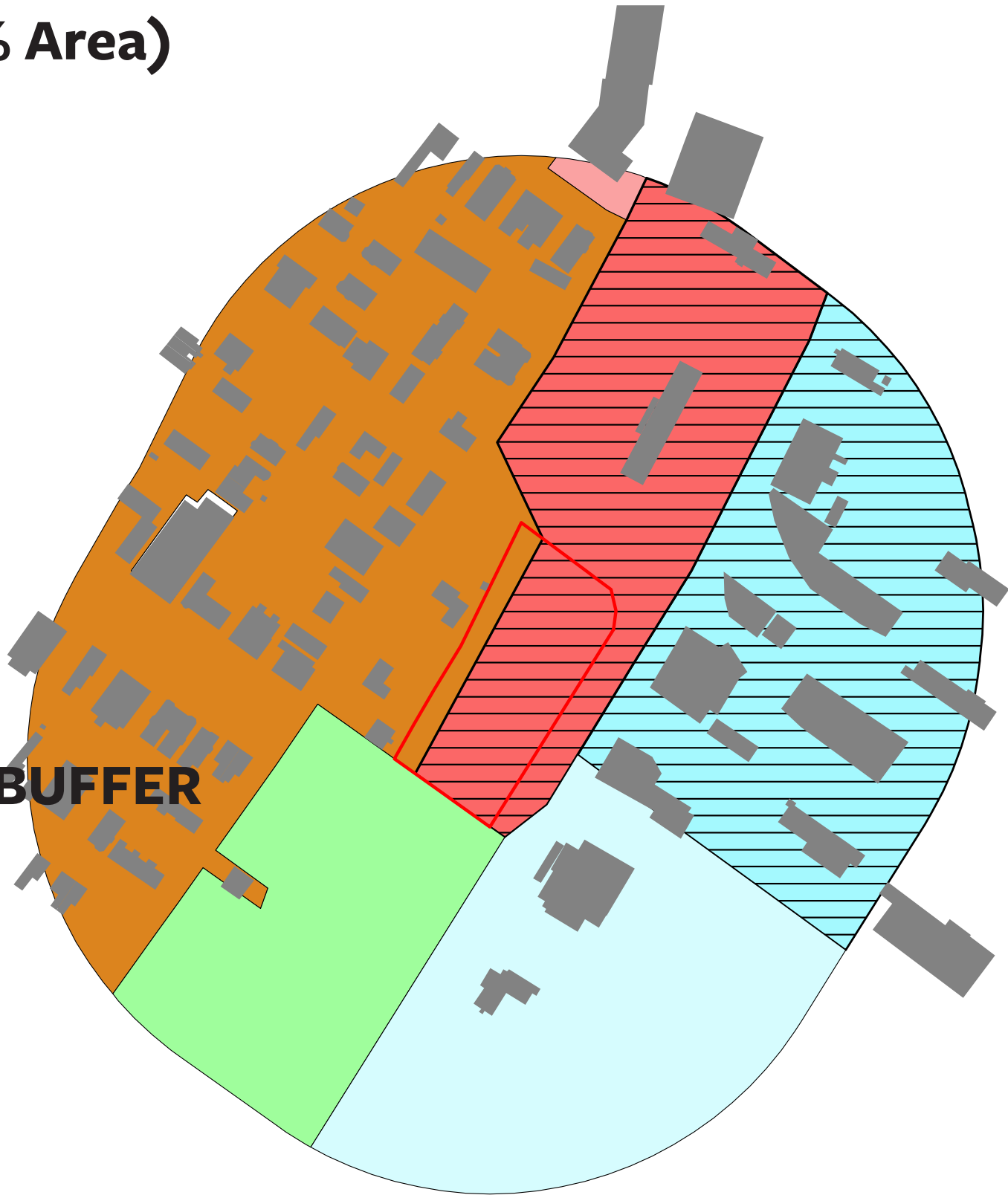
Angelo's Acre

ON SITE ZONING (% Area)

80.4 B5b
19.6 R6

ZONING % WITHIN BUFFER

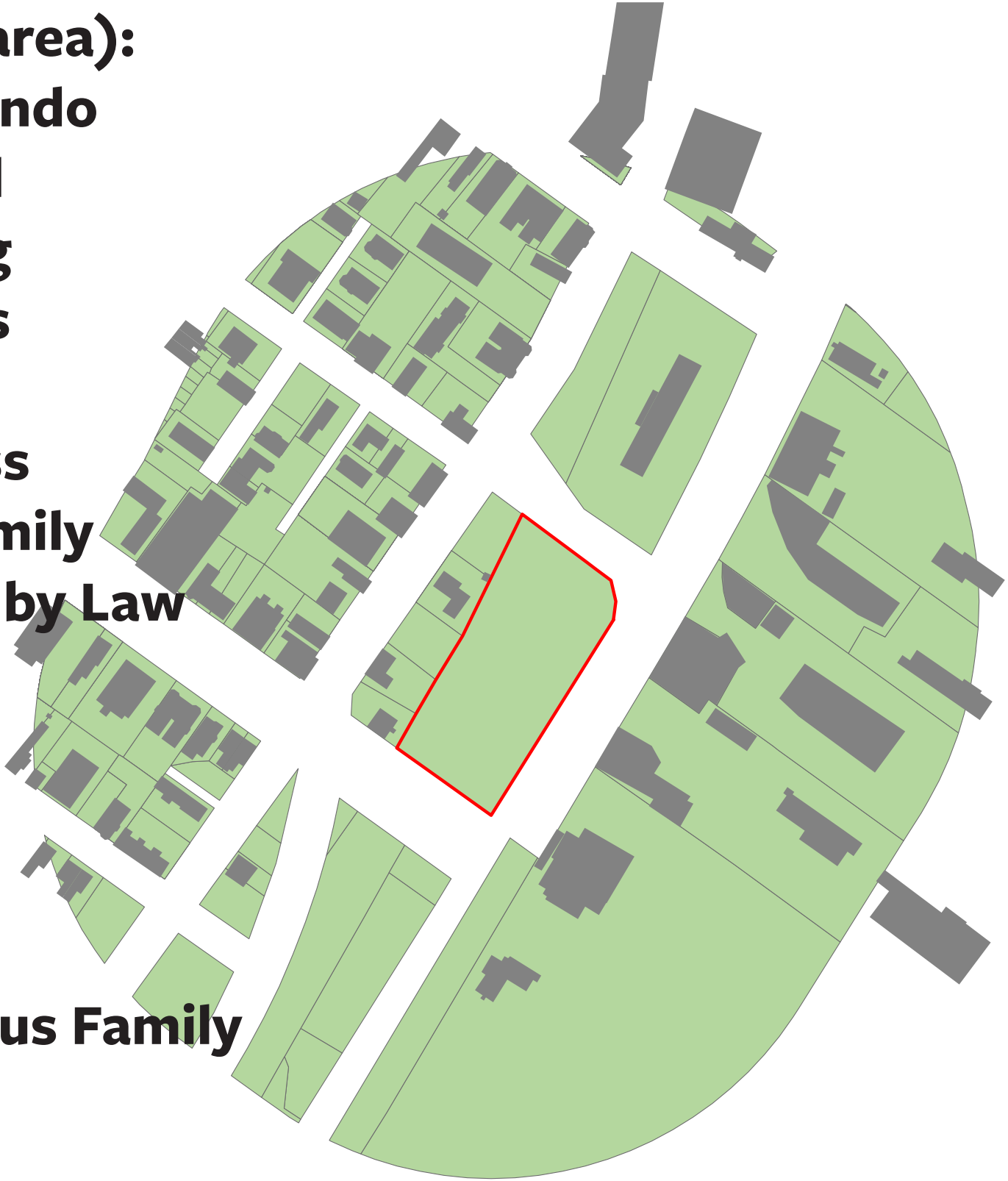
33.9 R6
20.0 WCZ
17.8 WPDZ
15.6 B5b
11.6 ROS
0.7 Contract
0.4 B3



Angelo's Acre

ASSESSED USE (% area):

- 37.9 Residential Condo**
- 20.6 Governmental**
- 7.9 Manufacturing**
- 4.3 Retail Services**
- 4.0 Wholesale**
- 3.6 Office Business**
- 3.2 Five to Ten Family**
- 3.2 Other Exempt by Law**
- 2.2 Single Family**
- 2.1 Vacant Land**
- 2.0 Four Family**
- 1.7 Three Family**
- 1.6 Null**
- 1.4 Twenty-one Plus Family**
- 1.1 Land Bank**



- OTHER (<1% area)**
- two family**
 - benevolent/charitable**
 - eleven to twenty family**
 - warehouse/storage**
 - parking lots**
 - commercial condos**
 - transportation**

Angelo's Acre



Angelo's Acre: 1-4 family

one to four fam units: ~97 five plus fam units: ~55 total units: ~145



Angelo's Acre: larger residential

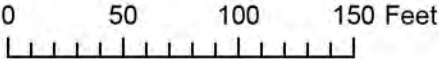
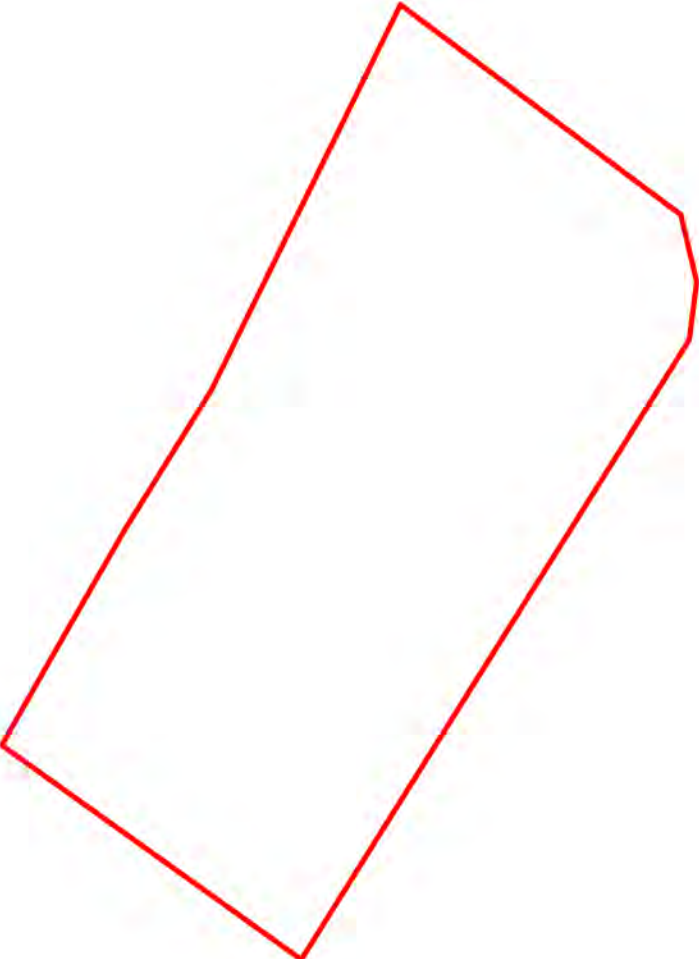
one to four fam units: ~97 five plus fam units: ~269 total units: ~366



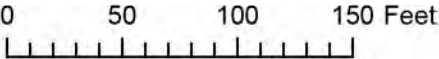
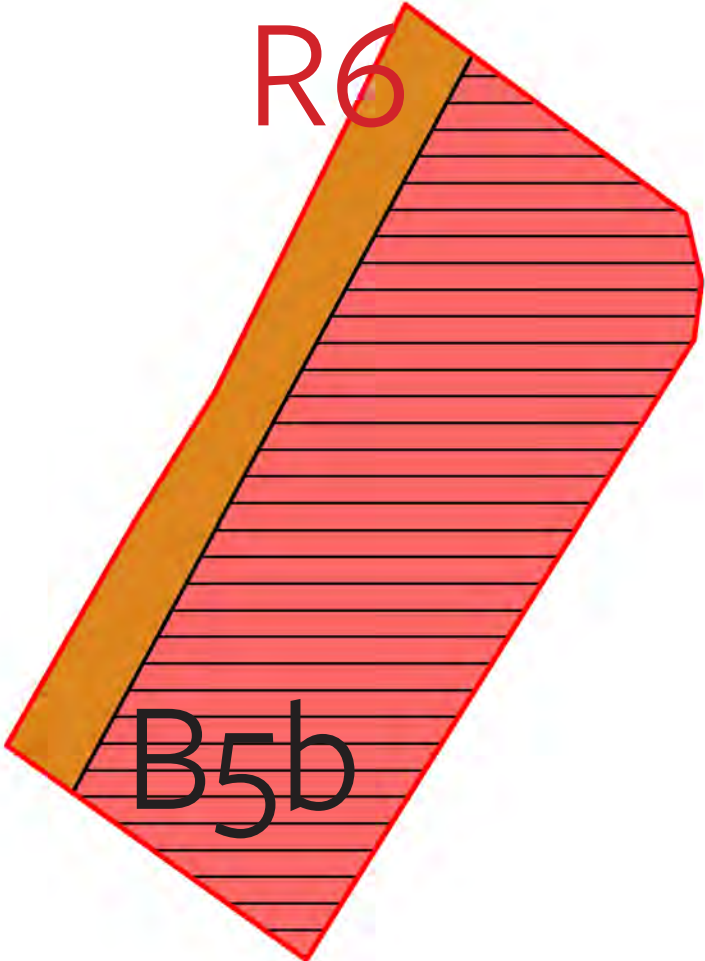
Angelo's Acre: other uses



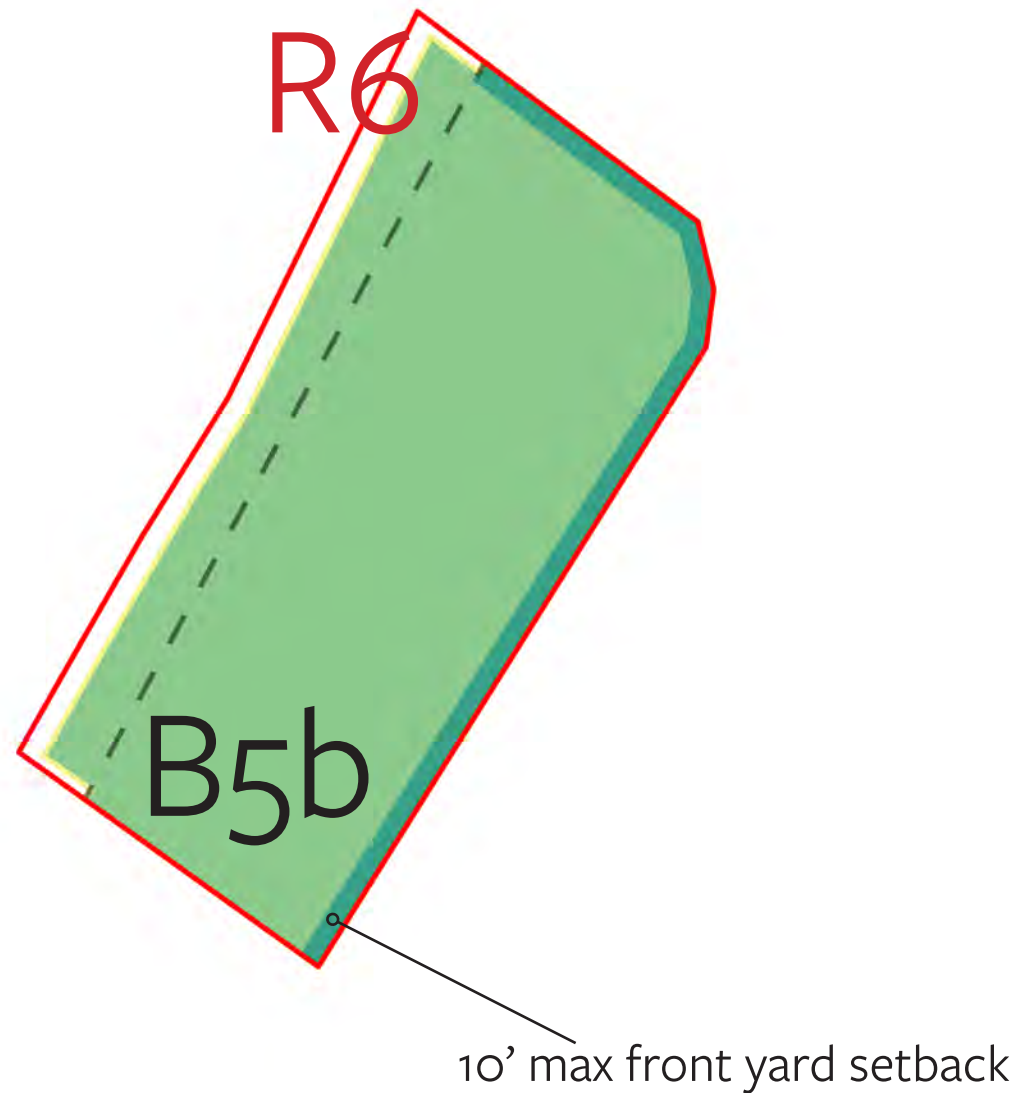
Angelo's Acre:



Angelo's Acre: site zoning

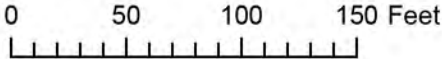
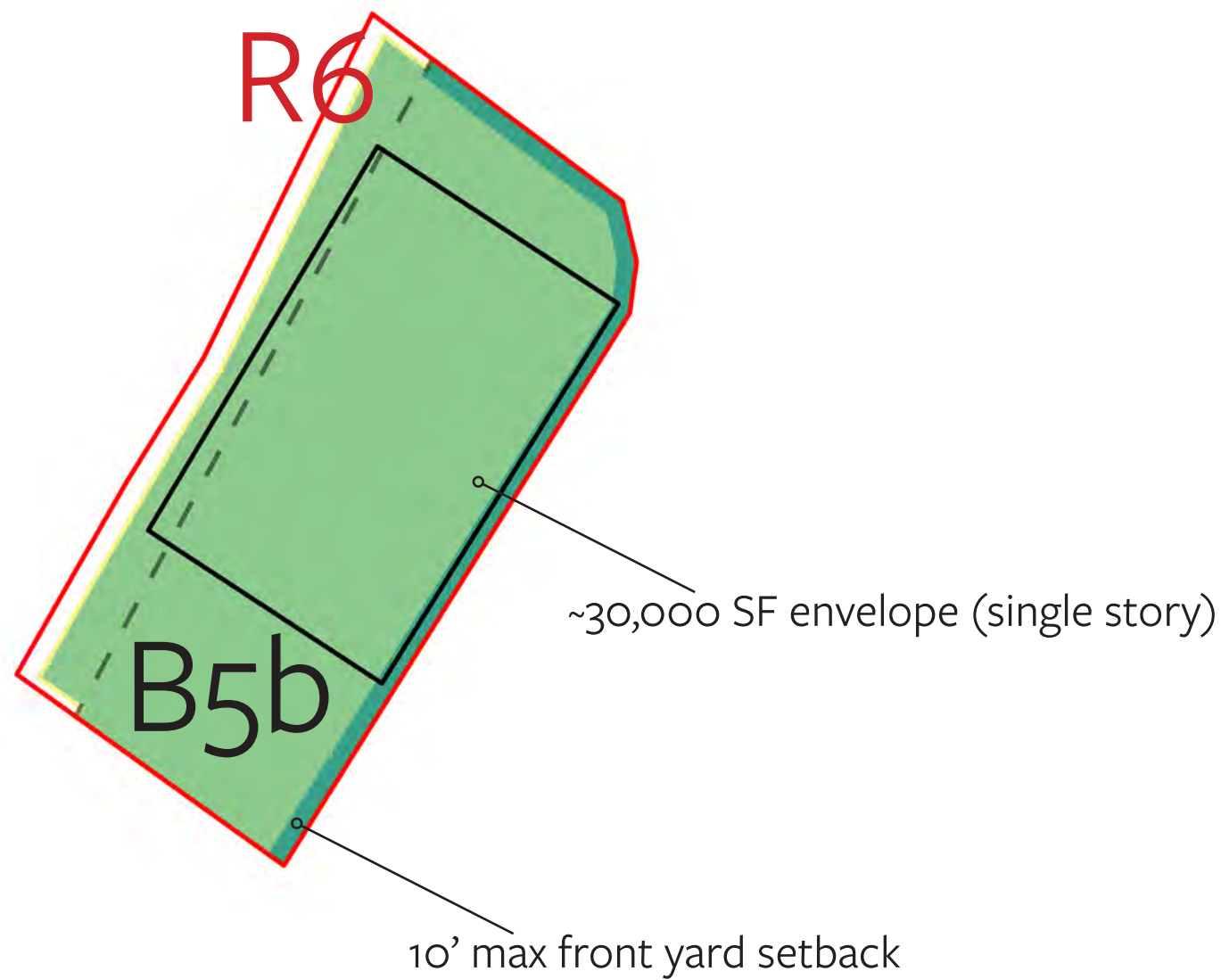


Angelo's Acre: zoning envelope



0 50 100 150 Feet

Angelo's Acre: ~30k SF building



Angelo's Acre: context



0 50 100 150 Feet

Angelo's Acre: site concerns

Smallest Site
Surrounding Context
Site Testing Req'd
Current Use: Parking

0 50 100 150 Feet

Next Steps

654 Riverside St.

Angelo's Acre

County Way Acquisition



HHS analysis:

staff and partner feedback

Council direction:

which sites continue to be feasible and desirable?

Further analysis:

sites may harbor unforeseen constraints

Report back:

which sites remain feasible and compelling?

Additional Council direction:

narrowing site(s) selection

Questions?





STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE HOUSE STATION 17 AUGUSTA, MAINE 04333

DEPARTMENT ORDER

IN THE MATTER OF

CITY OF PORTLAND	)	COMMISSIONER'S CERTIFICATION
ATTN: GREG MITCHELL	)	OF COMPLETION OF REMEDIAL
DIRECTOR OF ECONOMIC DEVELOPMENT	)	ACTIONS UNDER A VOLUNTARY
389 CONGRESS STREET	)	RESPONSE ACTION PLAN
PORTLAND, ME 04101	)	

JURISDICTION

This certification of completion of a Voluntary Response Action Plan ("VRAP") is made pursuant to the authority vested in the Commissioner of the Maine Department of Environmental Protection ("Department") or the Commissioner's delegee under 38 M.R.S.A. Section 343-E.

FINDINGS OF FACT

1. The covered property (property and/or site) is the former Lucas Tree site located at 636 Riverside Street in Portland, and is identified on the City of Portland Tax Map 322 as Lot A-001 and Tax Map 323 as Lot A-003. The site is 40.85 acres in size. A map of the property is included as Attachment A.
2. The property use in the area is mixed residential and commercial.
3. A Phase I Environmental Site Assessment (ESA), a Phase II ESA, and a Supplemental Phase II ESA were prepared by Tewhey Associates ("Tewhey") in September and December of 2005 and January 2008, respectively, with funding from the City of Portland's Municipal Brownfields Program. These reports identified two areas requiring remedial actions: the spent sand blast grit area and the former greenhouse area.
4. In July 2010, Ransom Environmental Consultants, Inc. ("Ransom") directed remedial activities on the property. Under Ransom's direction, soils were removed from both areas of contamination and loaded on trucks for appropriate disposal. The spent sand blast grit area was cleaned to a visual standard, as earlier sampling had demonstrated that contamination was directly related to the easily identified black sand blast grit. The former greenhouse area was excavated to a standard 2 feet below grade level, based on earlier sampling results for the contaminant of concern, arsenic. Post excavation sampling demonstrated that soils had been cleaned up to typical background in 5 of the 6 samples, with one sample area having a higher level. Given that the bulk of the contaminated soil volume was removed from this area, the actual risk from this small hotspot area is low, and additional remedial action will not be necessary. A total of 296.74 tons of arsenic contaminated soils and spent sand blast grit were excavated from the property and sent to Commercial Paving and Recycling in Scarborough, Maine for recycling. The remedial actions are documented in a letter report dated August 23, 2010 and submitted by Ransom entitled "Lucas Tree Site, 636 Riverside Street, Excavation and Remediation Activities".

FILE COPY

CITY OF PORTLAND
ATTN: GREG MITCHELL
DIRECTOR OF ECONOMIC DEVELOPMENT
389 CONGRESS STREET
PORTLAND, ME 04101

2 COMMISSIONER'S CERTIFICATION
) OF COMPLETION OF REMEDIAL
) ACTIONS UNDER A VOLUNTARY
) RESPONSE ACTION PLAN
)

CONCLUSIONS

1. The City of Portland, as an applicant, has submitted a Voluntary Response Action Plan application to the Commissioner pursuant to 38 M.R.S.A. § 343-E for the property located at 636 Riverside Street in Portland, Maine which is identified on the City of Portland Tax Map 322 as Lot A-001 and Tax Map 323 as Lot A-003 .
2. Site assessments conducted at the site included investigations and reports that adequately identified the nature and extent of contamination associated with identified sources at the property.
3. Actions addressing identified contamination on the property have been completed. These actions included the removal of arsenic contaminated sand blast grit and soils associated with a former greenhouse.
4. Provided the City of Portland, as applicant, and their successors and/or assigns comply with the conditions of this certification, the response actions that have been completed and the activities associated with the continued use of the site will not cause, contribute, or exacerbate releases, or threatened releases, if they exist at the site, that are not required to be removed under the VRAP.

THEREFORE, pursuant to 38 M.R.S.A. § 343-E(5), Mark Hyland, Director, Bureau of Remediation & Waste Management of the Maine Department of Environmental Protection certifies, subject to the conditions set forth below, that remedial actions have been completed at the property located at 636 Riverside Street in Portland, Maine, identified on the City of Portland Tax Map 322 as Lot A-001 and Tax Map 323 as Lot A-003, and further described in Book 27870, Page 299, at the Cumberland County Registry of Deeds. Upon issuance of this CERTIFICATE, the City of Portland, as applicant, and the persons qualified for protection under 38 M.R.S.A. § 343-E(6) are entitled to the protection from liability to the extent provided by 38 M.R.S.A. §343-E(1) and (5). This protection from liability is limited to the matters addressed by and identified by the environmental reports and is subject to the qualifications and conditions set forth below and in 38 M.R.S.A. § 343-E.

CONDITIONS

1. The future installation of potable wells on the property is prohibited without prior written permission from the Department.
2. Use of the property shall be limited to industrial, commercial, municipal and other non-residential uses and not be residential without prior written permission of the Department.
3. A copy of this certificate for the property located at 636 Riverside Street in Portland shall be recorded at the Cumberland County Registry of Deeds. A copy of the recorded document must be supplied to the Department.

CITY OF PORTLAND
ATTN: GREG MITCHELL
DIRECTOR OF ECONOMIC DEVELOPMENT
389 CONGRESS STREET
PORTLAND, ME 04101

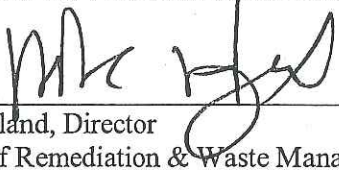
3 COMMISSIONER'S CERTIFICATION
) OF COMPLETION OF REMEDIAL
) ACTIONS UNDER A VOLUNTARY
) RESPONSE ACTION PLAN
)

4. A Declaration of Environmental Covenants, as defined in 38 M.R.S.A. § 3001 et seq., that is consistent with this Certificate and acceptable to the Department must be prepared and recorded at the Cumberland County Registry of Deeds. A copy of the recorded document must be supplied to the Department.

DONE AND DATED AT AUGUSTA, MAINE, THIS 30TH DAY OF AUGUST 2010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

By:


Mark Hyland, Director
Bureau of Remediation & Waste Management

STATE OF MAINE
KENNEBEC, ss.,

August 30th, 2010

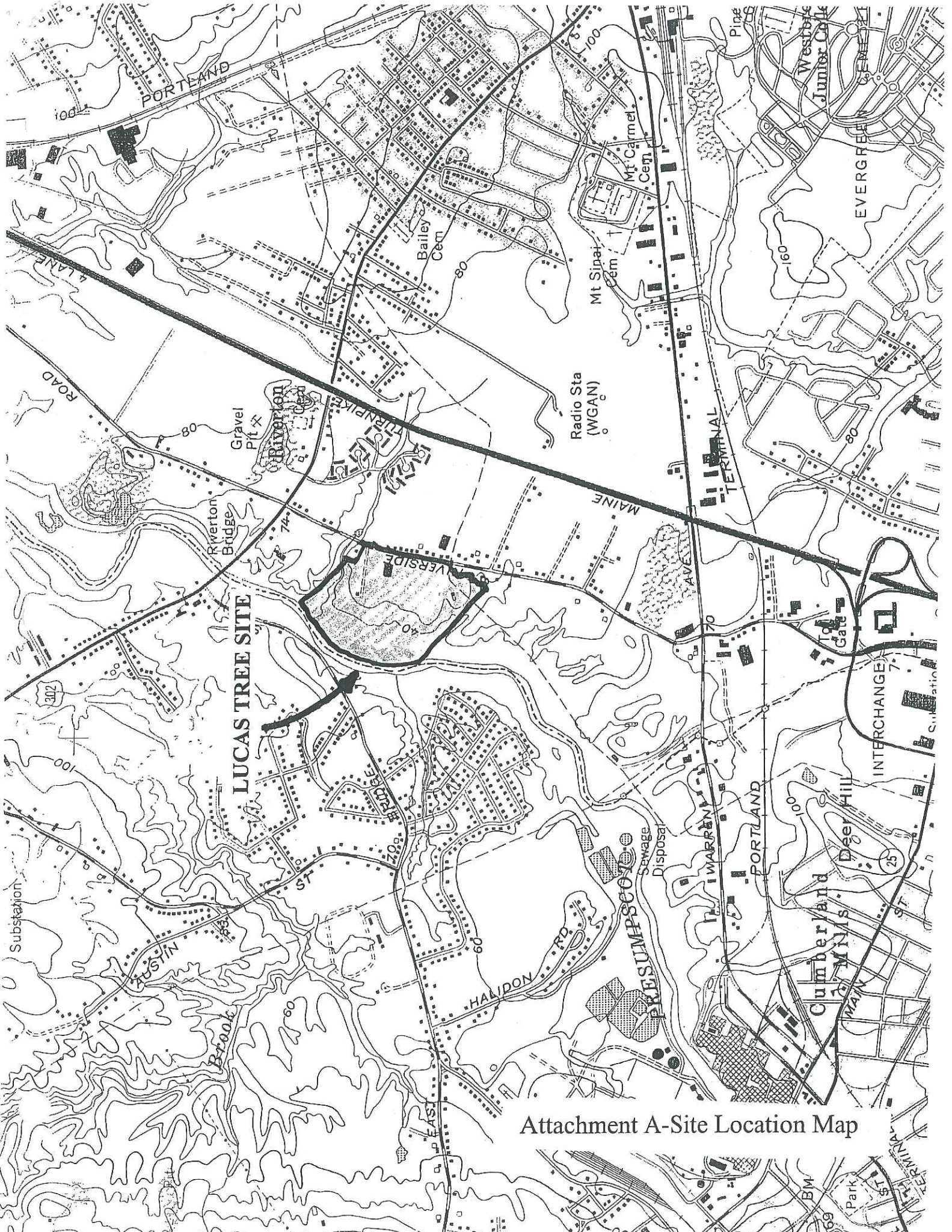
Then personally appeared the above-named Mark Hyland, Director, Bureau of Remediation & Waste Management of the Maine Department of Environmental Protection and duly authorized delegatee for the Commissioner, and acknowledged the foregoing instrument to be his free act and deed, and the free act and deed of the Department of Environmental Protection.

Before me,


Notary Public

Laura L. Gay
(Print Name)

This order was prepared by Nicholas J. Hodgkins, Bureau of Remediation & Waste Management.



Attachment A-Site Location Map



To: Jon Jennings, City Manager
From: Rob Parritt, Consultant
Ref: Maine Shelter Inventory Chart Details
11/21/2018

Maine Shelter Inventory Chart Details

City staff were tasked by the Council to create an inventory list of emergency shelters in the state of Maine and provide information regarding location, funding, size, restrictions, and clients served. The attached backup documentation will illustrate that there are 45 emergency homeless shelters in the state of Maine. They are found from Presque Isle in the North to Alfred in the South. This memo will provide greater detail into the meaning of each category found on the chart.

Location – This category specifically states which town or City each emergency shelter is located in. For some domestic violence shelters, the exact location is kept confidential for safety purposes so the county the program is found in is listed instead. Most shelters are found in the more urban areas of Maine (Portland, Bangor, Augusta, Lewiston) however, there are providers in rural settings serving much less densely populated areas of Maine.

Funding Sources – Emergency Shelters in Maine are split into two categories when it comes to funding. Those who receive federal dollars (dispersed by MaineHousing) and those who do not. On the attached detail worksheet you will see that the shaded shelters appearing on the bottom of the chart do not receive any federal dollars so they rely on private funding sources. These shelters tend to be more faith based and require specific religious activities to be served. These types of requirements are prohibited if you are a shelter receiving MaineHousing Emergency Shelter Homeless Assistance Program (ESHAP) dollars as the funding source for this program is largely federal Emergency Solutions Grant (ESG) dollars from HUD. For shelters who receive ESHAP dollars, there is an application process each year and strict monitoring to ensure grant compliance. The ESHAP funding formula is based on meeting performance benchmarks and a bed night percentage reimbursement formula. ESHAP funded shelters also generally use other sources to make ends meet. General Assistance, Targeted Case Management, private fundraising and program specific grants are also commonly utilized to fund different shelter programs. Some specialty shelters have access to program specific funding opportunities and grants based on program type and licensing. While this list is fairly comprehensive, there are many small funding streams and donation programs that aren't listed or known to us.

Restrictions – The vast majority of shelters in Maine have some kind of restriction or criteria that screens out certain populations. All but a handful of shelters in Maine will not admit people if they are under the influence. Family shelter programs will not accept single adults. Teen programs can only serve specific age groups. Obviously to access a domestic violence shelter, you must be fleeing domestic violence or meet other eligibility criteria. Shelters who only serve men or women will not admit the opposite sex.

Population Served – In Maine, shelters serve a variety of different populations. General population shelters serve both singles and families. Domestic Violence Shelters serve people fleeing from domestic violence situations. Family shelters serve only households made up of at least one adult and children. Single adult shelters serve men and women who are 18 years old or older. Youth providers generally serve homeless and runaway youth aged 13-21. There are a few shelters around the state who even more specific target populations. For example, one shelter will only serve pregnant women.

Size/Capacity – These numbers were pulled directly from the latest Housing Inventory Chart which is a HUD document that each program must submit each year as part of the Point in Time Count. There is a range of shelter sizes in Maine ranging from the largest here in Portland to shelters with barely ten beds.

Shelter Name	Location	Funding Source/s	Restrictions	Population Served	Size	
Bangor Area Homeless Shelter, Emergency Shelter	Bangor	ESHAP, Private Funding, Grants, TCM	Sober Only	General	43	ESHAP - Emergency Shelter Homeless Assistance Program TCM - MaineCare Targeted Case Management GA - General Assistance C0-Op - Communal farming/goods agreement OSA - Office of Substance Abuse CDBG - Community Development Block Grant RHY - Runaway and Homeless Youth Act FQHC - Federally Qulaified Health Center Private Funding - Fundraising/donations Grants - Various grants which may be specific to programs or client type
Bread of Life Ministries, Emergency Shelter	Augusta	ESHAP, Private Funding, Grants, TCM	Sober Only	General	38	
Caring Unlimited DV Shelter - Audrey's House	York County	ESHAP, Private Funding, Grants, TCM	Sober Only, Fleeing DV	DV	18	
City of Portland, Family Shelter (4 Buildings)	Portland	ESHAP, GA, Grants, TCM	Sober Only	Families	151	
City of Portand, Oxford Street Shelter	Portland	ESHAP, GA, Grants, TCM, CDBG	None	Single Adults	229	
Families And Children Together	Bangor	ESHAP, Private Funding, Grants	Sober Only	Families	8?	
Through These Doors	Portland	ESHAP, Private Funding, Grants, GA, TCM	Sober Only, Fleeing DV	DV	16	
Family Violence Project, Kennebec DV Shelter	Kennebec & Somerset Counties	ESHAP, Private Funding, Grants, TCM	Sober Only, Fleeing DV	DV	16	
Family Violence Project, Somerset DV Shelter	Kennebec & Somerset Counties	ESHAP, Private Funding, Grants	Sober Only, Fleeing DV	DV	14	
HOME, Inc., Emmaus Homeless Shelter	Ellsworth	ESHAP, Private Funding, Co-Op, Grants	Sober Only	General	25	
HOME, Inc., Sister Marie Ahern House	Ellsworth	ESHAP, Private Funding, Co-Op, Grants	Sober Only	General	12	
HOME, Inc., St Francis Inn	East Orland	ESHAP, Private Funding, Co-Op, Grants	Sober Only	General	11	
HOME, Inc., Dorr House Shelter	Orland	ESHAP, Private Funding, Co-Op, Grants	Sober Ony	General	7	
Homeless Services of Aroostook, Sister Mary O'Donnell Shelter	Presque Isle	ESHAP, TCM, Private Funding, Grants	Sober Only	General	49	
Hope and Justice Project, Houlton DV Shelter	Houlton	ESHAP, Private Funding, Grants	Sober Only, Fleeing DV	DV	14	
Hope and Justice Project, Caribou DV Shelter	Caribou	ESHAP, Private Funding, Grants, TCM	Sober Only, Fleeing DV	DV	12	
Hope and Justice Project, Fort Kent DV Shelter (St John Valley)	Fort Kent	ESHAP, Private Funding, Grants	Sober Only, Fleeing DV	DV	8	
Knox County Homeless Coalition, Hospitality House	Rockport	ESHAP, Private Funding, Grants, TCM	Sober Only	General	26	
Mid-Maine Homeless Shelter	Augusta	ESHAP, Private Funding, Grants, TCM, GA	Sober Only	General	65	
Milestone Recovery, Emergency Shelter	Portland	ESHAP, Private Funding, MaineCare, OSA, GA, CDBG	Must be intoxicated	Single Men	41	
New Beginnings, Emergency Shelter	Lewiston	ESHAP, RHY, Private Funding	Youth only services	Teens	12	
Next Step, DV Shelter	Ellsworth	ESHAP, Private Funding, Grants, TCM	Sober Only, Fleeing DV	DV	12	
Partners for Peace, DV Shelter	Bangor	ESHAP, Private Funding, Grants	Sober Only, Fleeing DV	DV	17	
Penobscot Community Health Center, Hope House Shelter	Bangor	ESHAP, TCM, GA, Private Funding, FQHC, OSA. Grants	Campus Limitations	Single Adults	76	
Preble Street, Joe Kreisler Teen Shelter	Portland	ESHAP, RHY, Private Funding, GA	Teens only, shelter cap	Teens	24	
Preble Street, Florence House Women's Shelter	Portland	ESHAP, TCM, GA, Private Funding, Grants	Only serves women, shelter cap	Women	25	
Rural Community Action Ministries, Family Shelter	Leeds	ESHAP, TCM, GA, Private Funding, Grants	Sober Only	Families	10	
Rumford Group Homes, Norway Homeless Shelter	Norway	ESHAP, TCM, GA, Private Funding, Grants	Sober Only	Women & Children	15	
Rumford Group Homes, Rumford Family Center Shelter	Rumford	ESHAP, TCM, GA, Private Funding, Grants	Sober Only	Families	17	
Rumford Group Homes, Monier Family Center	Rumford	ESHAP, TCM, GA, Private Funding, Grants	Sober Only	General	14	
Safe Voices, Annie Pearl Shelter	Auburn	ESHAP, Private Funding, Grants	Sober Only, Fleeing DV	DV	17	

Shaw House Emergency Youth Shelter	Bangor	ESHAP, RHY, Private Funding, GA	Teens only, shelter cap	Youth		16
Tedford Housing, Federal St. Family Shelter	Brunswick	ESHAP, TCM, Private Funding, Grants	Sober Only	Families		29
Tedford Housing, Cumberland St. Adult Shelter	Brunswick	ESHAP, TCM, Private Funding, Grants	Sober Only	General		16
Western Maine Homeless Outreach	Farmington	ESHAP, TCM, Private Funding, Grants	Sober Only	Families		16
York County Shelter Programs, Inc., Adult Emergency Shelter	Alfred	ESHAP, TCM, Private Funding, Grants	Sober Only	Single Adults		37
York County Shelter Programs, Inc., Family Emergency Shelter	Alfred	ESHAP, TCM, Private Funding, Grants	Sober Only	Families		18
Hope Haven Gospel Mission	Lewiston	Privately Funded	Sober Only, Religious	General		32
Saint Martin de Porres Residence	Lewiston	Privately Funded	Sober Only, Religious	Single Adults		10
Maliseet DV and Sexual Assault Program	Houlton	Privately Funded	Sober Only, Fleeing DV	DV		10
New Hope for Women	Rockland	Privately Funded	Sober Only, Fleeing DV	DV	?	
The Shephard Godparent Home	Bangor	Privately Funded	Sober Only, Religious	Pregant Women	?	
New Hope Shelter	Solon	Privately Funded	Sober Only, Religious	Women		20
Trinity Shelter	Skowhegan	Privately Funded	Sober Only, Religious	Single Men		85
Passamuoquoddy Peaceful Relations	Pleasant Point	Privately Funded	Sober Only, Fleeing DV	DV	?	

*The City of Portland operates the only municipal run shelters which are the only shelters to run multiple overflow sites. All other on attached are either privately operated non-profits or religious organizations with boards of directors.

Service Provider Information Sheet

Service Provider: Preble Street

Point Person: Fiona Mason

Services List: Targeted outreach, engagement and case management services for clients who are homeless and who meet program requirements for Veterans Housing Services, Anti-Trafficking Services and the Medication Assisted Recovery Program (MARF) within Health Services.

Target Demographic:

- Veterans
- Survivors of Human Trafficking that meet the federal definition of Human Trafficking
- Uninsured and high risk individuals with Substance Use Disorder that are participants in the Medication Assisted Recovery Program (MARF)
- Youth age 18 through 20

Days /Hours: TBD

Space /Office requirements: TBD

What else is needed?

All the of the services outlined are provided through and dependent on grant funding. Historically, funding and needs have changed over time which results in fluctuating service delivery. For example, we apply for and have received awards annually for our Veterans Housing Services program through the federal Specialized Services for Veterans and Families (SSVF) program. After receiving the award for this next grant period starting October 1, 2018, we were notified they may be reducing all SSVF grants for the next grant period. This reduction in funding will result in reduced service delivery.

Anti-Trafficking Services (ATS) is also dependent on federal funds. The current award cycle was for a three-year period and we anticipate receiving funds for another grant period starting 10/1/18. Our ATS team has fluctuated within and across grant funding cycle based on several factors; these changes in team configuration and number of caseworkers affect our ability to provide services.

The Health Services intensive case management services offered to MARF clients is also dependent on grant funding. We are currently participating in the MARF pilot project which ends in March 2019. We are hopeful there will be an opportunity to apply for another grant period through a subcontract with Greater Portland Health however we have no definitive information at this time.

Teen Services provides day services, case management and overnight shelter to youth age 12-20. We do not allow youth age 18-20 to access services at our Resource Center and instead encourage them to access services through our Teen Services. This aids in their ability to seek age and developmentally appropriate services that supports them in moving from homelessness to housing stability. Currently Teen Services works collaboratively with Oxford Street Shelter to encourage 18-20-year-old youth to access services through Teen Services. We would like to continue this practice with the new Homeless Services Center going forward.

Expected Outcomes: Access to specialized services as able.



Adam Harr <ash@portlandmaine.gov>

Fwd: [External Sender]Spurwink Further Location Feedback

1 message

Aaron Geyer <aeg@portlandmaine.gov>
To: "Harr, Adam" <ash@portlandmaine.gov>

Mon, Mar 11, 2019 at 4:30 PM

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

From: **Ben Strick** <bstrick@spurwink.org>
Date: Thu, Mar 7, 2019 at 7:11 PM
Subject: RE: [External Sender]Spurwink Further Location Feedback
To: Sara Fleurant <skf@portlandmaine.gov>
Cc: Aaron Geyer <aeg@portlandmaine.gov>

Hi Sarah,

My apologies for the delayed reply. We will work with the city to deliver services wherever the new shelter is located. With that said, County Way or Angelo's Acre would be markedly better for us. Having the shelter located within walking distance of Spurwink Adult Behavioral Health would make it much easier to collaborate and help coordinate care. I think this will be especially true for our MAT program. One of the strengths of our program will be the ability to directly administer medication on a daily basis if needed. While our substance abuse counselors can meet with clients anywhere, it will be hard for the program to routinely administer Suboxone outside of an secure office setting. The closer we can be to the shelter the easier it will be for clients to successfully engage in treatment. I suspect a daily bus ride to/from Riverside Industrial Parkway would create a significant barrier for many individuals.

Please let me know if there is anything else we can do to help.

Thanks so much,

---Ben

BENJAMIN STRICK, LCSW**Director of Adult Behavioral Health**

207.871.1200 x 2149 | 207.615.2146 (c) | 207.871.1232 (f)

901 Washington Ave, Suite 100

Portland, Maine 04103

www.spurwink.org

From: Sara Fleurant <skf@portlandmaine.gov>
Sent: Wednesday, February 27, 2019 5:06 PM
To: Ben Strick <bstrick@spurwink.org>
Cc: Aaron Geyer <aeg@portlandmaine.gov>
Subject: [External Sender]Spurwink Further Location Feedback

Hi Ben,

We wanted to reach out and thank each of you for recently providing feedback on our site location surveys. As you may be aware coming out of last night's Health and Human Service Committee Meeting the site list was reduced to three locations. We have been asked to produce a deeper dive on these three locations and a large part of that is receiving more feedback from our valued community partners. We are asking you to provide any comments or feedback on the attached document, including any onsite or outreach services you think you may be able to provide at any of the locations. We understand at this time these are projections and not actual services to be delivered. We again want to thank so many of you who said they would partner with the City no matter where the new services center will eventually go. We are hoping to have these returned by next Friday so that this data can be compiled for the council.

Please feel free to contact either Aaron or myself with any questions.

Thank you,

Sara

--

Sara Fleurant
Assistant Director of Housing Services

Oxford Street Shelter

207-482-5224

fax- 207-761-0536

skf@portlandmaine.gov

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--

Aaron Geyer
City of Portland

Health & Human Services Department

[196 Lancaster Street](#)

[Portland, ME 04101](#)

(207) 482-5131

aeg@portlandmaine.gov

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Adam Harr <ash@portlandmaine.gov>

Fwd: Amistad Further Location Feedback

2 messages

Aaron Geyer <aeg@portlandmaine.gov>
To: "Harr, Adam" <ash@portlandmaine.gov>

Thu, Mar 7, 2019 at 4:38 PM

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

From: **Sara Fleurant** <skf@portlandmaine.gov>
Date: Thu, Feb 28, 2019 at 4:09 PM
Subject: Fwd: Amistad Further Location Feedback
To: Aaron Geyer <aeg@portlandmaine.gov>

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

From: **Brian Townsend** <briant@amistadinc.com>
Date: Thu, Feb 28, 2019 at 12:44 PM
Subject: RE: Amistad Further Location Feedback
To: Meredith Pesce <meredithp@amistadinc.com>, Sara Fleurant <skf@portlandmaine.gov>

Hi Sara,

Amistad would be able and willing to provide services onsite and through outreach at any of the three identified options.

Our feedback on the three site options:

With the disclaimer that no site can be perfect, we are inclined to see the County Way location as the best of the three. The most significant positive is the location relative to other services and resources. We do not have the same broad negative feelings about the proximity to the jail that some others seem to have. We agree that the optics aren't great, but we suspect that the people who will have the strongest negative reaction to those optics are not the actual people who will be seeking emergency shelter and services there. The jail does not have negative socio-environmental factors along its periphery, so any downside about being next door is conceptual. If Amistad were looking to purchase land and build a program somewhere, and prioritized accessibility (as we do) above most factors, we would absolutely consider this lot.

Angelo's Acre may have some positive aspects, but our immediate reaction has to do with safety, given the nearness of the harbor. Our community has had enough tragedy associated with accidental drownings; it is hard to overlook this when considering that spot. It also seems like a spot that would be exposed to significant wind and cold, in addition to the noise of the bridge, and we wonder about these factors as being additional existence burdens on the people seeking shelter and support there.

The third option, on Riverside, feels like the least optimal due to its distance from the service center. If all three options were similarly distant, it might hold up by comparison with some other options, but, as one example, it would seem less viable as an option than the previously proposed Barron Center location.

If you would like us to flesh out any of these responses or offer thoughts on specific questions, please let us know!

Brian

From: Meredith Pesce
Sent: Wednesday, February 27, 2019 5:45 PM
To: Sara Fleurant <skf@portlandmaine.gov>; Brian Townsend <briant@amistadinc.com>
Subject: Re: Amistad Further Location Feedback

Thanks Sara, we'll dig into this and send it back over soon.

Meredith Pesce
Associate Director
Amistad
[66 State Street](#)
[Portland, Me 04101](#)

207-241-9141

From: Sara Fleurant <skf@portlandmaine.gov>
Sent: Wednesday, February 27, 2019 4:55 PM
To: Brian Townsend; Meredith Pesce
Subject: Amistad Further Location Feedback

Hi Brian and Meredith,

We wanted to reach out and thank each of you for recently providing feedback on our site location surveys. As you may be aware coming out of last night's Health and Human Service Committee Meeting the site list was reduced to three locations. We have been asked to produce a deeper dive on these three locations and a large part of that is receiving more feedback from our valued community partners. We are asking you to provide any comments or feedback on the attached document, including any onsite or outreach services you think you may be able to provide at any of the locations. We understand at this time these are projections and not actual services to be delivered. We again want to thank so many of you who said they would partner with the City no matter where the new services center will eventually go. We are hoping to have these returned by next Friday so that this data can be compiled for the council.

Please feel free to contact either Aaron or myself with any questions.

Thank you,

Sara

--

Sara Fleurant
Assistant Director of Housing Services

Oxford Street Shelter

207-482-5224

fax- 207-761-0536

skf@portlandmaine.gov

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--

Sara Fleurant
Assistant Director of Housing Services

Oxford Street Shelter

207-482-5224

fax- 207-761-0536

skf@portlandmaine.gov

--

Aaron Geyer
City of Portland
Health & Human Services Department

[196 Lancaster Street](#)

[Portland, ME 04101](#)

(207) 482-5131

aeg@portlandmaine.gov

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Aaron Geyer <aeg@portlandmaine.gov>
To: "Harr, Adam" <ash@portlandmaine.gov>

Mon, Mar 11, 2019 at 4:31 PM

[Quoted text hidden]



Adam Harr <ash@portlandmaine.gov>

Fwd: PPD Further Location Feedback

1 message

Aaron Geyer <aeg@portlandmaine.gov>
To: "Harr, Adam" <ash@portlandmaine.gov>

Mon, Mar 11, 2019 at 4:32 PM

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

From: **Vernon Malloch** <vwm@portlandmaine.gov>
Date: Mon, Mar 4, 2019 at 12:35 PM
Subject: Re: PPD Further Location Feedback
To: Sara Fleurant <skf@portlandmaine.gov>
Cc: Aaron Geyer <aeg@portlandmaine.gov>

Hello Sara

The police department will provide all the same services indicated during the review of the Barron Center Site. I believe you have that information on file. If you cannot locate it I will search my old e-mails.

Specific to one site listed here I do have concerns about Angelo's Acre. It's proximity to the working waterfront is a public safety concern. Historically we have seen drowning deaths of homeless people and those who are impaired by alcohol or drugs. The department has worked hard over the years to partner with other providers to significantly reduce this occurrence. Locating a shelter so close to the waterfront has the potential to place an already at risk group in even more danger.

Thanks for soliciting feedback and please let me know if you need any other information.

Best, Vern

On Wed, Feb 27, 2019 at 5:03 PM Sara Fleurant <skf@portlandmaine.gov> wrote:

Hi Chief,

Hope all is well! We wanted to reach out and thank each of you for recently providing feedback on our site location surveys. As you may be aware coming out of last night's Health and Human Service Committee Meeting the site list was reduced to three locations. We have been asked to produce a deeper dive on these three locations and a large part of that is receiving more feedback from our valued community partners. We are asking you to provide any comments or feedback on the attached document, including any onsite or outreach services you think you may be able to provide at any of the locations. We understand at this time these are projections and not actual services to be delivered. We again want to thank so many of you who said they would partner with the City no matter where the new services center will eventually go. We are hoping to have these returned by next Friday so that this data can be compiled for the council.

Please feel free to contact either Aaron or myself with any questions.

Thank you,
Sara

--

Sara Fleurant
Assistant Director of Housing Services
Oxford Street Shelter
207-482-5224
fax- 207-761-0536
skf@portlandmaine.gov

--

Vern Malloch

Interim Chief
Portland Maine Police Department
[109 Middle Street](#)
[Portland, ME 04101](#)
207-874-8600
email: vwm@portlandmaine.gov
Our Core Values
Leadership - Integrity - Service

--

Aaron Geyer
City of Portland
Health & Human Services Department
[196 Lancaster Street](#)
[Portland, ME 04101](#)
(207) 482-5131

aeg@portlandmaine.gov

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***Homeless Voices for Justice Comment on Three Potential Sites for the Homeless Services Center
March 15, 2019***



To esteemed Councilors of the Health and Human Services Subcommittee:

Homeless Voices for Justice appreciates the opportunity to provide feedback to the HHS Committee on this step of the relocation process.

Based on community outreaches and careful analysis, Homeless Voices for Justice's main points of concern remain: accessibility, eligibility and bed numbers, and community inclusion.

We do have specific feedback on the three sites in particular, and then other points to consider:

Riverside Industrial Park

HVJ is concerned about the accessibility of Riverside Industrial Park as a location for a new Homeless Services Center. The area is somewhere between a four and six mile walk away from the current Oxford Street Location. While there has been much welcome discussion about proximity to METRO, we hope the public and the City understands the accessibility challenges posed by placing a shelter so far away from current services. Many people staying at shelters in Portland have persistent medical conditions that make it impossible to walk much of a distance. Many lack storage space and have to carry bags and belongings around. And many people are in wheelchairs, use walkers, or canes. Complicating this is the fact that few can afford bus passes, and free bus passes supplied by some service providers are incredibly hard to come by. One of the most frequently sought resources by those who are homeless are monthly passes.

When the State moved its DHHS building from Bayside to South Portland, many people who needed support lost services, or the opportunity to more frequently access services, because of the distance created. At the time of that move, HVJ advocated against it for accessibility reasons. Other concerns about this location include sidewalk accessibility and whether there are food stores close by. In addition to services, many people access employment through agencies such as Labor Ready, which involves lining up early in the morning. The distance created by placing the shelter at Riverside, combined with bus schedules, would make it much harder, if not impossible, for many people staying in the shelter to access employment.

County Way

HVJ is concerned about locating a new Homeless Services Center near the County Jail. While the location is closer to many current services than Riverside is, we fear that placing a shelter near the jail will increase the stigma, discrimination, violence and criminalization that people experiencing homelessness already face. Specifically, we are concerned about the association

implicitly made by locating a Homeless Service Center next to a jail. People who are homeless often struggle with barriers that result from disproportionate enforcement of certain laws, such as loitering or trespassing laws to name just two. Our research and experience as those who have been, or are, homeless shows us that the stigma and criminalization of those who are homeless makes basic life-sustaining activities much more difficult. People who are homeless do not have the privacy of a home to conduct their lives. They are disproportionately asked to “move along” in public space; their activities are more frequently and heavily scrutinized by the public and governing institutions. We believe the close proximity to the County Jail may increase these barriers rather than strive to resolve them. We strongly encourage the Health and Human Services Subcommittee to discuss this aspect of the location.

Angelo’s Acre

Of all three potential sites, Angelo’s Acre is the closest to many available services on the peninsula for those who are homeless. By staying on the peninsula, it is not far from the current shelter and a number of service providers and resources that people who are homeless access in downtown Portland. That said, HVJ does recognize other accessibility aspects that make this site challenging. Namely, the fact that it is quite close to water, a frequently busy street and bridge ramp, and the Port Authority.

Other Points to Consider

First, HVJ encourages the HHS Committee to carefully consider the question of residential zones, which has created much discussion among the councilors. A new Homeless Services Center in any location will no doubt be located close to, or in, a given neighborhood, and we would encourage the councilors to consider that guests at the new Center will be neighbors and residents, the same as anyone else. These guests should not be tucked away, out of sight, due to concern that their presence would pose a challenge to their neighbors. To include and integrate people who are homeless in Portland is one way in which our city can better address the need for shelter services, which has become more severe over the years as other shelters have closed down. To this end, we have heard over and over again from our community a concern and strong appeal for people experiencing homelessness to not be hidden. We recognize the City’s emphasis on *not intending* to hide the homeless. However, we believe that in considering whether current residential zones are appropriate, consideration must be given to how Portland, as a community, cares for its most disenfranchised, oppressed, and stigmatized residents.

Secondly, we are concerned about the prospect of opening up a 150 bed facility while the current shelter chronically exceeds its capacity of 154 people, resulting in the use of overflow and sometimes triple overflow on a nightly basis. In December of 2018, 537 people were served by homeless shelters in Portland. Based on current trends, HVJ does not believe the predictions for reduced numbers are realistic. We are encouraging the Councilors to afford for space and capacity such that the new Homeless Services Center does not need overflow in the first place.

Connected to this is the question of guest eligibility and policies governing the new Homeless Services Center. To us, it is crucial that the City keeps to its long-standing commitment to provide emergency shelter services to anyone who needs it and that the policies governing the new Homeless Service Center are the least restrictive they can possibly be, to ensure that the City's goals for rapidly connecting people to resources and housing can be met.

Third, the HHS Committee has moved recently to narrow down sites from 11 to 3. While we welcome the sense of urgency to address the life-threatening problem of homelessness in Portland, we will continue to encourage the HHS committee to work more systematically on including the input of those who are homeless as this process moves forward. Homeless Voices for Justice seeks to empower those who live in poverty and homeless – people whose perspectives are often absent from the development of policies and programs that directly impact their social and economic well-being. To this end, we are working in conjunction with City Management on convening a community forum for people who are homeless so their input can be heard. While those plans continue to move forward, we advise that the City take steps to ensure that the pace of the relocation process does not move so fast as to exclude the concerns and feedback of the community they seek to help.

As our most relied upon partners, we appreciate your feedback on the following potential locations for a Homeless Services Center. Please indicate any onsite services you may be able to provide. Thank you!

Riverside Industrial Park:

Goodwill's Workforce programs can provide onsite services to homeless individuals at this location if there are significant barriers to clients accessing services at our primary local program office, 190 Lancaster Street.

This includes access to:

- Job Connection programming
- Workforce Innovation and Opportunity Act (WIOA) Youth, Adult and Dislocated Worker programming through Workforce Solutions, and
- Employment Services (job coaching and/or job development through Vocational Rehabilitation)

County Way:

Goodwill's Workforce programs can provide onsite services to homeless individuals at this location if there are significant barriers to clients accessing services at our primary local program office, 190 Lancaster Street.

This includes access to:

- Job Connection programming
- Workforce Innovation and Opportunity Act (WIOA) Youth, Adult and Dislocated Worker programming through Workforce Solutions, and
- Employment Services (job coaching and/or job development through Vocational Rehabilitation)

Angelo's Acre:

Goodwill's Workforce programs can provide onsite services to homeless individuals at this location if there are significant barriers to clients accessing services at our primary local program office, 190 Lancaster Street.

This includes access to:

- Job Connection programming
- Workforce Innovation and Opportunity Act (WIOA) Youth, Adult and Dislocated Worker programming through Workforce Solutions, and
- Employment Services (job coaching and/or job development through Vocational Rehabilitation)

Agency: Goodwill Northern New England

Representative: Dave Wurm, Senior Director, Workforce Services

As our most relied upon partners, we appreciate your feedback on the following potential locations for a Homeless Services Center. Please indicate any onsite services you may be able to provide. Thank you!

In considering these locations, the Library evaluates how we could provide service through our existing locations and how we could add a site onto our outreach agenda. We recognize that the Library's collections are helpful as research tools as well as much-needed entertainment for people experiencing homelessness, and that library spaces are welcoming and safe which can be reassuring and provide a positive sense of community for someone experiencing disruption and anxiety due to homelessness. Of the Library's locations, the Main Library on Monument Square is best equipped to provide the variety of information resources, the technology tools, security staffing, and seating to accommodate.

Riverside Industrial Park:

Being the location farthest from any of our branches, especially the Main Library, this location would be most challenging to provide our strongest service. Based on current models and funding, we would anticipate providing bookmobile or pop-up service once per week, and the possibility of providing donated collections for free use (similar to Florence House). It seems critical that the location be on a bus line.

County Way:

The proximity to the peninsula and both major hospitals, as well as to the Police Headquarters (if it moved there), add value to this location. As stated above, the Library can provide our best service through our Main Library location, and this would still require a bus or a solid walk from County Way. As with any location chosen, the Library would provide outreach and pop-up service to the extent we can as described above.

Angelo's Acre:

This is geographically nearest to the Main Library and is, therefore, the most beneficial site for access to full Library services. As with any location chosen, the Library would provide outreach and pop-up service to the extent we can as described above.

Agency: Portland Public Library

Representative: Sarah Campbell

Service Provider Information Sheet

Service Provider: Preble Street

Point Person: Fiona Mason

Services List: Targeted outreach, engagement and case management services for clients who are homeless and who meet program requirements for Veterans Housing Services, Anti-Trafficking Services and the Medication Assisted Recovery Program (MARF) within Health Services.

Target Demographic:

- Veterans
- Survivors of Human Trafficking that meet the federal definition of Human Trafficking
- Uninsured and high risk individuals with Substance Use Disorder that are participants in the Medication Assisted Recovery Program (MARF)
- Youth age 18 through 20

Days /Hours: TBD

Space /Office requirements: TBD

What else is needed?

All the of the services outlined are provided through and dependent on grant funding. Historically, funding and needs have changed over time which results in fluctuating service delivery. For example, we apply for and have received awards annually for our Veterans Housing Services program through the federal Specialized Services for Veterans and Families (SSVF) program. After receiving the award for this next grant period starting October 1, 2018, we were notified they may be reducing all SSVF grants for the next grant period. This reduction in funding will result in reduced service delivery.

Anti-Trafficking Services (ATS) is also dependent on federal funds. The current award cycle was for a three-year period and we anticipate receiving funds for another grant period starting 10/1/18. Our ATS team has fluctuated within and across grant funding cycle based on several factors; these changes in team configuration and number of caseworkers affect our ability to provide services.

The Health Services intensive case management services offered to MARF clients is also dependent on grant funding. We are currently participating in the MARF pilot project which ends in March 2019. We are hopeful there will be an opportunity to apply for another grant period through a subcontract with Greater Portland Health however we have no definitive information at this time.

Teen Services provides day services, case management and overnight shelter to youth age 12-20. We do not allow youth age 18-20 to access services at our Resource Center and instead encourage them to access services through our Teen Services. This aids in their ability to seek age and developmentally appropriate services that supports them in moving from homelessness to housing stability. Currently Teen Services works collaboratively with Oxford Street Shelter to encourage 18-20-year-old youth to access services through Teen Services. We would like to continue this practice with the new Homeless Services Center going forward.

Expected Outcomes: Access to specialized services as able.

March 6, 2019 - Shelter Locations Questionnaire

As our most relied upon partners, we appreciate your feedback on the following potential locations for a Homeless Services Center. Please indicate any onsite services you may be able to provide. Thank you!

Riverside Industrial Park: ***DEFINITE NO*** Yes/**No**/ Maybe ?

Pluses

- Receptivity by residential and business neighbors- likely somewhat low opposition

Minuses

- Public visibility- hiding homeless guests on outskirts of town...
- Access to other services and amenities – too remote; not within walking distance to much of anything...; longish bus ride
- Neighborhood- industrial
- Transportation- where's the nearest bus stop?

County Way ***NOT A PREFERRED SITE*** Yes/No/**Maybe** ?

Pluses

- Transportation- near bus lines
- Access to other services and amenities – within walking distance or short bus ride

Minuses

- Receptivity by residential and business neighbors- likely high opposition, by businesses who might not see a Homeless Services Center as good for business and by residential neighbors
- Public visibility- hiding homeless guests from public view
- Neighborhood- industrial feel; next to jail, may be seen by some as equating homelessness with criminality

Angelo's Acre ***PREFERRED SITE*** **Yes**/No/ Maybe ?

Pluses

- Public visibility- definitely not hiding homeless guests
- Transportation- near bus lines
- Access to other services and amenities – within walking distance or short bus ride

Minuses

- Receptivity by residential and business neighbors- likely opposition by both; may be manageable though...

Shalom remains committed to providing mental health case management to support mutual clients in need of such services wherever they are, including the new Homeless Services Center. The new configuration will make it easier to meet with shelter guests at the Center. In addition, Shalom will continue to meet with guests to assess eligibility for Section 17 adult mental health case management and/or eligibility for Shalom group homes or Community Rehabilitation Services.

Shalom staff will also continue to award as many eligible shelter guests as program resources allow with one of the rental subsidies we administer so that guests can better afford available housing in the area. We will also set up mutually agreeable times to meet with guests in need of rental vouchers and schedule regular weekly hours at the new Homeless Services Center to answer questions / assist guests and their housing counselors with rental assistance applications.

Agency: Shalom House, Inc.

Representative: Norm Maze, Deputy Director

As our most relied upon partners, we appreciate your feedback on the following potential locations for a Homeless Services Center. Please indicate any onsite services you may be able to provide. Thank you!

Riverside Industrial Park :

We are concerned that this location is too far removed from services. While the City seems committed to having a transportation plan in place, we feel that our clients benefit from being able to walk to access needed resources, services, and work. The team also has concerns that the segment of the population with significant behavioral challenges will struggle to be able to maintain access to transportation services whether it be city - provided or through the bus line.

County Way:

While the proximity to the jail is problematic optics and messaging wise, we feel that it is located close enough to town that folks will still have ease of access to essential services and its proximity to MMC is particularly positive.

Angelo's Acre:

Pros for this location include that it is centrally located and would provide ease of access to services. It is also the most publicly visible of the 3 remaining locations.

We have some concerns about clients who are under the influence wandering into traffic or down some of the wharfs in that area. It's worth noting that when people are restricted or CTO'd from the shelter some are likely to sleep rough around the city and shifting this population closer to the water could be dangerous, particularly for those who may be under the influence. There have been many instances of people who are homeless drowning in Portland and anything that puts people closer to the waterfront could be a concern.

Agency: The PATH Program at The Opportunity Alliance

Representative: Christina Cook

As our most relied upon partners, we appreciate your feedback on the following potential locations for a Homeless Services Center. Please indicate any onsite services you may be able to provide. Thank you!

Riverside Industrial Park:

This location seems too far and would seem to not help folks get the services they need, but instead might hinder them even more. SARSSM does not promote this location.

County Way: **County way is a great solution. It is close to the hospital and sticks to the bus route. It does not create any more barriers to the homeless population.**

Angelo's Acre: **Angelo's Acre is a great second choice.**

Agency: Sexual Assault Response Services of Southern Maine (SARSSM)

Representative: Whitney Adell, Program Manager of Advocate and Outreach Services

What the agency can provide:

- **On-site one on one support for folks that have been sexually harmed**
- **On-site outreach by consistently showing up on a specific day to table and create awareness about surveys**
- **Possibility of an on-site support group once outreach as been established**



Adam Harr <ash@portlandmaine.gov>

Fwd: Location feedback

1 message

Robert Parritt <rup@portlandmaine.gov>
To: Adam Harr <ash@portlandmaine.gov>

Tue, Mar 12, 2019 at 1:05 PM

Through These Doors Feedback

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

From: **Sara Fleurant** <skf@portlandmaine.gov>
Date: Fri, Mar 8, 2019 at 6:04 AM
Subject: Fwd: Location feedback
To: Robert Parritt <rup@portlandmaine.gov>

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

From: **Jennifer S** <jennys@throughthesedoors.org>
Date: Thu, Mar 7, 2019 at 3:14 PM
Subject: Location feedback
To: Sara Fleurant <skf@portlandmaine.gov>
CC: Kelley W <kellyw@throughthesedoors.org>, Rebecca H <rebeccah@throughthesedoors.org>

Hi Sara,

Thanks for reaching out to Kelley with regards to our feedback on the shelter locations being proposed and the services we could provide. We had a discussion about what our involvement could be as a whole. The location of the shelter doesn't have an impact on the services that we could provide onsite.

Given the intersection of homelessness and domestic violence, what will be needed and what we could provide is a full-time domestic violence advocate (if funding permits) located on site to provide advocacy and support to victims and survivors of domestic violence, stalking, human trafficking and dating abuse.

Let me know if you have any questions.

Thanks.
Jenny

Jenny Stasio, Director of Operations

she/her/hers

Through These Doors (*formerly Family Crisis Services*)

Office: 207-874-1196

Mobile: 207-712-8274

24-hour Helpline: 800-537-6066



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--

Sara Fleurant
Assistant Director of Housing Services
Oxford Street Shelter
207-482-5224
fax- 207-761-0536
skf@portlandmaine.gov

--

Rob Parritt
Homeless Services Consultant
City of Portland
rwp@portlandmaine.gov

As our most relied upon partners, we appreciate your feedback on the following potential locations for a Homeless Services Center. Please indicate any onsite services you may be able to provide. Thank you!

Riverside Industrial Park: Community Housing of Maine (CHOM) does not provide direct services, however we would be happy to continue our collaborative relationship with the City at any of the three potential locations for a Homeless Services Center, including the Riverside Industrial Park site.

County Way: CHOM does not provide direct services, however we would be happy to continue our collaborative relationship with the City at any of the three potential locations for a Homeless Services Center, including the County Way site.

Angelo's Acre: CHOM does not provide direct services, however we would be happy to continue our collaborative relationship with the City at any of the three potential locations for a Homeless Services Center, including the Angelo's Acre site.

Agency: Community Housing of Maine

Representative: Cullen Ryan, Executive Director

Feedback from community members experiencing homelessness, gathered from Homeless Voices for Justice outreaches and community meeting.

Homeless Voices for Justice gathered feedback from people experiencing homelessness in Portland on the three proposed sites for the city of Portland's proposed Homeless Services Center. HVJ collected 44 survey responses (combined with 88 general comments from surveys we utilized in previous community outreach) and held a community meeting in the Preble Street Resource Center with roughly 30 people, all of whom provided extremely diverse feedback and responses.



Significantly, HVJ has also spoken with a number of other community members who use the Oxford Street Shelter that opted *not* to fill out a survey, due to concerns that their voices and concerns would not be heard. This is why we feel it is important to continue working with City Management to arrange a community forum on this topic, specifically for those who are homeless and utilize shelter services in Portland.

Feedback on sites:

Riverside Industrial Zone

The majority of responses were opposed to this site for accessibility and location reasons. The frequency and price of public transportation would make moving between this location and other sites in the city very difficult or prohibitive. There was also concern from people who have to carry their belongings, have mobility challenges, and who need to access employment services/opportunities closer to the center of the city. Example of the responses not in favor of this site:

"This site would take someone without mobility issues at least two hours to get to from the center of town."

"I believe the reasons for this site are to hide the homeless community. It needs to remain fairly close and easily accessible to resources."

There were, however, some people who favored the Riverside site *because* of its distance from the rest of Portland. For example, one respondent said:

"[Riverside Industrial Site is] Choice 1. Out of town! Further away would be less stereotypes."

County Way

A sizeable number of responses from the community opposed this location due to its proximity to the Cumberland County Jail. People raised concerns about the impact of this location on increasing the stigmatization and criminalization of those who are homeless. Example of the responses not in favor of this site:

“This is not a good idea. Many homeless people have a negative association with police and the county jail.”

“They should absolutely NOT move it next to the jail... there is already a harsh stigma against the homeless and throwing us at the jail is wrong AND offensive.”

On the other hand, a sizeable number of responses from the community favored this location, noting that the location might help increase security and has close proximity to existing grocery stores, job opportunities, emergency and/or medical services, public transportation, etc.

Angelo’s Acre

Its closeness to existing, frequently utilized resources and social services in Downtown Portland (particularly the Bayside Neighborhood) was frequently referenced as a strength. In addition to facilitating access to important services, the central location was favored by some for keeping the issue of homelessness visible (as an important issue) in the city.

Responses opposed to this location were concerned about pedestrian safety, due to proximity to Commercial Street and the Casco Bay Bridge.

Overall, the responses to **Angelo’s Acre** and **County Way** were more mixed and positive as both remain closer to available resources downtown than does the Riverside site.

Other comments:

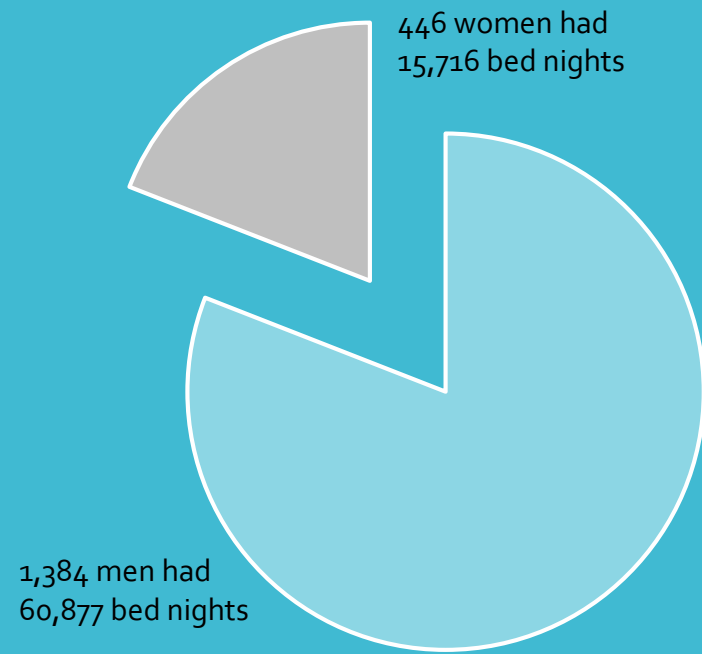
1. *What about other locations that the City has already moved on from?* The Douglass Street site came up several times. It was also clear that people who are homeless aren’t fully informed of the range of potential sites that had existed before there were three.
2. *What will happen to policies and procedures that govern the new Homeless Services Center?* Many people are concerned about policies and procedures and *who* can access services at the current shelter. Because Oxford Street Shelter cannot adequately accommodate those with high medical, disability, or related needs, those who are homeless in these categories are disproportionately affected by an outdated system. Many people are concerned whether the new Homeless Services Center will be more adequately set up to address guests with relatively higher needs, specifically medical needs.
3. *What about other resources?* People’s core concerns are around access to resources, including transportation. If the current density of resources and social services in the Bayside Area are broken up, people are concerned about how the City will help shelter guests access those vital services? Even if the new Homeless Services Center provides a number of services on-site, guests will still have to navigate the rest of the City for services and resources.
4. *How many beds?* People are concerned that 150 beds are inadequate to address the current need. People experiencing homelessness in Portland see that the current shelter is 154 beds, with frequently used overflow of 77 beds. The community is concerned how the City is going to address this need with a smaller shelter.

5. *Current conditions.* Overcrowding, pests, not feeling heard, not having adequate access to vital services such as casework, and opportunities to exit homelessness are few among the many indignities those who are homeless face in Portland on a daily basis. Often, people in the community want to discuss these conditions, what it's like from their perspective to experience them, and what needs to be different. People experiencing homelessness want to know how the new Homeless Services Center will address these issues.

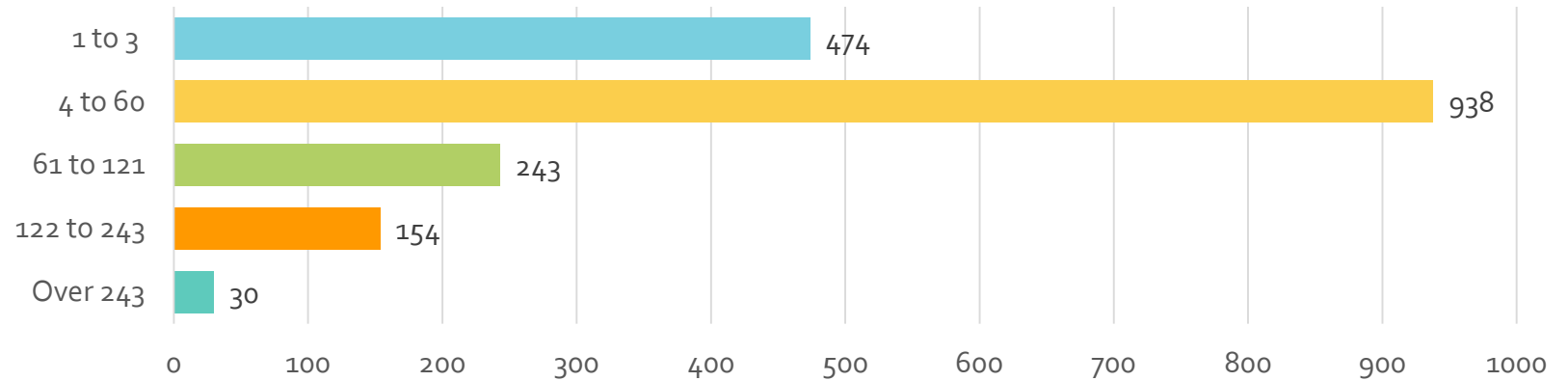
Staying at OSS

Average Monthly Bed Nights and Length of Stay Across Age and Gender at the City Operated Low-Barrier Emergency Shelter

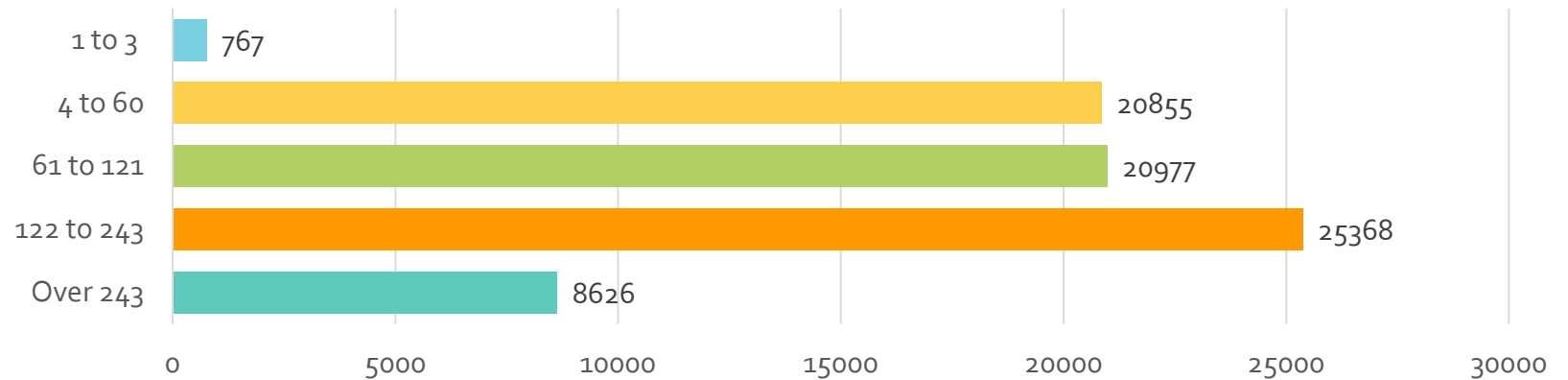
Total 2018 Bed Nights: by Gender



Shelter Stays: 1,839 Unduplicated Individuals



Total Bed Nights: 76,983



Staying at OSS

Stayed 1 to 3 nights

Stayed 4 to 60 nights

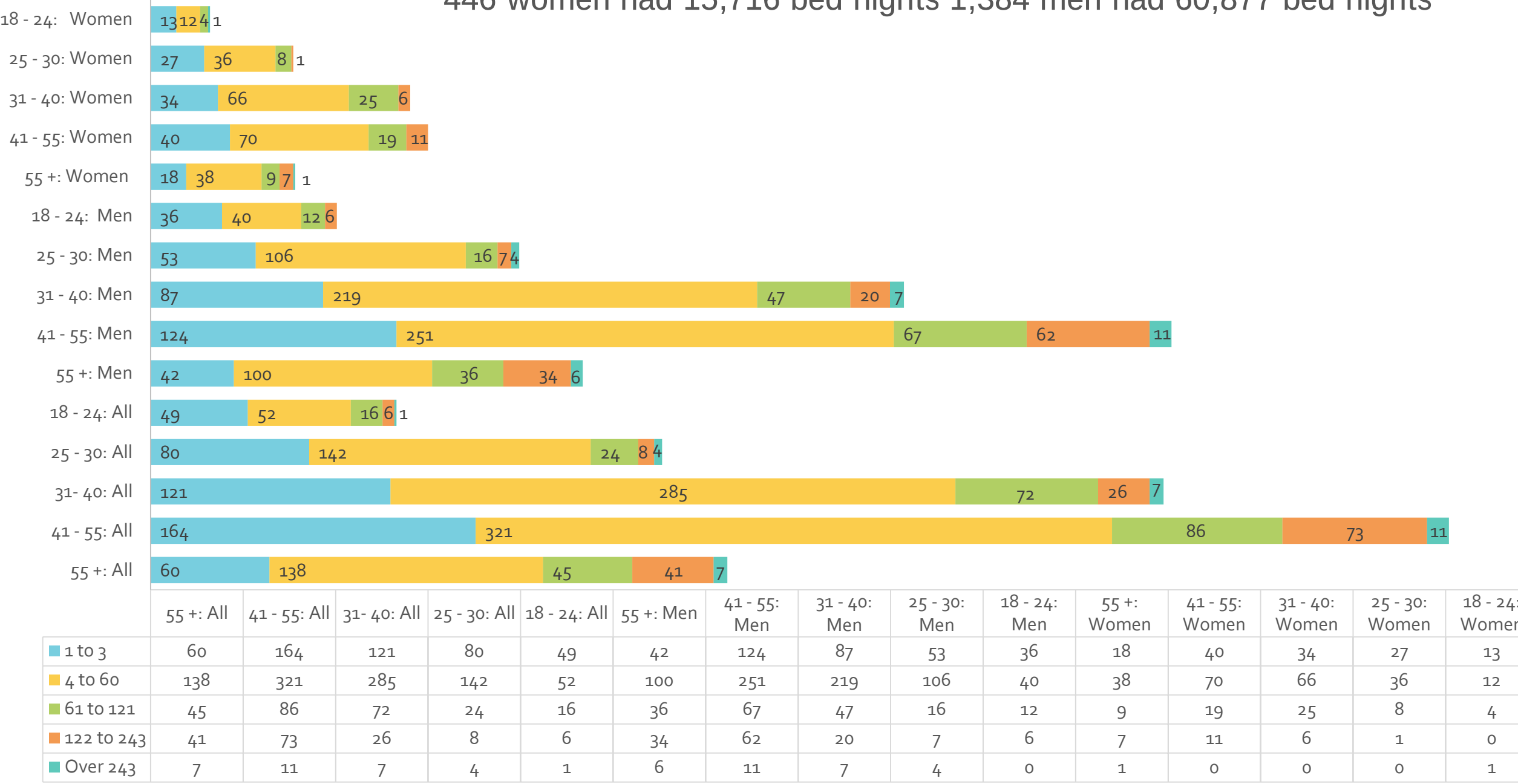
Stayed 61 to 121 nights

Stayed 122 to 243 nights

Stayed over 243 nights

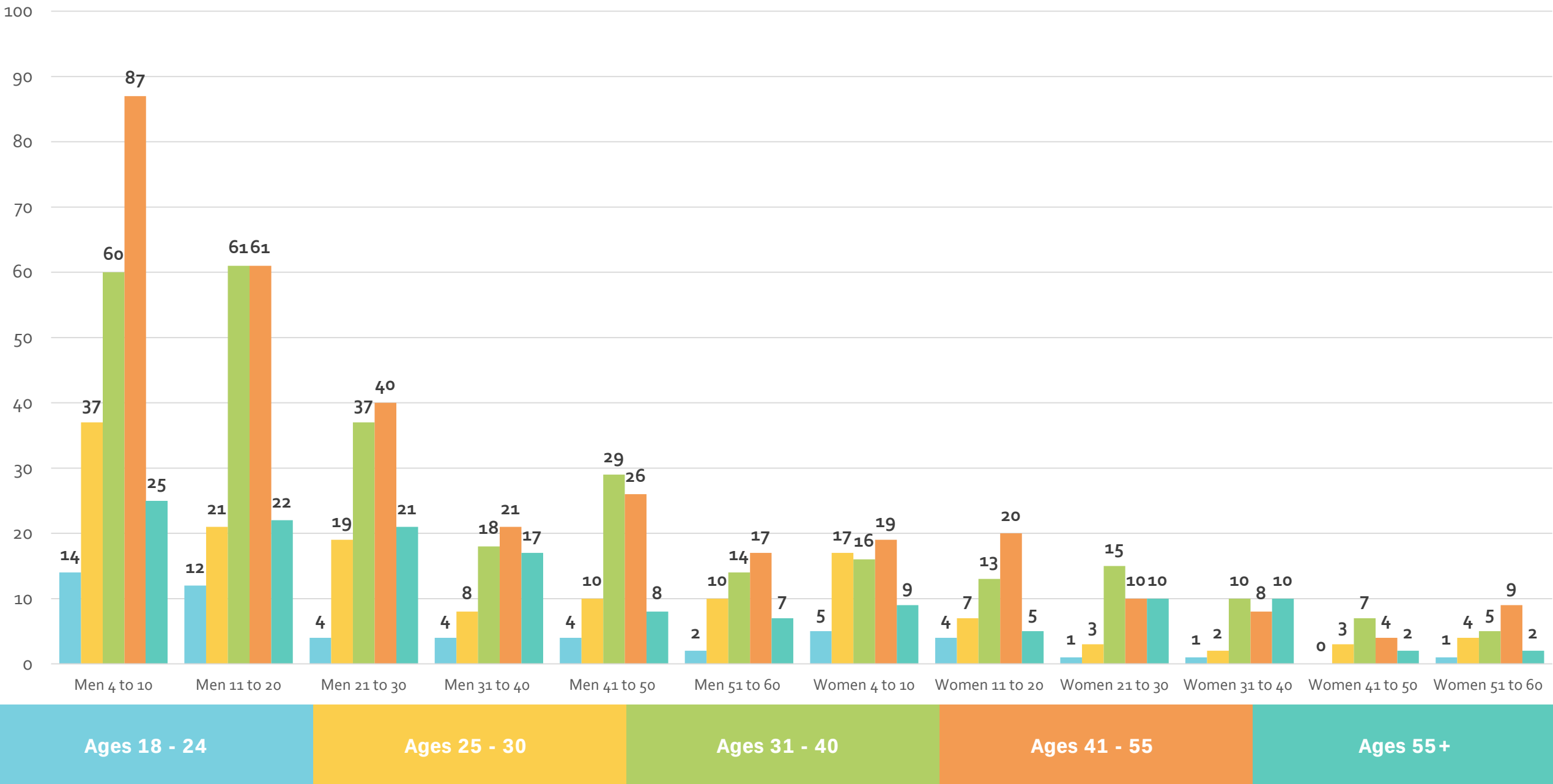
Length of Stay in 2018: 1,839 Unduplicated Individuals by Age and Gender

446 women had 15,716 bed nights 1,384 men had 60,877 bed nights



STAYED 4 – 60 DAYS AT OSS: 938 UNDUPLICATED INDIVIDUALS

716 MEN HAD 15,929 BED NIGHTS; 222 WOMEN HAD 5,103 BED NIGHTS

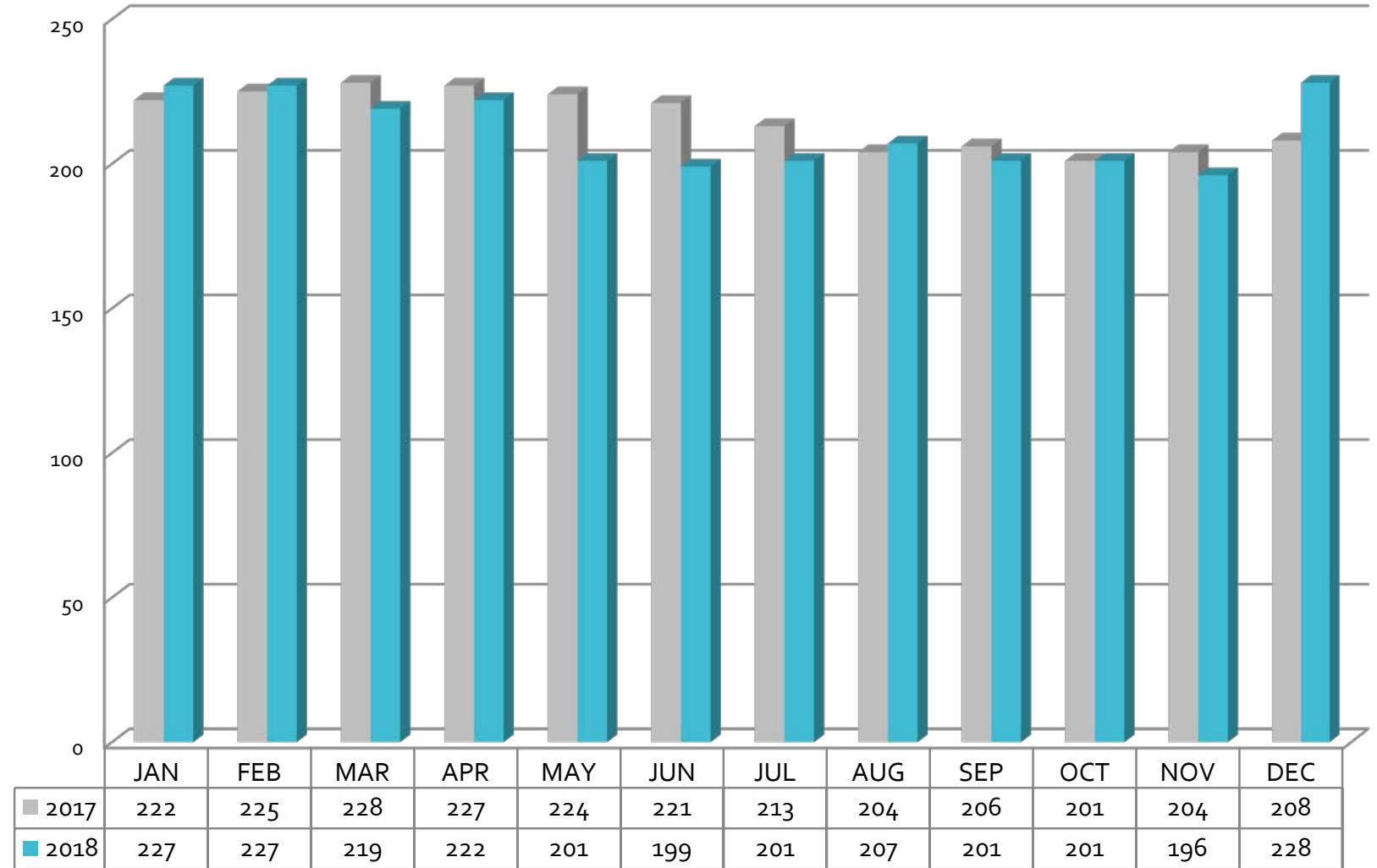


Oxford Street Shelter Bed Nights

2018

- On 1/28/2019 270 individuals slept at the shelter
- On Average, 211 people stayed at OSS per night
- An individual stayed an average of 42 nights
- The median length of stay was 17 days

Average Bed Night: average number of people at OSS on any given night in a month



Transient Drownings

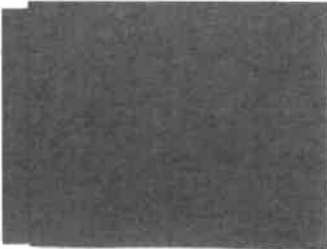
ID	YEAR	LOCATION	CITY	STATE	CASE
1	2016	9 Custom House Wharf	Portland	ME	116005134
2	2013	9 Custom House Wharf	Portland	ME	113004874
3	2010	14 Ocean Gateway Pier	Portland	ME	110006918
4	2010	9 Custom House Wharf	Portland	ME	110003126
5	2009	58 Fore St	Portland	ME	109009685
6	2005	Casco Bay Bridge	Portland	ME	105009759
7	2005	405 Chandler's Wharf	Portland	ME	105003488
8	2005	75 West Commercial St	Portland	ME	105003088

Transient Water Deaths Since 2005



17-0499.1 E

July 13, 2017



Subject: Environmental Soils Information
Proposed Commercial Buildings
636 Riverside Street
Portland, Maine

Dear 

This letter summarizes environmental soil conditions encountered during the June 26 and 27, 2017 geotechnical test boring and test pit explorations program by S. W. Cole Engineering, Inc. (S.W.COLE) at the subject project site.

Petroleum contamination was encountered at the depth range of approximately 2 to 3 feet in uncontrolled fills during the excavation of Test Pit TP-110. Refer to the S.W.COLE Preliminary Geotechnical Information letter dated July 13, 2017 for a plan showing the approximate location of TP-110, and for a log of this test pit.

Photoionization detector (PID) screening of a sample of the petroleum-contaminated soil indicated a concentration of 134 parts per million (ppm). The "Oil in Soil" shake test result for the same sample indicated a "Positive" result for fuel oil.

The lateral extent of the petroleum-contaminated soils was not determined during the geotechnical explorations program. Based on the "Positive" Oil in Soil shake test result, the Maine Department of Environmental Protection (MeDEP) may require remediation of the soils if they are to be excavated during the proposed site development.

The MeDEP issued a Voluntary Response Action Plan (VRAP) Certificate of Completion dated August 30, 2010 to the City of Portland after sand blast grit and soils with documented elevated levels of arsenic were successfully remediated at the site. S.W.COLE reviewed the reports for the environmental investigations completed at the site prior to the 2010 VRAP Certificate of Completion being issued, and did not find evidence that the investigations encountered petroleum-contaminated soils.

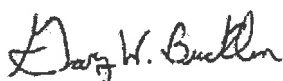
Construction of the proposed development will require an Environmental Media Management Plan (EMMP) that outlines a program for managing the petroleum contaminated soil in the area of TP-110, and for managing previously unidentified contamination that may be encountered in other areas during earthwork activities.

Coordinating and monitoring the management of contaminated soil, preparation of a remedial action completion report, and potentially other environmental services will be necessary in order to facilitate the MeDEP issuing an amended VRAP Certificate of Completion to the site owner and it's assigns after the completion of construction activities at the site.

Please contact us if you have questions regarding this correspondence.

Sincerely,

S. W. Cole Engineering, Inc.



Gary W. Bucklin, C.G.
Senior Geologist

GWB:tjb



www.swcole.com

17-0499 S

August 22, 2017

[REDACTED]

Subject: Preliminary Geotechnical Information – rev 1
Proposed Commercial Buildings
636 Riverside Street
Portland, Maine

Dear [REDACTED]

As requested, this letter summarizes preliminary geotechnical information relative to foundations, earthwork and pavement associated with the subject project. This letter is provided in advance of our geotechnical report and is subject to the limitations set forth therein. This letter supersedes its prior release, dated July 13, 2017.

S. W. Cole Engineering, Inc. (S.W.COLE) completed test boring and test pit explorations at the site on June 26 and 27, 2017. The attached plan shows the approximate locations of the explorations as well as existing and proposed site features. Logs of the explorations and a key to the notes and symbols used on the logs are also attached.

Based on the subsurface findings and our understanding of the proposed construction, we offer the following geotechnical considerations for the proposed development:

- **Foundations:** The site is principally underlain by uncontrolled fills overlying stable native deposits of glaciomarine clay, glacial outwash sands and glacial till. The uncontrolled fills range from 3 to 25 feet thick and are unsuitable for support of the proposed buildings. We recommend a combination of uncontrolled fill removal and replacement, as well as aggregate piers to improve ground conditions for conventional spread footing and on-grade floor slab support. The

286 Portland Road, Gray, ME 04039-9586 • P: (207) 657.2866 • F: (207) 657.2840 • E: info@swcole.com

Geotechnical Engineering

Construction Materials Testing and Special Inspections

GeoEnvironmental Services

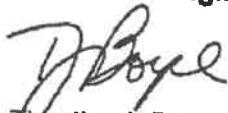
attached plan summarizes the ground improvement method for each proposed building footprint. We estimate a premium cost of \$6 to \$9 per square foot of proposed building area to improve ground conditions for conventional spread footings and on-grade floor slabs.

- **Earthwork:** As discussed, we recommend raising finished floor elevations and site grades to preclude exporting environmentally impacted site soils. The site soils are sensitive to moisture and frost. We recommend site grading and foundation construction occur in drier, non-freezing weather of Spring, Summer and Fall. The uncontrolled fills and non-organic soils displaced by excavation may be reused as compacted Common Borrow in paved areas and beneath buildings improved with aggregate piers.
- **Pavements:** Pavement subgrades should be proof-rolled and densified with a 10 ton vibratory roller. Areas that become soft after proof-rolling, must be removed and replaced with compacted Granular Borrow prior to installing pavement subbase gravels. We recommend planning consider a 30 inch thick pavement section consisting of 4 inches of hot mix asphalt over 18 inches of compacted MaineDOT Type D Crushed Subbase Gravel over 8 inches of MaineDOT Granular Borrow for Underwater Backfill.

We trust this letter meets your current needs. We will prepare our geotechnical report upon your notice to proceed.

Sincerely,

S. W. Cole Engineering, Inc.



Timothy J. Boyce, P.E.
Senior Geotechnical Engineer

TJB:emw

Attachments: Exploration Location Plan
 Exploration Logs
 Key to Notes and Symbols used on Exploration Logs



Health & Human Services Department

Dawn Stiles, Director

Oxford Street Shelter

Robert Parritt, Director

Social Services Division

David MacLean, Director

Date: January 4, 2017

Emergency Shelter Best Practices

Single floor, open concept design style with clear lines of sight

A foyer/screening area to perform security searches and other assessments

A centralized shelter operations office with sight lines to the dorms

A large day room that can accommodate all shelter guests for day shelter and meals
Along with storage for portable tables and chairs

Food prep and service area

Suitable laundry facilities

Handicap accessible bathrooms in the day room and dormitories

Office space for Oxford Street housing staff as well as partner agencies on site for direct services

Two open concept dorms with raised beds, one male and one female
Raised beds must be at least 18 inches apart and walkways must be three feet wide

Enclosed park area behind the shelter

Outside storage building with lockers for guest bags

Facilities storage shed for maintenance tools and equipment

Parking for 20 vehicles

Security camera system

Accessible to public transportation

Programmatic Best Practices

New shelters should operate a low barrier program

Services should be housing driven using a housing first approach

All programs must meet MaineHousing/ESG criteria

New programs must work collaboratively with other shelter providers within the City using coordinated entry

Must be accessible to public transportation

New programs must be operated and staffed 24 hours a day and offer day shelter and food programs

New programs must report data to ESAC to gauge trends and progress

New programs must be active participants in the continuum of care

Fwd: Question re VRAP Certification

3 messages

Jon Jennings <jpj@portlandmaine.gov>

Mon, Apr 29, 2019 at 2:36 PM

To: Kristen Dow <kjd@portlandmaine.gov>, Adam Harr <ash@portlandmaine.gov>

Can you please include this email on the backup materials for the new shelter discussion? I will be sending you another email with attachments to do the same. Thanks.

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

From: **Kimberly M. Cook** <kcook@portlandmaine.gov>

Date: Mon, Apr 29, 2019 at 8:37 AM

Subject: Fwd: Question re VRAP Certification

To: Belinda Ray <bsr@portlandmaine.gov>, Brian Batson <bbatson@portlandmaine.gov>, Ethan Strimling <estrimling@portlandmaine.gov>, Jill Duson <jduson@portlandmaine.gov>, Jon Jennings <jpj@portlandmaine.gov>, Justin Costa <jcosta@portlandmaine.gov>, Nicholas Mavodones <nmm@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>

Good morning all,

Please see the correspondence below.

Jon - please pass this info along to staff and have it posted to the webpage.

Thanks

Kim

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

From: **Burns, Dave E** <Dave.E.Burns@maine.gov>

Date: Mon, Apr 29, 2019 at 8:13 AM

Subject: RE: Question re VRAP Certification

To: Kimberly M. Cook <kcook@portlandmaine.gov>, Madore, David <David.Madore@maine.gov>

CC: Hodgkins, Nick <Nick.Hodgkins@maine.gov>

Good morning Kim,

The VRAP program does not have a definition of "residential" that we can point you to. However, we would consider a homeless shelter residential and prohibited at this site, based on the certificate. You may be able to give us supporting documentation so that we may reconsider this prohibition and allow this use. If you'd like to pursue that course or explore that option further, please contact Nick Hodgkins, our VRAP coordinator, directly. I've copied him on this e-mail so that you have his information.

Please let me know if you have any further questions regarding this.

Thanks,

Dave

David Burns, P.E., Acting Director

Bureau of Remediation & Waste Management

(207) 287-7890 (desk) / (207) 592-9104 (cell)

www.maine.gov/dep

From: Kimberly M. Cook [mailto:kcook@portlandmaine.gov]

Sent: Saturday, April 27, 2019 6:42 PM

To: Burns, Dave E <Dave.E.Burns@maine.gov>; Madore, David <David.Madore@maine.gov>

Subject: Question re VRAP Certification

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dave and David,

I am contacting you wearing my hat as a Portland City Councilor. We are currently in the process of deciding on a site for a new homeless shelter and one of the locations is [636 Riverside Street](#) for which the City has received the attached VRAP certification.

A constituent of mine asked me whether this VRAP precludes a shelter (without further written permission from the DEP) as it serves as a temporary residence for those experiencing homelessness. We are contemplating up to a 150 bed shelter currently.

I would appreciate your determination of whether a shelter would be "residential" under Condition number 2 in this letter. Does the DEP have a definition of "residential" that I can point my constituent to?

Many thanks for your assistance in answering my questions.

Best,

Kim

Kim Cook

Portland City Council, District 5

Deering Ctr., Riverton, No. Deering

www.kimcook.org

207.874.8986

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

--

Kim Cook

Portland City Council, District 5
Deering Ctr., Riverton, No. Deering
www.kimcook.org
207.874.8986

--

Jon P. Jennings
City Manager
[City of Portland](#)
[389 Congress Street](#)
Portland, ME 04101
(207) 874-8689 Office
(207) 874-8669 Fax
jpj@portlandmaine.gov
www.portlandmaine.gov
Twitter: [@portlandmanager](#)

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

CITY OF PORTLAND
IN THE CITY COUNCIL

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

AMENDMENT TO PORTLAND CITY CODE CHAPTER 14
RE: DIVISION 18, WATERFRONT CENTRAL ZONE

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. That Chapter 14, Division 18 is hereby amended to read as follows:

Sec. 14-305. Purpose.

The ~~W~~aterfront ~~C~~entral ~~Z~~one was created to protect and nurture water-dependent and marine-related support uses so that they may grow and prosper in an environment and area dedicated to this purpose. The following priority of uses is recognized:

- (a) The first priority of this zone is to protect and nurture existing and potential water-dependent uses in a setting that enforces their continued economic viability;
- (b) The second priority is to encourage other marine and marine-related support uses so long as they do not interfere with water-dependent uses, either directly by displacement or indirectly by placing incompatible demands on the zone's infrastructure;
- (c) Non-marine uses are encouraged provided that they do not interfere with and are not incompatible with first and second priority uses. Non-marine uses are beneficial to the waterfront economy because they provide the financial return to property owners necessary for the maintenance and improvement of the marine infrastructure.

Water-dependent and marine-related support uses by their nature have activities and operational needs that are unique to this area and are not shared by other commercial and industrial uses in the city. These first

and second priority uses and related activities may result in noise, odor, dust, hours of operation, parking and traffic patterns and traffic control needs that are necessary for the convenient and successful conduct of such uses. Other uses may not be compatible with these types of effects. Other specified uses are permitted in the waterfront central zone, provided that they do not significantly interfere with the activities and operation of water-dependent and marine-related support uses. Such uses must be, and are assumed to be, aware of the impacts associated with marine uses and therefore must accept and be tolerant of them. Other specified uses in the zone shall accommodate to those patterns and needs of the higher priority uses so long as those higher priority uses are not detrimental to public health and safety and the higher priority activities are conducted in accordance with sound practices or practices customary in the trade.

Commercial Street is recognized as an important economic center for the city and region. Marine compatible uses are encouraged to locate and grow along Commercial Street while higher priority marine uses are protected on the waterfront.

Sec. 14-306. Definitions.

For the purposes of the ~~W~~aterfront ~~C~~entral ~~Z~~one only the following terms shall have the following definitions:

Common circulation drives: private driveways, roadways and circulation areas accessible to all on-site tenants and/or occupants of a lot within the waterfront central zone providing access from/to the public street network.

Lot: any abutting property under common ownership.

~~Commercial Street Non-Marine-Use O~~verlay ~~Z~~one (~~CSOZ NMUOZ~~): The ~~Commercial Street non-marine O~~verlay ~~Z~~one (~~CSOZ NMUOZ~~) is a portion of the ~~W~~aterfront ~~C~~entral ~~Z~~one, as described below, where new and existing development may be occupied with 100% non-marine use tenants listed under 14-307(b), subject to the standards and use limitations provided in section 14-311(b).

The geographic limits of the CSOZ ~~NMUOZ~~ are defined by parcels of land and piers within the Wwaterfront Central Zzone located on the landward side of a line established one hundred fifty (150) feet southerly of the southerly sideline of Commercial Street and modified as follows: the seaward limit of the CSOZ ~~NMUOZ~~ extends to a line 500 feet southerly of from the southerly sideline of Commercial Street in the area between the easterly sideline of Long Wharf to the westerly sideline of Union Wharf. Additionally, all areas subject to this provision are set back landward at least twenty-five (25) feet from the average high tide line of Portland Harbor and associated coastal wetlands. All offset distances are measured horizontally.

All applicants for development within the CSOZ ~~NMUOZ~~ are responsible for demonstrating their location within the CSOZ ~~NMUOZ~~ according to the findings of a site-specific land survey conducted by a professional land surveyor licensed by the State of Maine. The limits of the CSOZ ~~NMUOZ~~ shall be shown on all site plans and subdivision plats for proposed development within the CSOZ ~~NMUOZ~~. ~~A map showing the presumed boundaries of the NMUOZ is on file with the Department of Planning and Urban Development. Said map is for illustrative purposes only and shall not be relied upon in determining whether a proposed development is located within the NMUOZ.~~

On-Site shall mean that portion of any lot included within or directly impacted by a proposed development.

Sec. 14-307. Permitted uses.

Subject to a determination that the proposed use meets the standards of section 14-311, as applicable, the following uses are permitted in the Wwaterfront Central Zzone:

(a) Marine:

1. Marine products wholesaling, distribution and retailing;
2. Marine repair services and machine shops;
3. Tugboat, fireboat, pilot boat and similar services;
4. Harbor and marine supplies and services,

chandleries, and ship supply such as fueling and bunkering of vessels;

5. Marine industrial welding and fabricating;
6. Shipbuilding and facilities for construction, maintenance and repair of vessels;
7. Commercial marine transport and excursion services, including ferries, captained charter services, sport fishing and water taxis;
8. Cargo handling facilities, including docking, loading and related storage;
9. Boat repair yards;
10. Boat storage facilities, excluding rack storage facilities; (Boat rack storage facilities are included in conditional use, section 14-308(b)(3) below);
11. Seafood processing and retailing;
12. Seafood packing and packaging;
13. Seafood loading and seafood distribution;
14. Fabrication, storage and repair of fishing equipment;
15. Ice-making services;
16. Facilities for marine construction and salvage;
17. Facilities for marine pollution control, oil spill cleanup, and servicing of marine sanitation devices;
18. Fabrication of marine-related goods;
19. Fishing and commercial vessel berthing;
20. Non-commercial berthing of a maximum of fifty (50) linear feet per pier. A non-commercial berth may not displace a commercial berth.

Parking for any non-commercial berthing is subject to the provisions of section 14-311(d)8.

21. Marine office, including but not limited to offices of owners of wharves or their agents, and naval architects, and seafood brokers;
22. Public landings;
23. Marine research, education, and laboratory facilities;
24. Bait sales and processing;
25. Harbor security and emergency response services including but not limited to Harbor Master, Marine Patrol and Coast Guard.

26. Commercial parking for water-dependent uses.

- (b) Non-marine commercial and industrial uses: Non-marine uses permitted by this section are subject to the standards listed in section 14-311.

1. Professional, business, government, and general offices;
2. ~~Retail and service establishments, including craft and specialty shops. Convenience stores with gas pumps shall not be permitted under this section~~ Cabinet and carpentry shops, studios for artists and crafts people;
3. ~~Restaurants provided that full course meal food service and consumption shall be the primary function of the restaurant, and full course meal service shall be continued up until the hours of closing~~ Intermodal transportation facilities;
4. ~~Banking services without drive-up services~~ Cold storage facilities;
5. ~~Laundry and dry cleaning services~~ Commercial kitchens; and
6. ~~Cabinet and carpentry shops, studios for artists and crafts people;~~ Outside accessory activities.

~~7. Intermodal transportation facilities;~~

~~8. Cold storage facilities;~~

~~9. Museums and art galleries; and~~

~~10. Outside accessory activities.~~

(c) Public:

1. Landscaped pedestrian parks, plazas and other similar outdoor pedestrian spaces, including without limitation pedestrian and/or bicycle trails;

(d) Other:

1. Accessory uses:

- a. Interior accessory uses customarily incidental and subordinate to the location, function and operation of permitted uses. Food service establishments, newsstands and other similar retail and service support uses shall only be permitted as accessory uses if they are part of and located within the lot lines of a use set forth in section 14-307(a)(1), (a)(7), (a)(11), or (a)(22); that such uses do not exceed two-thousand (2,000) square feet in total floor area of the building, or twenty-five percent (25%) of the total floor area of the building, whichever is less, and that each individual accessory use does not exceed one-thousand (1,000) square feet in total floor area of the building; and further provided that such accessory uses provide goods or services that are supportive of the principal use and its clientele. Exterior accessory uses shall be otherwise subject to the provision of 14-311(a); and
- b. Interior meeting or classroom space accessory to uses permitted in section 14-307(a)(23) (marine research, education, and laboratory facilities) may be rented out for meeting use by marine-related or non-marine related groups

or organizations, or the general public, and such accessory uses shall not be subject to the limitations contained in paragraph b, but shall only be permitted as accessory uses if the total of all support uses, including interior meeting or classroom space, does not exceed three-thousand (3,000) square feet in total floor area per building, or fifteen percent (15%) of the total floor area per building, whichever is less.

2. ~~Street vendors licensed pursuant to Chapter 19.~~
3. Wind energy systems, as defined and allowed in Article X, Alternative Energy.

(e) Uses permitted only within the Commercial Street Overlay Zone. Uses permitted by this section are subject to the standards listed in section 14-311(b).

1. Retail and service establishments, including craft and specialty shops;
2. Restaurants provided that full course meal food service and consumption shall be the primary function of the restaurant, and full course meal service shall be continued up until the hours of closing;
3. Banking services without drive-up services;
4. Museums and art galleries;
5. Street vendors licensed pursuant to chapter 19.
6. Offices of health care practitioners or health care clinics.
7. Personal service establishments.

Sec. 14-308. Conditional use.

The uses listed herein shall be permitted as conditional uses in the waterfront central zone, provided that, notwithstanding section 14-471 and section 14-474(a), or any other provision of this code, the planning board shall be substituted for the board of appeals as the reviewing authority, and further provided that

in addition to the provisions of section 14-474(c)(2), they shall also meet the applicable ~~W~~aterfront ~~C~~entral ~~Z~~one development standards in section 14-311:

(a) Commercial marine conditional uses:

1. Fish by-products processing, provided that:

- a. Any fish by-products processing facility has a valid rendering facility license under chapter 12;
- b. Any existing fish by-products facility shall employ current and appropriate odor control technology (and any new fish by-product use shall employ current, available odor control technology) to eliminate or minimize detectable odors from such a process, and in no case shall odors exceed the odor limitation performance standards of the I-M zone; and
- c. The processing of other material wastes or by-products shall not be deemed a lawful accessory use under any other provision of this article.

2. Boat rack storage facilities, provided that:

- a. Parking shall be provided for one-hundred percent (100%) of the demand generated by the use (notwithstanding 14-311(d)7, performance standard for parking), and such parking shall be provided off-site, in another zone permitting such use.
- b. Boat rack structures shall not exceed ten thousand (10,000) square feet of building footprint.

~~(b) Residential: The primary owner of a marine business listed under section 14-307(a) located on the same site may occupy upper floor space with a residential use, provided the following conditions are met:~~

- ~~1. The applicant demonstrates a compelling business related need for living on-site that cannot~~

~~otherwise be accomplished;~~

- ~~2. The residential living space shall not exceed one thousand (1,000) square feet, inclusive of all exterior porches and decks;~~
- ~~3. The occupancy of said space shall be limited to the primary owner of the marine related business. The residential use is not transferable to friends, family or anyone other than the primary business owner. No such residential space shall be leased out by or allowed to be used for occupancy by other than the primary owner of the marine related business;~~
- ~~4. The residential use shall be limited to one unit per wharf;~~
- ~~5. The residential use shall be year round use only, and shall not be used on a seasonal basis; and~~
- ~~6. Upon the vacancy in excess of three (3) months of the residential living space by the primary owner of the marine related business, the residential use shall automatically terminate and shall not be continued without new conditional use approval under this subsection.~~

~~For purposes of this subsection, "primary owner of the marine related business" shall mean a person who legally owns fifty percent (50%) or more of the marine business listed under section 14-307(a), permitted marine uses.~~

Utility substations: Public utility substations, including but not limited to electrical transformers, sewage and stormwater pumps, and telecommunication switching stations, are permitted under the following conditions:

1. The facility is located more than one-hundred (100) feet from the water's edge;

2. The facility occupies no more than fifty (50) square feet of structure above ground;
3. The facility provides no dedicated on-site parking and all subsurface elements of the facility are installed and operated such that land occupied by the facility is otherwise usable and made available for marine uses, including but not limited to parking, travel ways, and/or storage; and
4. The facility shall be sized, sited and screened to minimize visual impact and prominence from public ways.

(c) Temporary wind anemometer towers, as defined in Sec 14-47, are permitted provided the following standards are met in addition to Sec 14-430:

1. Towers may be installed for the purpose of wind data collection for no more than two (2) years after the issuance of a Certificate of Occupancy for the tower. At the conclusion of the aforementioned two (2) years, the tower must be dismantled and removed from the site within sixty (60) days; and
2. Towers shall be constructed according to plans and specifications stamped by a licensed professional engineer, which shall be provided to the Board of Appeals with the application; and
3. Towers shall be set back from habitable buildings by a distance equal to 1.1 times the tower height; and
4. The applicant shall provide a safety report prepared and stamped by a licensed professional engineer to the Board of Appeals with their application for conditional use, which demonstrates how the proposed temporary wind anemometer tower is safe in terms of strength, stability, security, grounding, icing impacts and maintenance; and
5. The applicant shall provide evidence of commercial general liability insurance, such insurance to be satisfactory to Corporation Counsel and cover damage or injury resulting from construction, operation or dismantling of any part of the

temporary wind anemometer tower; and

6. Towers and associated guy wires shall be sited to minimize their prominence from and impacts on public ways (including pedestrian ways); and
7. Towers shall be used for installing anemometers and similar devices at a range of heights from the ground to measure wind characteristics (speed, direction, frequency) and related meteorological data, but shall not be used for any other purpose; and
8. A performance guarantee shall be required for the cost of removal of the tower, guy wires and anchors. This requirement may be satisfied by surety bond, letter of credit, escrow account or by evidence, acceptable to the City, or the financial and technical ability and commitment of the applicant or its agents to remove the facility at the end of the use period.

(d) Wind energy systems, as defined and allowed in Article X, Alternative Energy.

Section 14-309. Prohibited uses.

Uses which are not enumerated in either section 14-307 or 14-308 as permitted or conditional uses are prohibited. Uses enumerated in section 14-307(e) shall be considered prohibited uses outside of the CSOZ. Those uses that are prohibited shall include, without limitation:

- (a) Residential Uses Except as provided in section 14-308, residential uses (not in existence on May 5, 1987);
- (b) Hotels, motels, hostels, bed and breakfasts, inns, lodging houses, tourist homes, short-term rentals or boatels;
- (c) Auditoriums, civic centers, convention centers, or other meeting facilities not accessory to an otherwise permitted use;
- (d) Drinking establishments, private clubs, or non-profit social and recreational facilities;

- (e) Ground mounted telecommunication towers, antennas, and/or disks; and
- (f) Drive-up services for any use other than a permitted use listed under 14-307(a) or 14-308(a) (1).
- (g) Major and minor auto service stations.
- (h) Laundry and dry-cleaning services.
- (i) Convenience stores with gas pumps.
- (j) Commercial parking for non-marine uses.

Sec. 14-310. Dimensional requirements.

In addition to the provisions of division 25 of this article, lots in the Wwaterfront Central Zzone shall be subject to the following requirements:

- (a) Minimum lot size: None.
- (b) Minimum frontage along Commercial Street: Seventy-five (75) feet.
- (c) Minimum lot width within the CSOZ ~~NMUOZ~~: Fifty (50) feet measured parallel with Commercial Street and such lot width shall be continuous for the full depth of the lot located within the CSOZ ~~NUMUOZ~~.
- (d) Minimum yard dimensions:
 - 1. Front setback: None.
 - 2. Side setback: None
 - 3. Rear setback: None.
 - 4. Setback from pier edge: Notwithstanding the above requirements, a minimum first-floor setback of ten five ~~(105)~~ feet from the edge of any pier, wharf or bulkhead shall be required for any structure, (exclusive of structurally necessary posts supporting upper floors, and deck mounted equipment for loading and unloading vessels). The edge of any pier, wharf or bulkhead shall include any attached

apron(s). Floats, rafts, and or barges not structurally integral to the pier, wharf or bulkhead may not be used to satisfy this requirement. Parking for non-marine uses shall not occupy the 10-foot setback.

- (e) Maximum lot coverage: One-hundred (100) percent.
- (f) Maximum building height: Fifty (50) feet. Except as provided in (h) below, a structure in the Wwaterfront Central Zone shall provide no more than three habitable floors; however, typical rooftop appurtenances and/or enclosed or open mechanical installations shall be allowed over the third floor.
- (g) Minimum ground floor clearance: Any new building proposed to be larger than three-hundred (300) square feet, and located more than 35 feet from the southerly sideline of Commercial Street, shall provide no less than fifteen (15) feet of first floor to ceiling vertical clearance to promote marine industrial use potential. New buildings less than three-hundred (300) square feet or additions to existing multistory buildings are exempt from this provision but shall provide the maximum ground floor clearance practicable.
- (h) New non-marine use building exception for usable floors and minimum ground floor clearance: Notwithstanding provisions (f) and (g) above, for new non-marine use buildings permitted within the CSOZ NMUOZ, four (4) usable floors are allowed and ground floor clearance minimums do not apply.

Sec. 14-311. Development standards.

- (a) Standards for non-marine uses located outside of the CSOZ NMUOZ: Non-marine uses listed above in Sec. 14-307(b) and 14-308(b) that are located outside of the CSOZ NMUOZ shall be subject to the performance standards listed in 14-311(d) as well as the following standards:
 - 1. 55% marine use required on ground floors: At least 55% of the ground floor of all of the buildings on the lot (defined in 14-306 above), when calculated using the aggregate of all the leaseable area of such ground floors, shall be occupied by marine uses, as listed under 14-307(a) or 14-308(a) (1).

2. 55% marine use required for all open areas: After subtracting areas used for common circulation drives (defined in 14-306 above), at least 55% of un-built area (meaning area not occupied by a building) on the lot, when calculated using the aggregate of all such un-built areas, shall be occupied by marine uses, as listed under 14-307(a) or 14-308 (a)1.
3. Ground floor vacancies and change of occupancy offered to water dependent/marine uses: Ground floor vacant space and areas proposed for a change of occupant outside of the CSOZ NMUOZ shall not be filled with any non-marine use without adequate opportunity for marine uses to occupy the space.
 - a. *Ground floor vacancy and change of occupant outside of the CSOZ NMUOZ advertised to marine users:* In any lot or portion of lot outside of the CSOZ NMUOZ, each time a ground floor occupant departs or gives notice to depart from the lot, the space, along with any associated parking spaces to be vacated, must be made available to new marine occupants.

Prior to renting to a non-marine user the property owner shall advertise for a new marine occupant for not less than a one hundred eighty(180~~60~~) day period in targeted media and by other means reasonably calculated to reach marine users (e.g. local marine trade publications, marine trade websites, waterfront bulletins .) Should one or more marine users apply, the property owner shall make the space available to a marine occupant, in accordance with terms and rates generally consistent with comparable space in the 55% marine use portion of the zone (outside of the CSOZ NMUOZ.) The property owner may stop advertising sooner than the end of the 180~~60~~ - day period if a lease is signed with a marine user. Should no marine user apply by the end of the 180~~60~~-day period, the owner may fill the space with a non-marine user provided that the new non-marine occupant will not cause the lot to exceed the non-marine use occupancy maximum

of 45% of the ground floor area or open area.

- b. Uses inventoried: To demonstrate adherence to the 55% marine use requirement, the applicant shall submit to the planning authority, upon request, an inventory which lists each occupant (tenant or otherwise), as well as a map which depicts the location of each occupant. The map shall show all ground level space, including buildings, parking, open areas and submerged lands associated with the subject lot. For each occupant, the property owner must indicate the square footage of area occupied and whether the occupant is a marine use as defined herein. For vacant space, the last previous occupant shall be listed, along with the date of departure.
 - c. ~~Prior to changes of occupancy and/or as part of applications for new development Applicants for site plan review or a change of use permit~~ outside of the CSOZ NMUOZ, ~~the property owner or applicant~~ shall provide ~~the planning authority with~~ proof of compliance with the requirements of this section as a condition of approval.
 - d. ~~The city planning authority shall compile and report inventories of ground level uses, as reported under (b) above, into an annual report of ground level uses and investment in the Central Waterfront. The report shall include an aggregated assessment of ground floor marine and non-marine use occupancy and a catalogue of marine infrastructure investment for the reporting period. The report shall be submitted to the City Council as a communication not less than once every calendar year.~~
 - e.
4. Pier or bulkhead edge reserved for marine uses: Notwithstanding ~~anything contained in 14-311(c) Contract or conditional rezoning, or any other~~ any provision of this ordinance to the contrary, excepting only the portion of any pier which might be used for non-commercial berthing pursuant to 14-307(a)(20), all berthing and/or dockage space and associated floats plus the entire linear edge of

that portion of every pier or bulkhead which is adjacent to greater than zero feet of water depth at mean low water, to a minimum setback line of at least ~~tenfive~~ (10) feet from the edge of the pier, bulkhead, or engineered shoreline may only be used or occupied by one or more marine uses as defined in 14-307(a)) or 14-308(~~ab~~). Said edge shall be the seaward extent of any engineered shoreline or working deck of any pier or wharf.

- (b) ~~CSOZ NMUOZ~~ standards: Non-marine uses listed under 14-307(b), 14-307(e) and 14-308 located within the ~~CSOZ NMUOZ~~, as defined in 14-306, shall be subject to the performance standards listed in 14-311(d) as well as the following standards:

1. Vessel access: Non-marine uses allowed under this provision shall not disrupt or block access to vessel berthing and shall otherwise adhere to the performance standards of this zone described in Sec. 14-311(d).
2. *Maximum setback for new development on lots with seventy-five (75) or more feet of Commercial Street frontage:* Any new non-marine development constructed subject to this provision which is located on a lot with seventy-five (75) or more feet of frontage along the Commercial Street right of way shall be located with its front façade no further than thirty-five feet (35) from the southerly sideline of the Commercial Street right of way. Furthermore, any such development shall orient its front façade and its primary pedestrian entrance toward Commercial Street and no vehicular circulation or parking may occupy the land or pier area between the front façade of the building and Commercial Street.

Non-marine development subject to this provision on lots with fewer than seventy-five (75) feet of frontage along the Commercial Street right-of-way, changes of use within existing buildings, and/or building additions of less than 5,000 square feet of new development to existing buildings are exempt from the maximum setback provisions established herein.

3. *Investment in marine infrastructure:* All applicants for site plan review or a change of use permit for non-marine development in the CSOZ ~~NMUOZ~~ are required to invest in marine infrastructure as a condition of development, provided that the total project costs exceed \$250,000. The value of the investment shall be not less than five percent (5%) of total project costs over \$250,000 for constructing non-marine space and associated site improvements in the CSOZ ~~NMUOZ~~.

Required investment may occur by one or both the following methods:

- a. *Direct investment in marine infrastructure located on the same lot:* Investment shall be for the benefit of marine uses listed in 14-307(a) within the same lot as the proposed non-marine development. Investment may include dredging, pile replacement, new or replaced structural decking (but not pavement resurfacing), new or replaced fendering systems, new or replaced floats, pier expansions, permanent conversions of recreational berthing to commercial berthing, bulkhead or seawall repair or improvements, or any combination of similar improvements. Plans for the marine infrastructure investment shall be submitted to the planning authority with the application for site plan review or change of use permit and shall include details and a commitment as to how the marine infrastructure will be utilized by marine users. The marine infrastructure improvements shall be completed prior to the issuance of a certificate of occupancy for the non-marine development project.
- b. *Financial contribution:* If direct investment in marine infrastructure is not made, the developer shall make a financial contribution to the city's waterfront loan and investment fund.

(c) No Contract or Conditional Rezoning Permitted

1. Purpose: This section is intended to accomplish

goals from Portland's Plan 2030. Specifically, these changes will:

- a. Prioritize and promote Portland's unique mix of water-dependent, marine-related uses and compatible non-marine uses;
- b. Recognize and reinforce the respective roles of the Eastern, Central and Western Waterfronts; and
- c. Celebrate, promote and protect Portland's lobster and fishing industry as a foundation of the region's economy and a feature of civic pride.

2. In light of this purpose and the significance of the central waterfront to the City's future, no contract or conditional rezoning applications may be approved in the Waterfront Central Zone.

~~(b) Contract or conditional rezoning standards: Applications for proposals deviating from any dimensional requirements under section 14-310 and/or including uses not listed under sections 14-307 and 14-308 may only be considered if the reviewing body finds the applicant has met the performance standards listed under 14-311(d) and the following standards:~~

- ~~1. Conditional or contract rezoning located outside of the NMUOZ: The ground level floor area of any building, existing or proposed, on the subject lot and the un-built area of the subject lot and the un-built area of the subject lot shall be subject to and meet the requirements of section 14-311(a) of this code.~~
- ~~2. Conditional or contract rezoning located within the NMUOZ: Conditional or contract rezoning applications located within the NMUOZ are subject to the provisions of 14-311(b) (3) (Investment in marine infrastructure).~~
- ~~3. Residential dwellings are prohibited.~~

- ~~4. The development is consistent with the comprehensive plan and without the development the site could not otherwise support an economically viable water-dependent use.~~
- ~~5. Any physical or legal impediments which preclude or impede functional access from the site of the development to any portion of the water's edge are not the result of action taken by the current owner, the applicant for rezoning, or any prior owner after January 4, 1993.~~
- ~~6. The project's public benefits outweigh its potential negative impacts, taking into consideration as public benefits: protection of existing water-dependent uses, preservation of future water-dependent use development opportunities, contribution to the development of and/or on-going maintenance of the marine infrastructure for commercial vessels, and visual and physical access to the waterfront for the general public.~~
- ~~7. The development responds to any unique physical conditions and development opportunities along the shoreline in a manner that is consistent with section 14-305 (purpose).~~
- ~~8. The non-marine portion of the proposed development will not adversely affect the efficient operation of marine uses, such as producing less efficient traffic, parking or circulation patterns. Parking for the non-marine portion of the proposed development shall be subject to review under section 14-311(d) (8).~~
- ~~9. The rezoning contains adequate provisions and/or conditions to ensure that any associated water-dependent infrastructure remains occupied by any commercial marine use as listed in 14-307(a) and that said use is not abandoned after the project is developed.~~

(c) Performance standards: All uses in the waterfront central zone shall comply with the following standards. The Operations and Access Management Plan (standard 13) Standards 8, 10, 13, 14, 15, 16, and 17 below shall be

reviewed by the planning authority:

1. Outdoor storage of materials: Outdoor storage of commodities and materials accessory to normal conduct of business, except pilings and/or cranes, shall be permitted to a maximum height of forty-five (45) feet, and such materials shall be entirely contained, including runoff contaminants and residual material, within a designated area within the lot boundaries.
2. Noise: The level of sound, measured by a sound level meter with frequency weighting network (manufactured according to standards prescribed by the American National Standards Institute, Inc.), inherently and recurrently generated within the waterfront central zone shall not exceed seventy-five (75) decibels on the A scale at the boundaries of any lot, except for sound from construction activities, sound from traffic on public streets, sound from temporary activities such as festivals, and sound created as a result of, or relating to, an emergency, including sound from emergency warning signal devices. In measuring sound levels under this section, sounds with a continuous duration of less than sixty (60) seconds shall be measured by the maximum reading on a sound level meter set to the A weighted scale and the fast meter response (L maxfast). Sounds with a continuous duration of sixty (60) seconds or more shall be measured on the basis of the energy average sound level over a period of sixty (60) seconds (LEQ1).
3. Vibration: Vibration inherently and recurrently generated shall be imperceptible without instruments at lot boundaries. This shall not apply to vibration resulting from activities aboard a vessel or from railroad vehicle activities, or from activities on a pile supported pier.
4. ~~Federal and state environmental regulations: All uses shall comply with federal and state environmental statutes and regulations regarding emissions into the air, except where provisions of this Code are more stringent.~~ Discharges into harbor areas: No discharge into harbor water areas

shall be permitted, unless permitted by the Maine Department of Environmental Protection under a waste discharge license and as approved by the department of public works in accordance with chapter 24, article III of this code. All private sewage disposal or private wastewater treatment facilities shall comply with the provisions of chapter 24, article II of this code and federal and state environmental statutes and regulations regarding wastewater discharges.

5. ~~Discharges into harbor areas: No discharge into harbor water areas shall be permitted, unless permitted by the Maine Department of Environmental Protection under a waste discharge license and as approved by the department of public works in accordance with chapter 24, article III of this code. All private sewage disposal or private wastewater treatment facilities shall comply with the provisions of chapter 24, article II of this code and federal and state environmental statutes and regulations regarding wastewater discharges.~~ Storage of vehicles: Storage of any unregistered automotive vehicle on the premises for more than sixty (60) days shall not be permitted.
6. ~~Storage of vehicles: Storage of any unregistered automotive vehicle on the premises for more than sixty (60) days shall not be permitted.~~ Landfill of docking and berthing areas: Landfill of docking and berthing areas shall be governed by 38 M.R.S.A. sections 480-A through 480-HH, and permitted only if the landfill does not reduce the amount of linear berthing areas or space, or berthing capacity. If approved, construction shall be undertaken using methods approved by the department of public works and shall be accomplished in accordance with the provisions of division 25 of this article and in a manner so as to ensure that a stable and impermeable wall of acceptable materials will completely contain the fill material and will not permit any fill material to leach into docking areas or navigable waters.
7. ~~Landfill of docking and berthing areas: Landfill of docking and berthing areas shall be governed by 38 M.R.S.A. sections 480-A through 480-HH, and~~

~~permitted only if the landfill does not reduce the amount of linear berthing areas or space, or berthing capacity. If approved, construction shall be undertaken using methods approved by the department of public works and shall be accomplished in accordance with the provisions of division 25 of this article and in a manner so as to ensure that a stable and impermeable wall of acceptable materials will completely contain the fill material and will not permit any fill material to leach into docking areas or navigable waters. Off-street parking and loading: Division 20 (off-street parking) and division 21 (off-street loading) of this article shall not apply.~~

8. ~~Off-street parking and loading: Division 20 (off-street parking) and division 21 (off-street loading) of this article shall not apply. Lighting: All lighting on the site shall be shielded such that direct light sources shall not unreasonably interfere with vessels transiting the harbor nor have an unreasonable adverse impact on adjacent residential zones. Lighting: All lighting on the site shall be shielded such that direct light sources shall not unreasonably interfere with vessels transiting the harbor nor have an unreasonable adverse impact on adjacent residential zones~~

~~The planning authority shall review applications for non-marine use parking against the following standards:~~

- ~~a. Applicants for non-marine parking in the waterfront central zone shall submit a parking and traffic circulation plan showing the location of all existing and proposed structures, travel ways and parking on the subject lot.~~
- ~~b. Outside of the NMUOZ, non-marine use parking is subject to the limitations described in 14-311(a) ("55% rule").~~
- ~~c. Non-marine use parking shall only be located on a lot where, based on the parking and~~

~~traffic circulation plan and a parking analysis to be submitted for planning authority review, the marine use parking supply is reasonably sufficient to serve marine use space located on the subject lot.~~

~~d. Water-dependent use parking spaces shall be located as close as reasonably possible to associated vessels and/or ground floor lease areas.~~

9. ~~Shoreland and flood plain management regulations: Any lot or portion of a lot located in a shoreland zone as identified on the city shoreland zoning map or in a flood hazard zone shall be subject to the requirements of division 26 and/or division 26.5 of this article. Storage of pollutants and oily wastes: On-premises storage of pollutants and oily wastes shall not be permitted for more than forty-five (45) days.~~

10. ~~Lighting: All lighting on the site shall be shielded such that direct light sources shall not unreasonably interfere with vessels transiting the harbor nor have an unreasonable adverse impact on adjacent residential zones. Urban design: Construction of new structures located within thirty-five (35) feet of the southerly edge of Commercial Street between Maine Wharf and the easterly property line of the city fish pier shall conform to the guidelines set forth in the downtown urban design guidelines, unless such structures are also located within one-hundred (100) feet of the water. Such structures that are also located within one-hundred (100) feet of the water shall conform to the extent practicable to the downtown urban design guidelines.~~

11. ~~Signs: Signs shall be permitted as set forth in division 22 of this article. Pier and wharf expansions: In addition to meeting Harbor Commission and Coast Guard requirements for navigation, any expansion or extension of a pier and or wharf in the waterfront central zone shall demonstrate its compatibility with fixed route~~

ferry service and emergency vessel operations.

12. ~~Storage of pollutants and oily wastes: On-premises storage of pollutants and oily wastes shall not be permitted for more than forty-five (45) days.~~ Public view protection: Any new development in the waterfront central zone shall perform a public view impact analysis for review and approval by the planning board or planning authority as a condition of site plan approval. The analysis shall: (a) demonstrate the project's adherence to the Portland View Corridor Protection Plan (City of Portland Comprehensive Plan, 2002) to the extent practicable; and (b) promote the public's visual access to the water through sensitive building placement.

The planning board or planning authority shall find at a minimum that the proposed development (a) retains street corridor views as extended across Commercial Street from the Portland peninsula; (b) retains panoramic views of the water from Commercial Street to the extent practicable; and (c) where loss of existing public views to the water is shown to be necessary for the reasonable development of the site, the developer provides alternative public views to the water through newly established view corridors or publicly accessible pedestrian ways. Such pedestrian ways shall not interfere with existing or potential water-dependent uses, nor shall they endanger the public through uncontrolled proximity to industrial activity.

13. ~~Urban design: Construction of new structures located within thirty-five (35) feet of the southerly edge of Commercial Street between Maine Wharf and the easterly property line of the city fish pier shall conform to the guidelines set forth in the downtown urban design guidelines, unless such structures are also located within one-hundred (100) feet of the water. Such structures that are also located within one-hundred (100) feet of the water shall conform to the extent practicable to the downtown urban design guidelines.~~ Operations and Access Management Plan: Any new development, including changes of use or expansion of uses in the Waterfront Central Zone shall submit a scaled plan and accompanying narrative that demonstrates adequate waterfront access and logistical accommodation for water-dependent users. In accordance with Portland's

Plan 2030, the plan shall demonstrate consistency with the hierarchy of waterfront uses pyramid, as further detailed in Sec. 14-305 (Purpose), with non-marine and marine-related uses being subordinate in placement and disposition to water-dependent uses, and designed so as not to impede access to the pier edge and vessel berthing nor interfere with marine operations.

a. Submission Requirements. The plan shall, at a minimum, illustrate the following information:

- i. Location of all existing and proposed structures, rights-of-way, common circulation drives as defined in Sec. 14-306, access-ways, sidewalks, pier edges, floats and docks, showing the entire lot in the context of its respective pier.
- ii. Proposed off-street parking, labeled with associated uses.
- iii. Facilities for the loading and unloading of goods and materials.
- iv. Regularly occurring exterior activities including but not limited to the storage of material, equipment and vehicles, yard area, outdoor seating and on-site waste management.

b. Review Standards. In addition to the information above, the plan shall demonstrate compliance with the following standards:

- i. Off-street parking is subject to the limitations described in Sec. 14-311(a) ("55% Rule"). Off-street parking spaces intended for use by water-dependent uses shall be sited as close as reasonably possible to associated vessels and/or ground-floor lease area.
- ii. Proposals for new non-marine parking shall submit a parking analysis for all uses on the subject lot, justifying the number of non-marine spaces based upon the proposed use and demonstrating sufficient parking

supply for marine uses. If sufficient parking is not available to marine uses, off-street parking for non-marine uses shall not be permitted.

- iii. Off-street parking, loading facilities and access ways designated for water-dependent uses shall be exclusive to such uses, except that, if not being occupied by water-dependent tenants, such parking may be made available to non-marine uses between the hours of 5:00 p.m. and 2:00 a.m.
- iv. All properties providing commercial berthing shall demonstrate reasonable opportunities to load and unload vessels from the subject lot.
- v. Facilities for the loading and unloading of goods shall account for the frequency of use and vehicle type and, to the extent possible, minimize impacts to pedestrian and vehicle circulation patterns.
- vi. Provisions for the storage and movement of goods and materials shall be designed into all pier edge development. Circulation routes must be maintained or otherwise provided as an element of all development. The siting, design, and circulation of non-marine uses, particularly those allowed on first floors, shall accommodate reasonable access for pedestrians, vehicles, and freight transfer to and from berthed vessels.
- vii. Non-marine uses shall provide a dedicated pedestrian route between the proposed use and Commercial Street, and shall seek to minimize conflict with vehicle traffic.

~~14. Pier and wharf expansions: In addition to meeting Harbor Commission and Coast Guard requirements for navigation, any expansion or extension of a pier and or wharf in the~~

~~waterfront central zone shall demonstrate its compatibility with fixed route ferry service and emergency vessel operations.~~

~~15. Compatibility of non-marine uses with marine uses: Non-marine uses, structures and activities, including but not limited to access, circulation, parking, dumpsters, exterior storage and loading facilities or other structures shall neither interfere with the existence or operation of marine uses nor impede access to vessel berthing or other access to the water by existing or potential marine uses. Siting of a use not set forth in section 14-307(a) shall not substantially reduce or inhibit existing public access to marine or tidal waters.~~

~~16. Functional utility of piers and access to the water's edge: All new development, whether for marine or non-marine uses, should anticipate current and future functional and operational needs of water-dependent pier tenants to access the water's edge for the transfer of goods and materials between berthed vessels and land bound vehicles, and shall demonstrate adherence to the following provisions:~~

~~a. Provisions for the storage and movement of goods and materials must be designed into all waterside development and internal circulation routes must be maintained or otherwise provided as an element of any development. The siting, design, and circulation of non-marine uses, particularly those allowed on first floors, shall adjust if needed to accommodate reasonable access for pedestrians, vehicles, and freight transfer to and from berthed vessels.~~

~~b. Any development that proposes to site a building within ten (10) feet of a pier edge (thus precluding vehicle use of the pier edge) should provide openings and circulation through or around the building to allow the transfer of goods and materials to trucks and circulation routes within the interior of the pier.~~

- ~~e. With the exception of non-commercial berthing allowed under section 14-307(a)(20), there is to be no other non-commercial berthing.~~
- ~~d. Except for common circulation drives as defined in 14-306, access ways, parking and loading areas designated for marine uses shall be exclusively for marine uses and shall not be shared with non-marine uses.~~

~~17. Public view protection: Any new development in the waterfront central zone shall perform a public view impact analysis for review and approval by the planning board or planning authority as a condition of site plan approval. The analysis shall: (a) demonstrate the project's adherence to the Portland View Corridor Protection Plan (City of Portland Comprehensive Plan, 2002) to the extent practicable; and (b) promote the public's visual access to the water through sensitive building placement.~~

~~The planning board or planning authority shall find at a minimum that the proposed development (a) retains street corridor views as extended across Commercial Street from the Portland peninsula; (b) retains panoramic views of the water from Commercial Street to the extent practicable; and (c) where loss of existing public views to the water is shown to be necessary for the reasonable development of the site, the developer provides alternative public views to the water through newly established view corridors or publicly accessible pedestrian ways. Such pedestrian ways shall not interfere with existing or potential water-dependent uses, nor shall they endanger the public through uncontrolled proximity to industrial activity.~~

...

BE IT FURTHER ORDAINED, that this amendment is enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to make it effective

on June 15, 2019, upon the expiration of the
Moratorium ON Non-Marine Use Expansion in the
Waterfront Central Zone, approved as Order 119-18/19
on December 17, 2018.

Waterfront Central Zone – Summary of Proposed Text Amendments	
Zoning Ordinance Sec.	Changes drafted for 2019 City Council Hearing
<i>Purpose (14-305)</i>	Purpose statement expanded so as to account for future functionality of working waterfront.
<i>Definitions (14-306)</i>	Change ‘Non-Marine Use Overlay Zone’ to ‘Commercial Street Overlay Zone’.
<i>Permitted Uses (14-307)</i>	- Create new sub-category of uses permitted only within Commercial Street Overlay District (restaurants, retail, museums, galleries, banking, street vendors, street vendors, medical offices and personal services) - Add new uses, “Commercial Parking for Water Dependent Uses” (defined under 14-47), commercial kitchen and seafood retailing (in conjunction with seafood processing) - Eliminate laundry as permitted use.
<i>Conditional Uses (14-308)</i>	Eliminate residential use for Marine Business Owner
<i>Prohibited Uses (14-309)</i>	- Prohibit following uses; laundry and dry-cleaning, service stations, convenience stores, commercial parking for non-marine uses. - Expand hotel prohibition to include additional forms and short-term rentals - Expand drinking establishment prohibition to include private/social clubs and recreational facilities.
<i>Dimensional Standards (14-310)</i>	- Prohibit non-marine off-street parking within pier setback requirement and better define pier edge. - Permit structural posts and deck/building mounted equipment for vessel loading and unloading. - Increase pier setback requirement from 5 feet to 10 feet at first floor level
<i>Standards for Non-Marine Uses Outside Commercial St. Overlay (14-311(a))</i>	- Marketing Requirement – Change from 60 days to 180 days similar to PAD requirements and strengthen language for ‘targeted media’. - Remove inventory requirement from zoning, with goal of having Council mandate through Council Order “State of the Marine Economy” Report and annual report of significant waterfront development.
<i>Commercial Street Overlay Standards (14-311(b))</i>	No changes proposed
<i>Contract and Conditional Rezoning (14-311(c))</i>	Prohibit contract and conditional rezoning.
<i>Performance Standards (14-311(d))</i>	- Condense Parking, non-marine compatibility and functional utility of piers performance standards into new ‘Operations and Access Management Plan’ standard, with specific parameters for locating parking, structures, equipment, access-ways and sidewalks, so that access to berthed vessels and marine uses is accounted for. - Remove unnecessary standards: Shoreland Zone, Signs, State and Federal Environmental Regs.



Matthew Grooms <mgrooms@portlandmaine.gov>

Fwd: Waterfront

jmy <jmy@portlandmaine.gov>

Wed, Apr 17, 2019 at 12:11 PM

To: Matthew Grooms <mgrooms@portlandmaine.gov>

Matt, I am going to ask you to save this to your WCZ folder as a public comment because I am unable to locate it. Can you let me know where you are keeping the pc for WCZ? Thanks.

On Tuesday, April 16, 2019 at 3:25:36 PM UTC-4, Joel Richardson wrote:

Please do not allow non marine related business to encroach on our gem of a waterfront. You will be responsible for loosing our charm and tourism business only to increase the tax base a tiny bit. Not worth it.
Joel Richardson

WOODMAN EDMANDS DANYLIK AUSTIN
SMITH & JACQUES, P.A.

ATTORNEYS-AT-LAW

ROBERT B. WOODMAN
PETER L. EDMANDS
THOMAS DANYLIK
RALPH W. AUSTIN
JAMES B. SMITH
KEITH R. JACQUES
MICHAEL J. O'TOOLE
HARRY B. CENTER II
SANDRA L. GUAY

234 MAIN STREET
P.O. BOX 468
BIDDEFORD, ME 04005-0468
TELEPHONE: 207-284-4581
FAX: 207-284-2078
E-MAIL: SLG@woodedlaw.com
www.woodedlaw.com

April 23, 2017

Via Email

Portland Planning Board
Sean Dundan, Chair
City of Portland
Planning Division
389 Congress Street
Portland, ME 04101

Re: Waterfront Central Zone
Draft Ordinance Amendments/Workshop April 23, 2019

Dear Mr. Dundan and Planning Board Members:

The purpose of the recent referendum efforts of the Portland Working Waterfront Group ("PWWG") was to protect both the present and future of the Portland working waterfront. The PWWG agreed not to submit its referendum, even though far more than the required number of signatures had been gathered from Portland citizens, so as to work with the City and other stakeholders in an effort to achieve this goal. While the PWWG appreciates the participation by the City and other stakeholders in these efforts and believes that some positive amendments are being proposed as a result, the PWWG's end goal (and I believe the efforts of the task force committee that has been formed to review the ordinance) was not to eliminate what the planning department apparently perceives as mere redundancies in the ordinance, but rather to strengthen the standards that already exist to protect the Waterfront Central Zone. While perhaps not intended, this is however precisely what the draft ordinance amendments do with respect to Sec. 14-311(d) "Performance Standards", by removing key substantive protections.

WOODMAN EDMANDS DANYLIK AUSTIN SMITH & JACQUES, P.A.

Portland Planning Board
Sean Dundan, Chair
April 23, 2019
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The issues are broken down below by subsection. Also, a suggested revised draft of Sec. 14-311(d)(13), reincorporating the deleted performance standards is attached to this letter as reference and to assist in your review.

Existing Standard (d)(8) “Off-street parking and loading” (shown as (7) on the City’s redline draft (“Draft”)):

The Draft takes out existing Performance Standard 8 which says that "non-marine use parking shall only be located on a lot where . . . the marine use parking supply is reasonably sufficient to serve marine use space located on the subject lot." The substitute standard calls for a detailed plan, but doesn't carry over this requirement for no non-marine parking unless marine is adequate requirement. This draft keeps the idea that Water Dependent Uses (“WDU”) parking spaces shall be located close to associated vessels and ground floor lease areas, *but weakens it* by switching from as close as "reasonably possible" to as close as "practicable".

Existing Standard (d)(15) “Compatibility of non-marine uses with marine uses” (shown as (12) on the Draft):

The Draft strikes existing Performance Standard (d)(15) “Compatibility of non-marine uses with marine uses” and rolls part of it into the new plan requirement ((d)(13)). But, the Draft (d)(13) omits the substantive standard that non-marine uses "shall neither interfere with the existence or operation of marine uses nor impede access to vessel berthing or other access to the water by existing or potential marine uses" (emphasis added). This needs to be put back in as a meaningful standard.

Existing Standard (d)(16) “Functional utility of piers and access to the water’s edge” (shown as #13 on the Draft):

The Draft strikes existing Performance Standard (d)(16) and reduces it to a requirement that buildings located within 10 feet of the pier edge "shall account" for the transfer of goods. This is a shadow of the existing requirement that "all new development, whether for marine or non-marine uses, should anticipate current and future functional and operational needs of water-dependent pier tenants to access the water's edge . . ." (emphasis added). There are also subparagraphs in the existing standard for design for

WOODMAN EDMANDS DANYLIK AUSTIN SMITH & JACQUES, P.A.

Portland Planning Board

Sean Dundan, Chair

April 23, 2019

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storage and movement of goods and materials, retention of internal circulation routes, need of non-marine uses to adjust to accommodate marine uses, alternative circulation if buildings are within 10 feet of pier edge, and a key provision that accessways, parking and loading areas designated for marine uses shall be exclusively for marine uses and shall not be shared with non-marine uses. Shadows of some of these issues come through in the City draft, but without the full protections of the existing language.

In summary, the new Standard (d) (13) "Operations and Access Management Plan" ("Plan") emphasizes form over substance -- it focuses on what is to be shown on a plan but not what needs to be accomplished if the plan is to be deemed sufficient. Instead of flagging the importance of marine uses, it features the plan as an end in itself. It deletes very specific operational language from the existing ordinance and substitutes only vague references requiring that it "demonstrates adequate waterfront access and logistical accommodation for water-dependent users" and that it "demonstrates consistency with the hierarchy of waterfront uses pyramid" in the City's Plan 2030.

The Waterfront Central Zone needs the existing enforceable standards language returned to the draft so it is clear how the Plan is to be judged rather than substituting that existing clarity with only vague goals. In addition, applicants must know when they read the ordinance what specific standards must be met in order to meet the ordinance's goals without arbitrary application or undue delay.

Further, the new Performance Standard (d) (13) seems to suggest it would apply only to new development and changes of use. The Plan should also be required for expansion of an *existing* non-marine use. Standard (d) (13) also limits the submission to showing a plan for a small area, "within one hundred feet of the project's limit of work boundary." **This is not sufficient.** Except in the CSOZ, the entire pier needs to be shown on the Plan and reviewed to fully analyze and make sure that there will not be adverse impacts on marine uses.

Once again, the PWWG appreciates and acknowledges the time and effort that has gone into working on draft amendments to date. The PWWG remains concerned however not only about the issues highlighted above, but also with regard to issues that have yet to be addressed by the task force and that are therefore not reflected in the Draft, including stronger enforcement standards.

WOODMAN EDMANDS DANYLIK AUSTIN SMITH & JACQUES, P.A.

Portland Planning Board

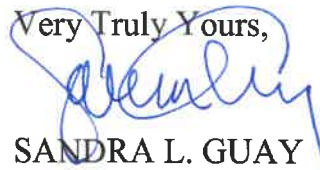
Sean Dundan, Chair

April 23, 2019

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In summary - it is imperative that as a result of the task force and City's efforts, the ordinance be amended so as to maintain the existing forward-focused standards that look not only at existing WDUs but cast an eye on preserving the functional utility for potential future WDUs. The importance of this frame of reference is *essential* in order to maintain the value of the harbor as an economic engine for future generations. The Draft performance standards as presented fail to accomplish this and instead only serves to weaken the performance standards that are already in place.

Thank you for your timely consideration of these important comments.

Very Truly Yours,

SANDRA L. GUAY

SLG/lb

Copy to: Willis Spear, PWWG

Bill Coppersmith, PWWG

Jon Jennings, City Manager

Bill Needelman, Waterfront Coordinator

shared with non-marine uses, except that, if strictly and effectively enforced and if not being occupied by marine uses, parking spaces for marine uses may be made available to non-marine uses between the hours of 5:00 pm and 2:00 am.

To successfully demonstrates that it meets each of these criteria, the Plan shall, at a minimum, incorporate the following information and address any restrictions:

- a. Location of all existing and proposed structures, rights-of-way, common circulation drives as defined in Sec. 14-306, accessways, sidewalks, pier edges, floats and docks showing the entire pier if not located in the CSOZ, or within one hundred feet of the project's limit of work boundary if located within the CSOZ ;
- b. If a Bbuilding shown on the Plan is already or is proposed to be located within ten (10) feet of the pier edge the Plan shall account for demonstrate how the transfer of goods and materials between berthed vessels and land-bound vehicles will be accomplished, such as by providing openings and circulation routes through or around buildings as necessary to accommodate water-dependent uses.
- c. Proposed off-street parking, labeled with associated uses and illustrating compliance withsubject to limitations as described in Sec. 14-311(a) ("55% Rule"), as applicable. Off-street parking spaces intended for use by water-dependent uses shall be sited as close as reasonably possiblepracticable to associated vessels and/or ground-floor lease area. Proposals for new non-marine parking shall require submission of a parking analysis justifying the number of non-marine spaces based upon the proposed use and the sufficiency of the marine use parking supply on the lot.
- d. Facilities for the loading and unloading of goods and materials. Facility design shall account for frequency of use and vehicle type and, to the extent possible, minimize impacts to pedestrian and vehicle circulation patterns.
- e. Non-marine uses outside of the CSOZ shall identify a dedicated pedestrian route between the proposed use and Commercial Street, and shall seek to minimize conflict with vehicle traffic.
- f. Regularly occurring exterior activities including but not limited to the storage of material, equipment and vehicles, yard area, outdoor seating and on-site waste management.
- g. Location of Off-street parking, loading facilities and access ways intended for use by water-dependent users, with a designation of whether they are intended to -shall be exclusive to water dependent uses only. All properties providing commercial berthing shall demonstrate reasonable opportunities to load and unload vessels from the subject lot.

14-311(d) Performance standards: All uses in the waterfront central zone shall comply with the following standards. . . .

13. No adverse impact on marine uses: Operations and Access Management Plan: No use, including new development, a change of use, or expansion of a non-marine use, shall be permitted, approved, or established in this zone if it will have an impermissible adverse impact on existing or potential marine uses. Any applicant for a proposed new development, including changes of use, or expansion of a non-marine use, in the waterfront central zone shall submit a scaled Operations and Access Management Plan and accompanying narrative for review by the Planning Authority that demonstrates compliance with this performance standard. To be in compliance, the Plan shall clearly demonstrate that it meets each of the following criteria:

A. The proposal retains adequate waterfront access and makes necessary logistical accommodation for water-dependent users.

B. In accordance with Portland's Plan 2030, as further detailed in 14-305 (Purpose), the proposal is ~~an~~ shall demonstrate consistency with the hierarchy of waterfront uses, giving highest priority to existing and potential water-dependent uses and second priority to marine-related support uses, pyramid, with non-marine and marine-related uses being allowed only if they do not interfere with and are not incompatible with water-dependent and marine-related subordinate in placement and disposition to water-dependent uses.

C. The parking and traffic circulation plan and analysis portion of the Operations and Access Management Plan demonstrates that any proposed non-marine use parking is only being located upon a lot where the marine use parking supply is reasonably sufficient to serve marine use space located on the subject lot and the parking spaces designated for water-dependent uses are located as close as reasonably possible to associated vessels and any water-dependent and/or marine use ground floor lease areas.

D. Any proposed non-marine use will be compatible with marine uses and will neither interfere with the existence or operation of marine uses nor impede access to vessel berthing or other access to the water by existing or potential marine uses.

E. The proposal, whether for marine or non-marine use, will adequately protect the functional utility of piers and access to the water's edge by appropriately anticipating current and future functional and operational needs of water-dependent uses to access the water's edge for the transfer of people, goods, and materials between vessels and land.

F. Provisions for the storage and movement of goods and materials must be designed into all waterside development and internal circulation routes must be maintained or otherwise provided as an element of any development. The siting, design, and circulation of non-marine uses, particularly those allowed on first floors, shall adjust if needed to accommodate reasonable access for pedestrians, vehicles, and freight transfer to and from berthed vessels.

G. Except for common circulation drives as defined in 14-306, access ways, parking and loading areas designated for marine uses shall be exclusively for marine uses and shall not be

BATEMAN PARTNERS, LLC (/)

HOME (/)

WHO WE ARE (/WHO-WE-ARE)

WHAT WE DO (/WHAT-WE-DO)

PROJECTS (/WHO-WE-ARE-1)

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April 23, 2019 (/news/2019/4/22/do-you-really-know-what-was-proposed-at-fishermens-wharf)

Do you REALLY know what was proposed at Fishermen's Wharf? (/news/2019/4/22/do-you-really-know-what-was-proposed-at-fishermens-wharf)

Real estate development (/news/category/Real+estate+development)

Actually nobody knew — until today, April 23, 2019.

Well, one minor exception. About a dozen Portland residents knew. They participated in a focus group in December and we told them, to see what they thought. Before the publication of this post today, **nobody else knew**. No fishermen, no lobstermen, nobody on the Planning Board, no City Councilors, no reporters. The reason for that? We felt strongly that we needed to extend the courtesy of running these ideas by the fishing community first, face to face, before taking the more formal step of going to the Planning Board. A meeting with representatives of the fishing community hasn't happened yet.

We voluntarily withdrew our proposal

(<https://bangordailynews.com/2019/01/11/news/portland/developer-withdraws-plan-for-waterfront-hotel-in-portland-citing-concerns-by-fishermen/>) in January as the City formed a Waterfront Working Group, to allow that committee to do its work. Tonight, the Planning Board is considering more restrictive zoning (<http://www.theforecaster.net/portland-waterfront-zoning-gets-planning-board-review/>) along the waterfront. As the Board considers reducing the value of commercial properties, and thus reducing the tax revenue generated to help pay for the upkeep of the working waterfront's infrastructure, now seems like an appropriate time to outline what we had been thinking. If for no other reason than ideas like this --- in general -- - should be part of the discussion as the community plans the future of the working waterfront.

COLLABORATION



We had hoped to help Maine fishermen capitalize upon Portland's worldwide reputation as a "foodie" destination. The project we wanted to build would have encouraged collaboration among all working waterfront organizations, particularly among fishermen and restaurants, to transform Portland's working waterfront into a "must-see"

destination not only for Maine people, but also for children, tourists, chefs and journalists all over the world. Here are the benefits of the project we wanted to build, in more detail:

FOR FISHERMEN, HARD PHYSICAL BENEFITS

- Approximately \$2 million for dedicated infrastructure upgrades to the working waterfront, including commercial floats, gangways, pilings, etc.
- 7-9 free parking spaces.
- Wider lane from Commercial Street to Widgery Wharf, so that fishermen, bait trucks, etc. could access the wharf more easily.
- Private waterfront land between Widgery Wharf & Chandler's Wharf upgraded for use by fishermen, a viewing spot at the working waterfront so visitors could see what Maine fishermen and lobstermen do.
- The extension of services like electricity and water down to Widgery Wharf for use by the fishermen, services that do not exist now.
- A substantial financial contribution to a comprehensive, solutions-focused traffic study to improve conditions on Commercial Street.

FOR FISHERMEN, COOPERATIVE MARKETING ASSISTANCE



- New "Maine Sustainable Seafood Center" that would have included:
- Some processing of seafood landed by local fishermen.
- Some sales of seafood landed by local fishermen.

- A “Coastal Culinary Academy” and “R&D Kitchen” for culinary research & development focused on fresh Maine seafood.
- Direct & personalized promotion of Maine fishermen, their boats and their products to customers around the world.
- Direct personal access for visitors --- including schoolchildren --- to fishermen, boats, traps, nets and all aspects of the working wharves.
- “Maine Sustainable Seafood Raw Bar,” a restaurant serving innovative and traditional Maine seafood dishes, tracing each bite to Maine farmers and fishermen.
- We had hoped to work with our neighbors to establish an open-air fresh seafood and working waterfront market, in kiosks or under tents along on a Portland wharf.
- “International Maine Seafood Chef of the Year” contest, among others.
- “Maine Fisherman Hall of Fame” featuring storytelling, curated photographs, artifacts, etc.
- In summary, encourage collaboration among all working waterfront organizations to transform the waterfront into “must-see” destination for children, tourists, chefs and journalists all over the world.

FOR TOURISTS & PUBLIC

- New Marine Dispatch Center, central location and waiting area protected from the elements for all waiting for marine transportation out onto Casco Bay.
- Indoor bathrooms for tour boat and water taxi customers, instead of the status quo: porta-potties sitting in the hot sun.
- Private land converted to upgraded “public access point,” a new and prime viewing spot at the working waterfront.
- New 12,400 sq. ft. boardwalk & park along Fisherman’s Wharf, getting pedestrians off Commercial Street, allowing visitors to get right to water’s edge.

FOR PORTLAND TAXPAYERS

- Increase in tax revenue from \$28,000 annually that the Fisherman’s Wharf parking lot now generates, to an annual amount exponentially larger than that, after project competition.
- Another property generating robust funds for a TIF fund dedicated to current maintenance needs and future improvements to the infrastructure serving Portland’s working waterfront.

Just to be clear and avoid any confusion, the hotel proposal is withdrawn (<https://bangordailynews.com/2019/01/11/news/portland/developer-withdraws-plan-for-waterfront-hotel-in-portland-citing-concerns-by-fishermen/>). The Planning Board is meeting this afternoon, Tuesday April 23rd, in the City Council chambers at 4:30 p.m.

The zoning revisions are expected to face a Planning Board hearing and recommendation on May 14. A non-binding recommendation would be forwarded to the City Council, which needs to approve the zoning revisions. A first reading could be held May 20, with a public hearing and vote June 3. A 180-day moratorium on development within the Waterfront Central Zone expires June 15.

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DEVELOPERS & CONSULTANTS

BATEMAN PARTNERS, LLC, 470 FORE STREET, SUITE 400, PORTLAND, ME, 04101, UNITED STATES 207-772-2992 INFO@BATEMANPARTNERSLLC.COM (MAILTO:INFO@BATEMANPARTNERSLLC.COM)

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MEMO

To: Portland Planning Board, Portland City Council
From: O. E. Delogu, Emeritus Professor of Law, Portland resident
Subject: Proposed Revisions to the Draft Amendments to City Code, Chapter 14, Land Use,
Division 18, Waterfront Central Zone (WCZ)
Date: April 29, 2019

Introduction:

I was one of the primary draftsmen of the Portland Waterfront Zoning Amendments Initiative presented to the City (by 10 residents, mostly fishermen) on October 30, 2018; the Initiative was withdrawn in early January, 2019 after over 2300 signatures had been gathered, more than enough to bring the Initiative to a city-wide vote. The withdrawal was agreed to by the signatories to the Initiative to allow a mid-December, 2018 six month Moratorium and Task Force (appointed by the City Manager) to seek a compromise between existing waterfront zoning which was seen as squeezing out traditional water-dependent uses, and the Initiative provisions which sought to more fully protect these water-dependent uses. The withdrawal was an act of good faith by Portland fisherman to arguments made by city officials that more could be accomplished by working together.

That said, it must be noted at the outset that the Moratorium and consequently the work of the Task Force (unlike the Initiative) did not encompass all of Portland's waterfront zones; the Eastern Waterfront Port Zone (EWPZ) and the Waterfront Port Development Zone (WPDZ) were omitted. **I view this failure to see the relatively small Portland waterfront (barely 2.6 miles in length) in a comprehensive manner as a mistake;** Portland's waterfront is in fact a single highly integrated whole, with Commercial Street (and its extensions) as the landward boundary of all three zones.

Given this limitation, the Task Force commenced its work in early January; it has been diligent; the meetings have been civil; the City Manager and city staff personnel by their presence at all meetings and by their pulling together of data have facilitated the Task Force's examination of a wide range of issues: problems with present zoning provisions, increased traffic along Commercial Street, parking problems in the WCZ and in all of the adjacent waterfront and non-waterfront zones, the use of the city's TIF funds, the role of non-water dependent uses within all waterfront zones, but particularly the WCZ. But reducing frank discussions to tangible Draft Amendments for zoning changes in the WCZ has taken time—the 26 page (unnumbered) document being examined was made available to the Initiators and the public on late Friday afternoon April 19, 2019 (the start of Easter weekend), four days before a scheduled April 23rd Planning Board Workshop at which proposed revisions and comments on these Draft Amendments was to be received. **This time frame is unfair on its face.**

Having now fully read the 26 page Draft Amendments and compared them to both the existing zoning and the 2018 Initiative provisions I would make two observations and then offer my Proposed Revisions. First, the Draft Amendments accept a number of the Initiative proposals—a good step forward. But in my view **the Draft could go further than it does to effect a more reasonable compromise.** Second, I have numbered the 26 pages; all of my revisions (except the last revision) reference the page number on which the change I would make is found.

Proposed Revisions:

Page 1—In §14-305 (c) I would drop the fourth word “ encouraged” and substitute the word “permitted”; I would also **delete the whole of the second sentence.** Non-marine uses to a limited degree are tolerated in the WCZ; whether they are essential to the economic survival of the piers and marine infrastructure has been asserted, but not proved by pier owners; what is clear is that Portland's

waterfront has existed for over 300 years without the wide range of non-marine uses put in place over the last 20-25 years.

Page 3—The §14-306 definition of the Non-Marine Use Overlay Zone (NMUOZ) is renamed the Commercial Street Overlay Zone (CSOZ)—fine. In the original 1987 Initiative the NMUOZ did not exist. What came to be called the NMUOZ crept in gradually (in a series of post 1987 zoning amendments) to the WCZ—first along Commercial street extending seaward for 25’, then 50’, then 150’ and up to 500’ along three of the central piers. The 2018 Initiative would have eliminated this zone altogether—it invited far too many non-water dependent uses (squeezing out water-dependent uses) into the heart of the WCZ. Elimination of NMUOZ, now CSOZ, was unacceptable to pier owners and a majority of Task Force members. Leaving the overly generous 500’ inroad onto 3 piers aside, the struggle for a compromise did not begin with some number between 0 and 150. The fisherman on the Task Force proposed a 75’ uniform seaward reach within the CSOZ, extended to 300’ for Long Wharf alone. The Draft Amendments accept the latter (still generous) provision, but establish the uniform seaward reach of the CSOZ at 125’. **This less than balanced compromise does not go far enough.** The obvious compromise between 0 and 150 feet was proposed by the fisherman; the fact that it was rejected by the Task Force does not prevent it from being accepted by the Planning Board and City Council as a true, a more realistic compromise aimed at avoiding a revived 2019 waterfront Initiative.

Page 6—§14-307 (b) deals with non-marine commercial and industrial uses: 2. dealing with cabinet and carpentry shops, studios for artists and crafts people **should be deleted**. There are an infinite number of locations in non-waterfront zones where these non-marine activities can be located.

Page 6—§14-307 (c) I would **put a period after the word spaces**. It seems inappropriate and unsafe to channel pedestrian and bicycle trails along commercial street which is already congested, and will become more congested with Eimskip 18-wheelers, fishing (and other) trucks, tourist buses and cars. Danforth Street and Fore Street offer safer options for these trails.

Pages 7-8—§14-307 (e) deals with uses permitted only within the CSOZ. **I would delete 4. Museums and art galleries, and 6. Offices for health care practitioners and clinics.** Both of these activities require user parking (already very scarce), are likely to attract higher volumes of people, and seem more suited to other Old Port, peninsula, and off-peninsula areas.

Page 8—§14-307 (e) 7. Personal service establishments **should be deleted**; it is too vague; or it should be defined more precisely—there are literally hundreds of possibilities.

Page 9— §14-308 dealing with Conditional uses: whether you add a sub-(b) or a part 3. Under sub (a) is a matter of indifference, but **I would add as a conditional use** “Structured parking facilities”; there are at least two areas in the CSOZ where this is possible, Long Wharf and the Fish Pier. This facilities are remunerative, and would help alleviate waterfront and island parking shortages.

Page 12—§14-309 dealing with Prohibited uses: retaining all of the Draft Amendment prohibited uses, **I would add the following** three contained in the withdrawn 2018 Initiative: (j) bulk freight or truck terminal facilities, (k) amusement theme parks or game rooms, and (l) gambling establishments/facilities, except those permitted by law on inter-port vessels.

Page 12—§14-310 (c) two references to NMUOZ should be changed to CSOZ.

Page 13—§14-310 (h) reference to NMUOZ should be changed to CSOZ.

Page 15—§14-311 (a) 3. c reference to NMUOZ should be changed to CSOZ.

Pages 18-20—the Draft Amendments total elimination of contract or conditional rezoning is an important step in the right direction (closing an abused loophole); however, **the Planning Board/City Council may want to consider retaining** (as did the withdrawn 2018 initiative) some limited capacity (other than a variance, not usually available when proposed projects seek PB approval) to permit **minor** deviations from otherwise applicable dimensional requirements in the zoning ordinance; for example, an otherwise permitted or conditional use should not be denied when it only has 9.5 feet of dock setback when 10 feet is required.

[This is the last revision—there is no page number reference]

It revises and applies the last amendment in the withdrawn 2018 Initiative that applied to all three waterfront zones. Obviously, here it would apply only to the WCZ. It reads as follows:

“Notwithstanding automatic lease renewal provisions, and/or more permissive non-conforming use provisions in other portions of the City Land Use Code, upon passage of these WCZ Draft Zoning Amendments, the parking of vehicles on ground-level spaces or in any structured parking facilities in the WCZ to meet the parking needs of uses permitted in non-waterfront zones landward of Commercial Street is prohibited when current leases (whether held by Unified Parking Partners or any other property owner in the WCZ) expire, or three years from the date of passage of these Draft Amendments, whichever is shorter.”

In the WCZ (including CSOZ) parking needs for fisherman, other marine uses, existing (and new) permitted and conditional non-marine uses, and year-round island residents are currently not being met. The Task Force has wrangled for hours over these issues in an effort to bring some degree of order to these legitimate parking needs. Permitted uses in non-waterfront zones throughout the peninsula must be made to meet their parking needs within the footprint of their own property and/or the zone in which they are located (or an adjacent non-waterfront zone). They cannot be allowed to exacerbate WCZ parking problems. The above provision is an important step; it will reduce the current WCZ parking space shortage, and allocate the current supply to those with the most legitimate claim/need for these spaces.

[Attached to this submission are two recent op-ed pieces written by the author.]

Portland's Working Waterfront — Under Siege Again

by Professor Emeritus of Law Orlando E. Delogu

In the early to mid-1980s Portland's waterfront was healthy and showed signs of getting healthier; BIW's dry dock facility was moving into the east end of the waterfront; P.D. Merrill's facility (now Sprague) was expanding its activities on the west end of the waterfront; the Fish Exchange and a growing ship-to-container business occupied centrally-located wharf areas, and nearly 200 working (mostly fishing) boats as well as ship chandlery / supply businesses occupied space along the 18 wharves that line the 2 1/2 -mile waterfront.

But Portland's development community and governmental leaders, with an eye to Boston's waterfront development, were caught up in the belief that upscale condominium development, high-end office space, and smart shops on Portland's piers and along our waterfront was the real key to economic growth. A small condominium project found its way onto Portland Pier; the massive Chandler's Wharf condominiums were built; still more condominium, office, restaurant, and shopping spaces were under discussion or in the early stages of planning board consideration. These projects were headed for fast-track city approval. The green light was on.

At this point, a diverse group of waterfront workers, fisherman, neighbors, and people with planning law background came together to head off this yuppie movement onto Portland's waterfront, and the loss of traditional marine commerce activities that would almost certainly follow. It would only be a matter of time before upscale condo and shop owners, office workers, and shoppers would tire of the smells, noise, long hours, and truck traffic that are the hallmark of a working waterfront. Seeing little chance that the city's power elite would put zoning provisions in place that would protect the working waterfront, these dissenters turned to the city's initiative process.

The initiated waterfront zone drew the line down the middle of Commercial Street; the water side and piers were included; it was roughly 2 1/2 miles in length; it left existing buildings and uses alone — they were treated as nonconforming uses; any and all forms of water dependent uses were permitted in the newly-created working waterfront zone.

The zone was rooted in two unassailable facts. First, marine commerce activity in Portland traced back over 350 years; the city was founded, and grew up, on the back of marine commerce; in the mid-1980s Portland was (and remains today) the leading marine commerce port in the state. These longstanding job-creating benefits should not be lost. The rallying cry of proponents of the initiative was "Don't take the Port out of Portland." This would shortly become the rallying cry of the whole city.

Second, marine commerce (unlike condos, offices, and shops) by its very nature, is water dependent. It can only be located on the waterside of Commercial Street. But Portland's waterfront (unlike waterfronts in Boston, New York and other east and gulf coast ports) is small — barely 2 1/2 miles from Sprague's facilities on one end to where the BIW dry dock was (and now Ocean

Gateway is) located. These areas represent less than 3% of developable land in the city. Condos, office blocks, restaurants, shops, industrial facilities are not water dependent — they can be placed anywhere in the city. In the mid-1980s, a great deal of unbuilt upon land existed even on the peninsula — some of it exists today.

These two realities drove the initiative. The signatures needed were readily gathered; the vote was held on May 5, 1987. In spite of Chamber of Commerce, development community, and nearly unanimous governmental opposition, the initiative passed overwhelmingly — by a 2 to 1 margin; it carried every voting precinct in the city. A legal challenge to the ordinance brought by disappointed developers was also unsuccessful. In early 1988, a unanimous Law Court sustained the ordinance. One would think that Portland's working waterfront would be safe for a generation or more, but one would be wrong.

Barely five years after passage of the ordinance, a group of pier owners and disappointed developers calling themselves the Waterfront Alliance sought amendments that undercut the fundamental premise of the ordinance, i.e., that non-water dependent uses (non-marine uses) should be kept out of the defined waterfront zone.

The Alliance, pleading economic ruin, but not wishing to tangle with the Maine State pier and BIW on the East end, or P.D. Merrill on the West End, focused their proposed changes on the Waterfront Central Zone (WCZ). They wanted office and other non-marine uses to be allowed along the water side of Commercial street and on 2nd and 3rd floors of existing buildings. They downplayed the fact that this zone encompassed 14 of the city's 18 piers, almost all of the fishing boat tie-ups, the Fish Exchange, and most of the working waterfront's support facilities. These activities then, and now, are the most economically fragile elements of any working waterfront. Moreover, as noted above, the parking needs, noise, smell, and hours of operation of these activities would directly clash with the proclivities of upscale office workers and shoppers.

The battle lines were drawn — Alliance views were supported by the planning board; many councilors supported their views. The proponents of the 1987 initiative conceded that some fine-tuning amendments were needed, but they saw these as narrow in scope.

They argued that the will of the voters should be respected — that the two fundamental premises of the ordinance remained indisputable. They argued that the protections provided by the ordinance were working — the working waterfront was healthy and the full economic potential of the waterfront had not yet been reached. After months of debate, a compromise was passed by the city council in January 1993.

The Alliance was not happy with the outcome, but the erosion of the distinction between water dependent marine uses and non-marine uses that could be put elsewhere in the city had begun — it would not end with the

1993 amendments to the initiated ordinance. The Alliance saw it could not kill the initiated zoning ordinance outright. Instead, it embarked on a longer run strategy, one that would allow more non-marine uses into the CWZ gradually over time.

For example, language was added to CWZ provisions allowing individual, otherwise prohibited, non-marine uses to gain access to the waterfront pursuant to conditional or contract zoning amendments if the planning board / council found that it met a vaguely worded "no adverse impact" standard. The council failed to recognize the fact that the very presence of non-marine uses shrinks and clashes with (is "adverse" to) marine uses that can exist only in the 3% of city land / pier area suitable for marine commerce.

Further, CWZ language was added that bluntly stated: "Non-marine uses are encouraged ... [they] are beneficial to the waterfront economy because they provide the financial return to property owners necessary for the maintenance and improvement of the marine infrastructure." Rubbish — this is a make-weight economic argument aimed at circumventing the purpose and intent of the initiated ordinance.

What many pier owners wanted was upscale profits from upscale development located on the waterfront and where it will squeeze out marine uses that have nowhere else to go. This language ignores the fact that the marine infrastructure expanded and improved for 350 years without these non-marine uses / activities.

Finally, the most egregious non-marine intrusion into the Central Waterfront Zone was the Non-Marine Use Overlay Zone (NMUOZ). This overlay (limited to the CWZ) allows new non-marine uses to be built on open land on the water side of Commercial street well back (150 feet) from the southerly side of the Street, and 500 feet out on Long, Chandler's, Widgery's, and Union Wharfs. Large prime waterfront areas / piers are opened up to non-marine development.

This overlay zone is contrary to the letter and spirit of the initiated waterfront zoning ordinance. It ignores the indisputable facts that led to passage of the initiated ordinance. It invites a massive expansion of non-marine uses onto the waterfront.

In all, smaller or larger loophole amendments weakening the water dependent focus of the initiated ordinance were enacted in 2002, 2006, 2009, 2010, 2011, 2012, 2014, 2015, 2016, and 2017 — "death by a thousand cuts." It would only be a matter of time before a developer puts a proposal on the table that fully exploits the largest loophole, the NMUOZ.

As I write, that time is at hand. The Bateman Corporation has put a massive hotel, parking garage and retail shops project, straddling Chandler's and

Widgery's wharfs, on the planning board's / city council table. This complex would extend non-marine Old Port-types of development directly onto Portland's waterfront / piers. Phase 2 office developments (also in the overlay zone) are briefly noted in the applicant's Phase 1 proposal.

If any version of the Bateman project is approved, the working waterfront in the CWZ will be hard put to survive. The Fish Exchange and the 90 or more fishing boats operating in the zone will be pariahs in the neighborhood they've been located in for decades; some water taxi and marina activities serving the very rich will be the last to go.

In sum, though aspects of the working waterfront have never been healthier, e.g., the cruise boat business, Eimskip, Sprague Inc.; we keep squeezing it, making its survival ever more difficult, narrowing its full potential by narrowing the space available for water dependent uses. Portland seems trapped in a penchant for short sightedness; it is more enamored with the immediate returns from non-marine uses on its waterfront — a hotel, parking garage, upscale shops, and offices than it is with the long run returns that a working waterfront committed to water dependent marine uses would provide. The city fails to grasp that with proper zoning it can have both.

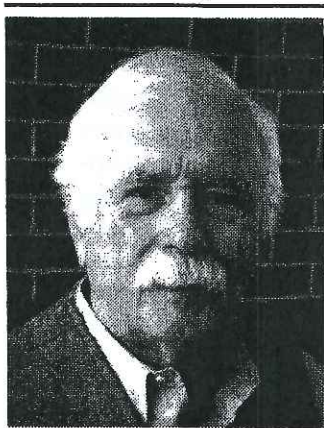
The city also fails to value the fact that Portland has one of the finest deep water harbors on the east coast. This won't change — we should build on it. This reality gave rise to the ship building, job creating, defense role the city played in World War II. It's a big factor in the cruise boat boom we're now enjoying.

Portland's prime location as the most northern and eastern major U.S. harbor also won't change. Again, we should build on it. Given the reality of global warming and the likely opening of a northern passage between the Atlantic and Pacific oceans, we should see what Eimskip saw, with its European roots, more vision, more experience; i.e., the economic advantage (boom) these locational factors portend. That's why they have expanded their waterfront land holdings in Portland and pressed for new rail and cold storage facility.

The long-term potential for Portland that a northern passage between oceans gives rise to boggles the mind. The last thing we need is waterfront zoning that kills this potential by putting massive non-marine uses where they do not belong. But that's exactly what we seem bent on doing. That's what the NMUOZ does. That's what the Bateman project is all about.

This zoning misallocation of scarce waterfront land / pier resources must surely give water-dependent developers pause: Will Portland be a reliable partner justifying future marine related capital investments? The degree to which the initiated 1987 waterfront zoning has been undercut over the years (especially by NMUOZ) suggests the answer to this question is "No."

This must change if Portland's working waterfront is to realize its full potential. The planning board and city council have the power to effectuate this change — to reaffirm the premises of the initiated 1987 waterfront zoning ordinance. If they cannot or will not act, a new citizen's initiative may well be in order.



Orlando Delogu

This overlay zone is contrary to the letter and spirit of the initiated waterfront zoning ordinance. It ignores the indisputable facts that led to passage of the initiated ordinance. It invites a massive expansion of non-marine uses onto the waterfront.

Orlando Delogu, one of the founders of the Maine Civil Liberties Union is professor emeritus at Maine Law, where he has taught for more than 50 years. He has been involved in policy issues, from local to the international level. In 2013, he was awarded the Justice Louis Scolnik Award by the ACLU of Maine.

MAINE VOICES

City waterfront task force lacking public input, sense of urgency

Last November, 10 Portland residents, mostly fishermen, filed a petition seeking a referendum to restore the concept of water dependency to the zoning provisions that control development along the seaward side of Commercial Street, including the 18 existing piers.

A similar initiative was adopted by city voters in 1987 but has been eroded to the point of non-existence by City Council-approved amendments. Offices, shops, restaurants, parking (all non-water dependent uses) are widely permitted. Hotel development was proposed. These uses have squeezed, and now threaten the continued existence of, Portland's fishing fleet as well as other water-dependent activities (Eimskip, Sprague, Vessel Services, ship supply and repair services, cruise, tugboat and ferry services) that all need water access.

The city bureaucracy – the Planning Board, the Economic Development Department, the

ABOUT THE AUTHOR

Orlando E. Delogu of Portland – an emeritus professor at the University of Maine School of Law – helped draft the recent working waterfront initiative.

city manager's office, the mayor and the City Council – that for years has championed unbridled growth on the waterfront and in nearby areas sat up and took notice of the new initiative. Long-ignored calls to discuss growing development pressures in surrounding neighborhoods and on water-dependent users of the waterfront were heeded, and meetings hastily organized.

City Manager Jon Jennings took the lead. Planning Board data on non-water dependent uses within waterfront zones were brought up to date. Several councilors proclaimed that a hotel would never be approved – that other loopholes in the present zoning

could and should be closed. The idea of a six-month moratorium surfaced. Would the initiators hold off on their signature-gathering effort in order to allow Portland to make zoning changes that would preclude the need for a new initiative?

By mid-December, the moratorium was passed as an emergency measure. Unfortunately it was limited to only the Waterfront Central Zone; it did, however, call for a task force (which the city manager quickly assembled) to begin putting some of the more obvious zoning changes in place.

A series of meetings beginning in January was scheduled. There was an abundance of hope. With over 2,300 signatures in hand – more than enough to put their proposed zoning changes to the voters – the initiators (mostly fishermen) accepted the city's olive branch. They withdrew their initiative days before the deadline for submitting the 1,500 required signatures.

They accepted the city's assertion that more could be accomplished by working cooperatively than by passing an initiative that many developers and pier owners saw as too blunt an instrument. Time will tell whether this cooperation will produce the zoning changes needed to preserve Portland's working waterfront. The early signs are not promising.

The Waterfront Working Group seems a fair-minded body, but it suffers from the absence of any critic of recent city zoning policies; from the absence of the initiators' lead counsel, Sandra Guay, who could clarify their position; from the absence of anyone with solid land use planning credentials. It suffers from the fact that all of its background information and the facilitation of the meetings are provided by the same city bureaucracy that gave rise to the present problems.

It suffers from the lack of opportunity for any public input into task force proceedings.

Each week a large and patient audience can only listen. Questionable bureaucratic statements go unchallenged. People can mail their comments in, but that's hardly an effective or timely mechanism. I suggest devoting the last half-hour of task force sessions to public input.

Finally, having sat through all of the task force meetings to date, I believe that what seems missing is any sense of urgency. The same zeal that created the moratorium as an emergency measure seems to have waned. I see the council extending the task force for an additional six months, but if we're still talking about continuing to allow parked cars, office blocks and restaurants that have fish on the menu as water-related uses in a non-marine use overlay zone in the heart of the Waterfront Central Zone, the woes of fishermen and the working waterfront will not have been fixed.

— Special to the Press Herald

MEMO

To: Bill Needelman, Matthew Grooms, Jon Jennings, Portland City Council, Portland Planning Board

From: Orlando E. Delogu, Emeritus Professor of Law, Portland Resident

Subject: Proposed Revisions to the second Draft Amendments to City Code, Chapter 14, Land Use, Division 18, Waterfront Central Zone (WCZ)

Date: May 7, 2019

Introduction:

On April 29, 2019 I hand delivered a memo laying out revisions I thought necessary to the first Draft Amendments provided by city staff to members of the Waterfront Task Force, interested parties and the general public. Proposed revisions were presumably examined, and if accepted by city staff, were incorporated into a second Draft Amendments that again were circulated for further comment and suggested revisions. These final suggested revisions (if accepted) will presumably lead to a final set of WCZ Amendments which will be presented to the Planning Board and City Council for action.

At this point I would note that none of the ten substantive revisions tendered in the April 29th memo were accepted by city staff. That is disappointing. And though §14-311 (d) performance standards are usefully retained in this second Draft, and refined to some extent, it leads me to reiterate with respect to these second Draft amendments that **they do not go far enough to effect a reasonable compromise between water-dependent uses/activities and pier owner interests.**

A last effort at substantive comment:

It serves no useful purpose to simply reiterate here the ten substantive points made in the April 29th memo. They are a matter of record and can be examined by members of the Planning Board and City Council as they see fit. I would, however, note three revisions that underscore the unacceptable degree of intrusion by non-water dependent activities into the water dependent working waterfront.

§14-306 renames the Non-Marine Use Overlay Zone (NMUOZ) to the Commercial Street Overlay Zone (CSOZ); this cosmetic change is intended to de-emphasize the non-marine use creep into the heart of the waterfront. But knowledgeable people will not be fooled. More importantly it must be noted that the 1987 waterfront initiative did not contain any non-marine use provision on the water side of Commercial Street. What came to be called NMUOZ extended non-marine uses seaward of Commercial Street by a series of amendments, first 25' then 50' then 150', with a provision for 500' encompassing three piers in the center of the WCZ. The fisherman on the Task Force proposed a CSOZ of 75' with a 300' seaward reach on Long Wharf. The Draft Amendments while accepting the Long Wharf proposal, hold out for a 125' seaward reach for non-marine uses across the full length of Commercial Street w/in the WCZ. A compromise between zero and 150 is not 125. The fishermen concede that a CSOZ is appropriate but a more reasonable balance must be struck.

§14-307 (e) 4, 6, and 7 allowing museums and art galleries, offices for health care practitioners or health care clinics, and personal service establishments (without defining the scope of the latter) seems to invite non-water dependent activities amply provided for in other non-waterfront zones, posing high foot, traffic, and parking problems into the heart of the working waterfront. Commercial Street traffic and parking are already a mess; we do not need to exacerbate the problem by inviting uses such as these into the CSOZ.

Finally, the unnumbered last provision in the April 29th memo dealing with the unmet parking needs of development taking place in nearby non-waterfront zones on the peninsula should not be ignored. These parking needs cannot continue to be met by cramming them into un-built areas w/in the WCZ. Language along the following lines should be adopted as part of the final Draft Amendments for the WCZ tendered to the Planning Board and Council.

“Notwithstanding automatic lease renewal provisions, and/or more permissive non-conforming use provisions in other portions of the City Land Use Code, upon passage of these WCZ Draft Zoning Amendments, the parking of vehicles on ground-level spaces or in any structured parking facilities in the WCZ to meet the parking needs of uses permitted in non-waterfront zones landward of Commercial Street is prohibited when current leases (whether held by Unified Parking Partners or any other property owner in the WCZ) expire, or three years from the date of passage of these Draft Amendments, whichever is shorter.”

The Task Force has wrangled for hours in an effort to bring some degree of order to legitimate parking needs within the WCZ. Permitted uses in non-waterfront zones throughout the peninsula must be made to meet their parking needs within the footprint of their own property and/or the zone in which they are located (or an adjacent non-waterfront zone). They cannot be allowed to exacerbate WCZ parking problems.

WOODMAN EDMANDS DANYLIK AUSTIN
SMITH & JACQUES, P.A.

ATTORNEYS-AT-LAW

ROBERT B. WOODMAN
THOMAS DANYLIK
RALPH W. AUSTIN
JAMES B. SMITH
KEITH R. JACQUES
MICHAEL J. O'TOOLE
HARRY B. CENTER II
SANDRA L. GUAY
AMY McNALLY

234 MAIN STREET
P.O. BOX 468
BIDDEFORD, ME 04005-0468
TELEPHONE: 207-284-4581
FAX: 207-284-2078
E-MAIL: SLG@woodedlaw.com

PETER L. EDMANDS
(Retired)

May 7, 2019

Bill Needelman, Waterfront Coordinator
Matthew Grooms, Planner
City of Portland
389 Congress Street
Portland, ME 04101

Re: Waterfront Central Zone/Draft Ordinance Amendments

Dear Bill and Matt:

This letter provides comments on behalf of the Portland Working Waterfront Group (PWWG) to the revised draft amendments for the Waterfront Central Zone. While the PWWG appreciates the ongoing efforts by the City to complete the amendments within the moratorium timeframe, the group remains concerned about the removal of some of the existing standards which only serve to weaken the existing protections.

In addition to the critical need to remove the hastily added "leasable area" language in Section 14-311 (a)(1), the most significant comments are with respect to the performance standards which, despite prior comments from PWWG still leave out existing and substantive standards. This is so even with the attempts that have been made to combine and rework language into the new required Operations and Access Management Plan.

It is critical to maintain the existing zoning's forward-focused standards that look not only at existing WDUs but cast an eye on preserving the functional utility for potential future WDUs. This frame of reference is very important if the City is to maintain the value of the harbor as an economic engine for future generations.

WOODMAN EDMANDS DANYLIK AUSTIN SMITH & JACQUES, P.A.

Bill Needelman, Waterfront Coordinator

Matthew Grooms, Planner

May 7, 2019

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Comments on revised ordinance amendments:

14-307(a)(26): Change to: Commercial parking for individuals who work in or are employed by water-dependent uses.

14-307(b)(1): Add: except for offices of health care practitioners or health care clinics which are limited to the CSOZ after the word “offices”.

14-310(d)(4): Remove open parenthesis at start of fifth line.

14-311 (a)(1): The term “leaseable [sic – this should be leasable] area” must be removed. This term is too open for arbitrary decisions or misinterpretation and it has the potential of significantly reducing the 55% marine use area on the first floor.

Section 14-311(d)(13): First paragraph: (a) First line after Operations and Access Management Plan change to: No use, including new development, a change of use, or expansion of a non-marine use, shall be permitted, approved, or established in this zone unless the applicant meets all submission requirements and demonstrates that the proposed development, change of use or expansion of use meets each of the review standards and other requirements of the Performance Standards. (as now written, it sounds like this section applies only to new development); (b) Reinsert “for review by the Planning Authority” which has been deleted, so the next sentence reads: The applicant shall submit a scaled plan and accompanying narrative for review by the Planning Authority.

Section 14-311(d)(13): First paragraph, following sentence: The use of the word “pyramid” from the Comprehensive Plan is confusing in this section and should be deleted as it is sufficient and less confusing to simply refer to the hierarchy itself. Also confusing is the term “subordinate in placement and disposition” as the meaning of this term is unclear. It would be clearer to say as the third sentence in this paragraph:

In accordance with Portland’s Plan 2030, the plan shall demonstrate the proposal is consistent with the hierarchy of waterfront uses, as further detailed in Sec. 14-305 (Purpose), giving highest priority to existing and potential water-dependent uses and second priority to marine-related support uses, with non-marine uses being allowed only if they do not interfere with and are not incompatible with water-dependent and marine-

WOODMAN EDMANDS DANYLIK AUSTIN SMITH & JACQUES, P.A.

Bill Needelman, Waterfront Coordinator

Matthew Grooms, Planner

May 7, 2019

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related uses, and the proposal is designed so as not to impede access to the pier edge and vessel berthing nor interfere with marine operations.

14-311 (d)(13)(b)(ii): After the word “parking” in the first line add: for uses permitted in the WCZ and proposed to be located on the subject lot shall submit.....

Section 14-311(d)(13)(b)(iii): As written weakens the shared use concession and omits important qualifications. This could be corrected by adding the red, underlined language below:

Except for common circulation drives as defined in 14-306, off-street parking, loading facilities and access ways designated for water-dependent uses shall be exclusively for (not exclusive to) such uses and shall not be shared with non-marine uses, (current zoning, Performance Standard 16(d)) except that, if strictly and effectively enforced and if not being occupied by water-dependent tenants, such parking may be made available to non-marine uses between the hours of 5:00 p.m. and 2:00 a.m.

Section 14-311(d)(13)(b)(v): The current draft omits the concept that it is design of facilities that is the object, and “and materials” has been lost from the original phrase related to loading and unloading of “goods and materials.” The term “and materials” should be returned.

Existing performance standard **Section 14-311(d)(15)** “Compatibility of non-marine uses with marine uses” (shown as **Section 14-311(d)(12)** on the redline) is rolled in part into **Section 14-311(d)(13)**, but still omits the substantive standard that non-marine uses “shall neither interfere with the existence or operation of marine uses nor impede access to vessel berthing or other access to the water by existing or potential marine uses” (emphasis added). This language needs to be put back in as a meaningful standard as without it there could well be misinterpretation as to whether these standards apply to potential future marine uses, as well as existing marine uses.

The proposed amendment strikes out existing performance standard **Section 14-311(d)(16)** “Functional utility of piers and access to the water’s edge” (shown as **Section 14-311(d)(13)** on the redline). The earlier draft reduced it to a requirement that buildings located within 10 feet of the pier edge “shall account” for the transfer of goods. In the revised draft that is deleted as well. While the amendments do include some of the provisions, key language is missing from the existing requirement, specifically that “all

WOODMAN EDMANDS DANYLIK AUSTIN SMITH & JACQUES, P.A.

Bill Needelman, Waterfront Coordinator

Matthew Grooms, Planner

May 7, 2019

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new development, whether for marine or non-marine uses, should anticipate current and future functional and operational needs of water-dependent pier tenants to access the water's edge . . ." (emphasis added). This language needs to be put back in as a meaningful standard.

The PWWG notes that the revised draft of performance standard 13 for the Operations and Access Management Plan does add review standards, which is an improvement from the first draft. But it still leaves out some of the very specific operational requirements from the existing ordinance.

In summary, the following language is improperly omitted and should be inserted into the current draft so that these standards are maintained as substantive and forward-looking planning review standards. They could be added as Review Standards viii, ix:

Any proposed non-marine use will be compatible with marine uses and will neither interfere with the existence or operation of marine uses nor impede access to vessel berthing or other access to the water by existing or potential marine uses. (current zoning, Performance Standard #15)

The proposal, whether for marine or non-marine use, will adequately protect the functional utility of piers and access to the water's edge by appropriately anticipating current and future functional and operational needs of water-dependent uses to access the water's edge for the transfer of people, goods, and materials between vessels and land. (current zoning, Performance Standard #16)

Again, while appreciative of the effort that has gone into the redrafting of the proposed amendments, the PWWG sees these substantive standards as a crucial component of the current zoning, and cannot accept as sufficient an amended ordinance which omits them. I would be happy to meet with you and any other City representatives to discuss how this may be accomplished before the current draft is finalized for the Planning Board.

Thank you for your attention to this matter.

WOODMAN EDMANDS DANYLIK AUSTIN SMITH & JACQUES, P.A.

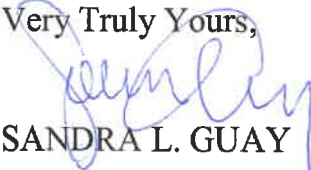
Bill Needelman, Waterfront Coordinator

Matthew Grooms, Planner

May 7, 2019

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Very Truly Yours,


SANDRA L. GUAY

SLG/lb

Copy to: PWWG

Jon Jennings, City Manager

**Owners and Representatives of
Long Wharf, Fisherman's Wharf, and Union Wharf**
Portland, Maine

May 9, 2019

Sean Dundon, Chair
Planning Board
City of Portland
389 Congress Street
4th Floor
Portland, ME 04101

Dear Chairman Dundon and Members of the Planning Board,

Re: Proposed Waterfront Central Zone (WCZ) Text Amendments / Financial Impact

During the workshop held April 23, 2019 to discuss proposed Waterfront Central Zone ("WCZ") text amendments, several Board members requested additional information regarding the financial impact of modifying the current Non-marine Use Overlay Zone ("NMUOZ") located within the WCZ boundary.

As proposed, the majority of properties in the NMUOZ would have the current depth of 150' from Commercial Street reduced to 125' or a net decrease of 25'.

The most significant proposed changes affect the three wharves which represent the greatest resource for future development that we believe will be necessary to maintain the working waterfront infrastructure for both public and private improvements. These are Long, Fisherman's, and Union, all lying next to each other in a central location directly adjacent the Old Port District.

As the owners and representatives of these three wharves, the following information has been compiled as a collaborative effort to provide the Planning Board with the financial impact analysis as requested.

As background, the NMUOZ boundary affecting these three wharves was delineated in terms of size (i.e. a depth of 500' from Commercial Street seawards) when the NMUOZ was originally created, specifically because they represented a significant resource for future, private development that could help the working waterfront. Both Long and Fisherman's consist mainly of open parking lots which provide access to Portland's tour boat fleet and commercial retail uses. The fishing community has not been located on either of these wharves in decades. This is not the case for the other wharves and piers in WCZ which were highly developed in terms of existing structures vs. open area and contained a mixture of marine and non-marine uses. Union Wharf has continued to develop since the

creation of the NMUOZ in a way which hosts a broad mixture of both marine and non-marine/marine compatible uses as a direct result of the ability to utilize the “zoning tools” provided by the current NMUOZ boundaries and text provisions. The attached financial analysis examines each wharf on an individual basis as follows:

- Current disposition (use).
- Future development potential based on current zoning and allowable uses.
- Future development potential based on the proposed zoning amendments.
- Presents the net difference in terms of lost revenue benefits to the City and working waterfront if the current NMUOZ is reduced as proposed by the current zoning amendment.

The underlying assumptions utilized for this analysis are as follows:

- Current property tax information as listed by the City of Portland for each affected parcel.
- Current use(s) and size of each parcel both currently in the NMUOZ and reduced as proposed.
- Development potential based on the highest and best use allowed under current zoning.
- Estimated development costs experienced by the owners based on similar projects both recently completed and/or currently under construction within the City.
- Estimated taxable project valuations based on guidance provided by the City’s Tax Assessor.

Each wharf contains a separate analysis which is followed by a summary economic impact comparison chart reflecting individual wharf impacts and a schedule showing the three wharves combined.

The schedule of all three wharves combined illustrates the following financial impacts created if the proposed modification of the current NMUOZ is enacted:

- Total annual real estate tax revenue potential created by new development would be **\$1,178,733 (55.64%) less per year.**
- Total annual revenue available to fund the Waterfront Capital Improvement Zone (T.I.F. District) would be **\$1,208,865 (65.2%) less per year.**
- Total funds required for marine infrastructure investment would be **\$3,418,194 (63.53%) less in total.**

Based on the economic impacts created by the proposed modifications to the current NMUOZ relating specifically to these three wharves, we urge the Planning Board NOT to recommend these zone changes to the City Council for approval.

We further encourage this Board to examine the information presented to date in support of radically modifying the current NMUOZ in light of the following facts:

Sean Dundon, Chair
City of Portland Planning Board
Page Three
May 9, 2019

- The current NMUOZ is and has been working effectively to preserve and enhance the working waterfront, as demonstrated by the ongoing development at Union Wharf and the very public process which has been a part of the proposed development at Fisherman's Wharf.
- The City of Portland's recent waterfront inventory shows little measurable change over the past ten years that the current NMUOZ has been in effect.

To be clear, this inventory does not support the claim some have made that "fishermen are being pushed out" or that berthing and parking for fishermen have been and is decreasing as a result of commercial development on the waterfront.

In fact, a recent poll of the thirteen wharf and pier owners which comprise Portland's working waterfront did not indicate any lack of berthing or parking for fishermen for those who have requested the same.

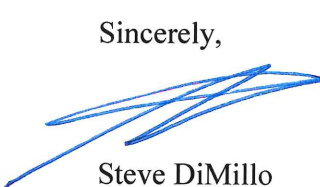
- Eliminating the provisions for contract zoning and condition use rezoning is unnecessary and short sighted. The working waterfront is an ever-changing part of the City, as the past 300+ years have shown. The current zoning provisions have worked as they were intended to. The recent City waterfront inventory and integrated commercial development to date reflects a balance between marine and non-marine uses, both of which are critical to maintaining the healthy and vibrant working waterfront we now enjoy.

It appears that the proposed amendments are being rushed to a decision before a thoughtful analysis and sorting fact from fiction on the issues have been fully vetted. In other words, these proposed amendments seem more like change simply for the sake of change and not reinforcement and support for the working waterfront's continued economic well-being.

The wharf and pier owners have supported and continue to support marine use and, particularly, the fishing community. The current NMUOZ allows us the financial ability to continue to support and subsidize berthing and parking for fishermen while creating additional commercial development in a responsible and balanced way, which in turn can fund much needed waterfront infrastructure improvements.

We hope the attached analyses will help with your deliberations. Thank you.

Sincerely,



Steve DiMillo
Long Wharf



David Bateman
Fisherman's Wharf



Charlie Poole
Union Wharf

cc: Jon Jennings, City Manager

Comparative Schedule Reflecting Combined Financial Impact to Three (3) Wharves
LONG WHARF, FISHERMAN'S WHARF & UNION WHARF

	Current NMUOZ Zoning	Proposed Revised NMUOZ Zoning	Net Difference
Total Annual Real Estate Tax Revenue Potential Created by New Development	\$2,118,238	\$939,505	(\$1,178,733) <i>Less Available Annually or 55.64% Loss</i>
Total Annual Revenue Available to Fund Waterfront Capital Improvement Zone (T.I.F. District)	\$1,853,038	\$644,173	(\$1,208,865) <i>Less Available Annually or 65.2% Loss</i>
Total Funds Required for Marine Infrastructure Improvement	\$5,383,317	\$1,962,123	(\$3,421,194) <i>Less Required Marine Investment or 63.55% Loss</i>

SUMMARY for LONG WHARF, FISHERMAN'S WHARF & UNION WHARF

Economic Impact Comparison Chart --- Existing Non-Marine Use Overlay Zone vs. Proposed Zoning Amendment

Wharf	Current Disposition	Development Potential Based on <u>Current</u> Zoning and Allowable Uses	Development Potential Based on <u>Proposed</u> Zoning Amendment	Net Difference / Lost Tax Revenue if Current "NMUOZ" Zone is Reduced as Proposed by Zoning Amendment
LONG WHARF				
-Total SF in NMUOZ Zone	199,914 SF	199,914 SF	65,514 SF	Reduction of 45.36% of NMUOZ Area
-Real Estate Tax	\$97,527	\$1,149,591	\$671,900	(\$477,691)
-Amount Available to Fund Waterfront Capital Improvement Zone (T.I.F. District)	\$0	\$1,052,064	\$574,373	(\$477,691)
-Required Marine Infrastructure Investment	\$0	\$3,144,586	\$1,716,790	(\$1,427,796)
FISHERMAN'S WHARF				
-Total SF in NMUOZ Zone	79,792 SF	79,792 SF	28,250 SF	Reduction of 64.5% of NMUOZ Area
-Real Estate Tax	\$30,132	\$652,775	\$30,132	(\$622,643)
-Amount Available to Fund Waterfront Capital Improvement Zone (T.I.F. District)	\$0	\$652,775	\$0	(\$652,775)
-Required Marine Infrastructure Investment	\$0	\$1,694,348	\$0	(\$1,694,348)
UNION WHARF				
-Total SF in NMUOZ Zone	114,850 SF	114,850 SF	32,142.5 SF	Reduction of 72% of NMUOZ Area
-Real Estate Tax	\$167,672	\$315,872	\$237,473	(\$78,399)
-Amount Available to Fund Waterfront Capital Improvement Zone (T.I.F. District)	\$0	\$148,199	\$69,800	(\$78,399)
-Required Marine Infrastructure Investment	\$0	\$544,383	\$245,333	(\$299,050)

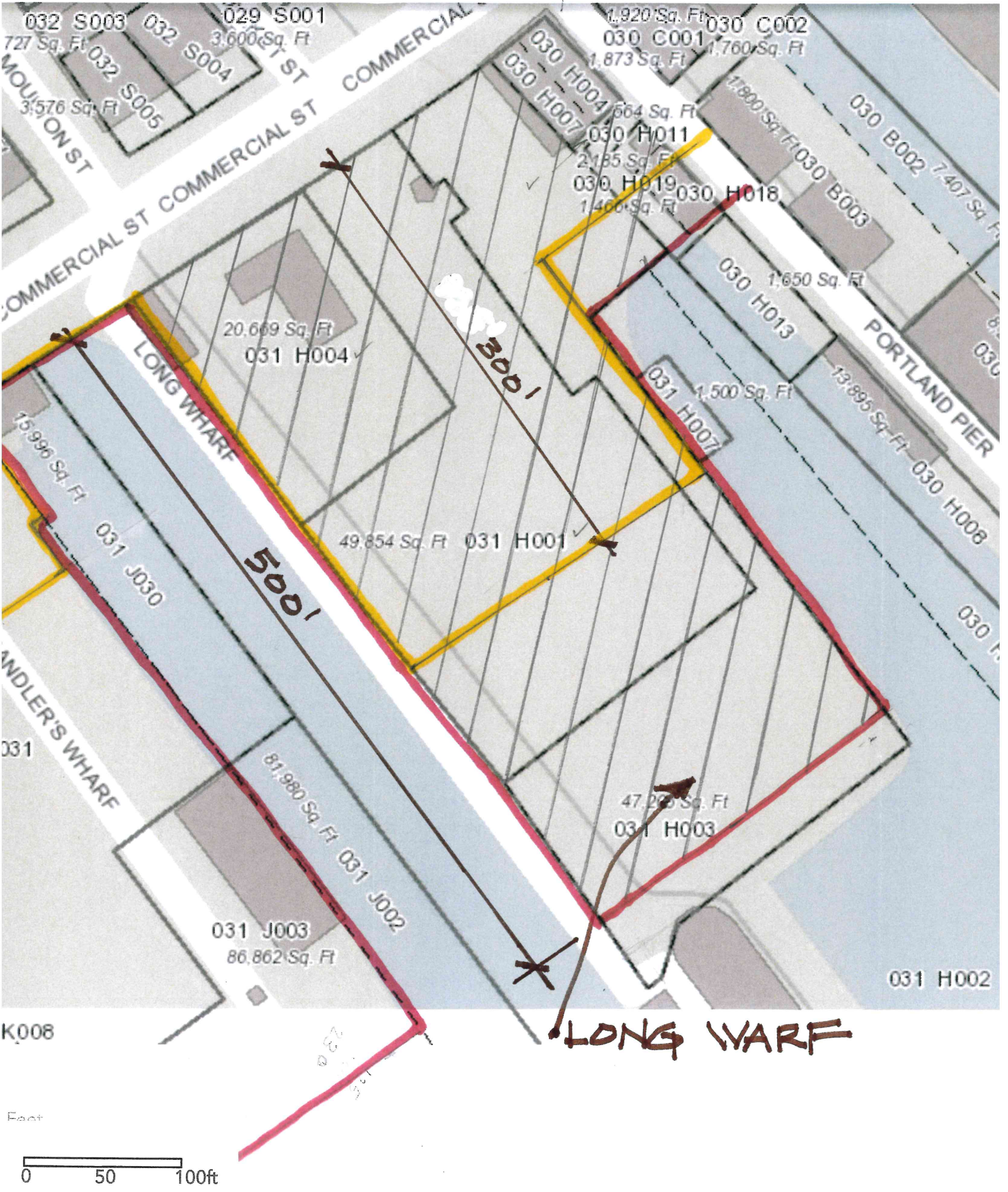
LONG WHARF

Current Disposition	Development Potential Based on Current Zoning and Allowable Uses	Development Potential Based on Proposed Zoning Amendment	Net Difference / Lost Tax Revenue if the Current “NMUOZ” Zone is Reduced as Proposed by the Current Zoning Amendment																									
Parcel(s) currently in “NMUOZ” zone: <table><tr><td>031-H004</td><td>20,669 SF</td><td>119,914 SF</td></tr><tr><td>031-H001</td><td>49,854 SF</td><td>Lot Area</td></tr><tr><td>031-H003</td><td>47,206 SF</td><td></td></tr><tr><td>030-H001</td><td><u>2,185 SF</u></td><td></td></tr><tr><td>Total in NMUOZ =</td><td>119,914 SF</td><td></td></tr></table> • Current Use(s) Retail, Restaurant, Marina, Parking Lot	031-H004	20,669 SF	119,914 SF	031-H001	49,854 SF	Lot Area	031-H003	47,206 SF		030-H001	<u>2,185 SF</u>		Total in NMUOZ =	119,914 SF		Parcel(s) currently in “NMUOZ” zone: • Project Description (Highest & Best Use) -Assume 65% first floor lot coverage for new structures. <u>First Floor Level:</u> Parking 28,800 SF = 24% Retail 20,000 SF = 17% Office <u>29,200</u> SF = <u>24%</u> 78,000 SF = 65% Coverage (78,000 ÷ 119,914) -Parking Structure / 564 Spaces – 4 Levels 115,200 SF -Retail/1st Floor Only 20,000 SF -Office / 4 Floors @ 29,200/FL 116,800 SF	Parcel(s) in proposed “NMUOZ” zone: <table><tr><td>031-H004</td><td>20,669 SF</td></tr><tr><td>031-H001</td><td>43,222.5 SF</td></tr><tr><td>031-H003</td><td>0 SF</td></tr><tr><td>030-H001</td><td><u>1,622.5 SF</u></td></tr><tr><td>Total in NMUOZ =</td><td>65,514 SF</td></tr></table> • Project Description (Highest & Best Use) -Assume 65% first floor lot coverage for new structures. <u>First Floor Level:</u> Parking 15,724 SF = 24% Retail 11,130 SF = 17% Office <u>15,730</u> SF = <u>24%</u> 42,584 SF = 65% Coverage (42,584 ÷ 65,514) -Parking Structure / 308 Spaces – 4 Levels 62,896 SF -Retail/1st Floor Only 11,130 SF -Office / 4 Floors @ 15,730/FL 62,920 SF	031-H004	20,669 SF	031-H001	43,222.5 SF	031-H003	0 SF	030-H001	<u>1,622.5 SF</u>	Total in NMUOZ =	65,514 SF	Reduction of 45.36% of “NMUOZ” Zone Lot Area
031-H004	20,669 SF	119,914 SF																										
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Total in NMUOZ =	65,514 SF																											

Current Disposition Continued:	Development Potential Based on Current Zoning and Allowable Uses Continued:	Development Potential Based on Proposed Zoning Amendment Continued:	Net Difference / Lost Tax Revenue if the Current "NMUOZ" Zone is Reduced as Proposed by the Current Zoning Amendment Continued:
	-Office above Retail / 20,000 SF x 3 <u>60,000 SF</u> Total Project SF = 312,000 SF Estimated Project Cost: Parking Structure = \$16,130,400 Retail = 4,682,926 Office = <u>42,078,400</u> Total Project Cost <u><u>\$62,891,726</u></u>	-Office above Retail / 3 Floors @ 11,130/FL <u>33,390 SF</u> Total Project SF = 170,336 SF Estimated Project Cost: Parking Structure = \$ 8,808,800 Retail = 2,606,000 Office = <u>22,921,000</u> Total Project Cost <u><u>\$34,335,800</u></u>	
• Current Real Estate Tax 031-H004 \$22,812.70 031-H001 13,382.34 031-H003 12,764.14 030-H001 <u>48,568.04</u> Total = \$97,527.22	• Estimated Real Estate Tax -Current Tax = \$ 97,527.22 -Additional Tax Generated = 1,052,064.00 (312,000 New SF x \$150/SF \$46,800,000 Valuation @ \$22.48 Mil Rate) _____ Total \$1,149,591.22	• Estimated Real Estate Tax -Current Tax = \$ 97,527.22 -Additional Tax Generated = 574,373.00 (170,336 New SF x \$150/SF \$25,550,400 Valuation @ \$22.48 Mil Rate) _____ Total \$ 671,900.22	• Real Estate Tax Reduction of \$477,691 of Annual Tax Revenue or 45.4% Less/YR <u>\$1,052,064</u> < <u>574,373</u> > \$ 477,691 <u>\$477,691 ÷ \$1,052,064 = 45.4%</u>
• Amount Available to Fund Waterfront Capital Improvement Zone (T.I.F. District) \$0	• Amount Available to Fund Waterfront Capital Improvement Zone (T.I.F. District) \$1,052,064	• Amount Available to Fund Waterfront Capital Improvement Zone (T.I.F. District) \$574,373	• Amount Available to Fund Waterfront Capital Improvement Zone (T.I.F. District) <u>\$477,691 Less/YR</u>

<i>Current Disposition Continued:</i>	<i>Development Potential Based on Current Zoning and Allowable Uses Continued:</i>	<i>Development Potential Based on Proposed Zoning Amendment Continued:</i>	<i>Net Difference / Lost Tax Revenue if the Current "NMUOZ" Zone is Reduced as Proposed by the Current Zoning Amendment Continued:</i>
	Required Marine Infrastructure Investment Project Cost = \$62,891,726 x .05 = \$3,144,586	Required Marine Infrastructure Investment Project Cost @ \$34,335,800 x .05 = \$1,716,790	Required Marine Infrastructure Investment <i>\$1,427,796 Less Available for Marine Infrastructure Improvements</i>

ver



FISHERMAN'S WHARF

<i>Current Disposition</i>	<i>Development Potential Based on Current Zoning and Allowable Uses</i>	<i>Development Potential Based on Proposed Zoning Amendment</i>	<i>Net Difference / Lost Tax Revenue if the Current "NMUOZ" Zone is Reduced as Proposed by the Current Zoning Amendment</i>
Parcel(s) currently in "NMUOZ" zone: 031-J03 79,792 SF	Parcel(s) currently in "NMUOZ" zone: 79,792 SF	Parcel(s) in proposed "NMUOZ" zone: 031-J03 79,792 SF Area Removed from NMUOZ <51,542> SF Revised NMUOZ Area = 28,250 SF	Reduction of 64.5% of "NMUOZ" Zone Lot Area
Current Use(s) Restaurant, Parking Lot, Berthing for Commercial Tour Boats and Ticket Sales	Project Description (Highest & Best Use) -Buildings and Parking Structure as currently designed and submitted to the Planning Board replacing the Hotel use with Commercial Office and Retail use. <u>First Floor Level:</u> Parking 29,848 SF = 37% Retail 16,612 SF = 21% Office <u>4,000</u> SF = <u>5%</u> 50,460 SF = 63% Coverage (50,460 ÷ 79,792) -Parking Structure / 501 Spaces – 4 Levels 102,204 SF -Retail/1st Floor Only 16,612 SF	Project Description (Highest & Best Use) -Based on net operating income after expense the current use as parking yields the highest return and lowest risk, therefore the current use will remain as surface parking.	

Current Disposition Continued:	Development Potential Based on Current Zoning and Allowable Uses Continued: -Office / In 3 Buildings <u>65,835 SF</u> Total Project SF = 184,651 SF Estimated Project Cost: Parking Structure = \$14,328,600 Retail = 3,889,639 Office = <u>15,668,730</u> Total Project Cost <u>\$33,886,969</u>	Development Potential Based on Proposed Zoning Amendment Continued:	Net Difference / Lost Tax Revenue if the Current "NMUOZ" Zone is Reduced as Proposed by the Current Zoning Amendment Continued:
Current Real Estate Tax 031-J03 \$30,131.52	Estimated Real Estate Tax -Current Tax = \$ 30,131.52 -Additional Tax Generated = 622,643.17 (184,651 New SF x \$150/SF \$27,697,650 Valuation @ \$22.48 Mil Rate) _____ Total \$652,774.69	Estimated Real Estate Tax -Current Tax = \$30,131.52 -Additional Tax Generated = <u>0.00</u> Total \$30,131.52	Real Estate Tax <i>Loss of \$622,643.17 of Annual Tax Revenue or 95.38% Less/YR than if developed.</i> <i>\$622,643.17 ÷ \$652,774.69 = 95.38%</i>
Amount Available to Fund Waterfront Capital Improvement Zone (T.I.F. District) \$0	Amount Available to Fund Waterfront Capital Improvement Zone (T.I.F. District) \$652,774.69	Amount Available to Fund Waterfront Capital Improvement Zone (T.I.F. District) \$0	Amount Available to Fund Waterfront Capital Improvement Zone (T.I.F. District) <i>\$652,774.69 Less/YR</i>

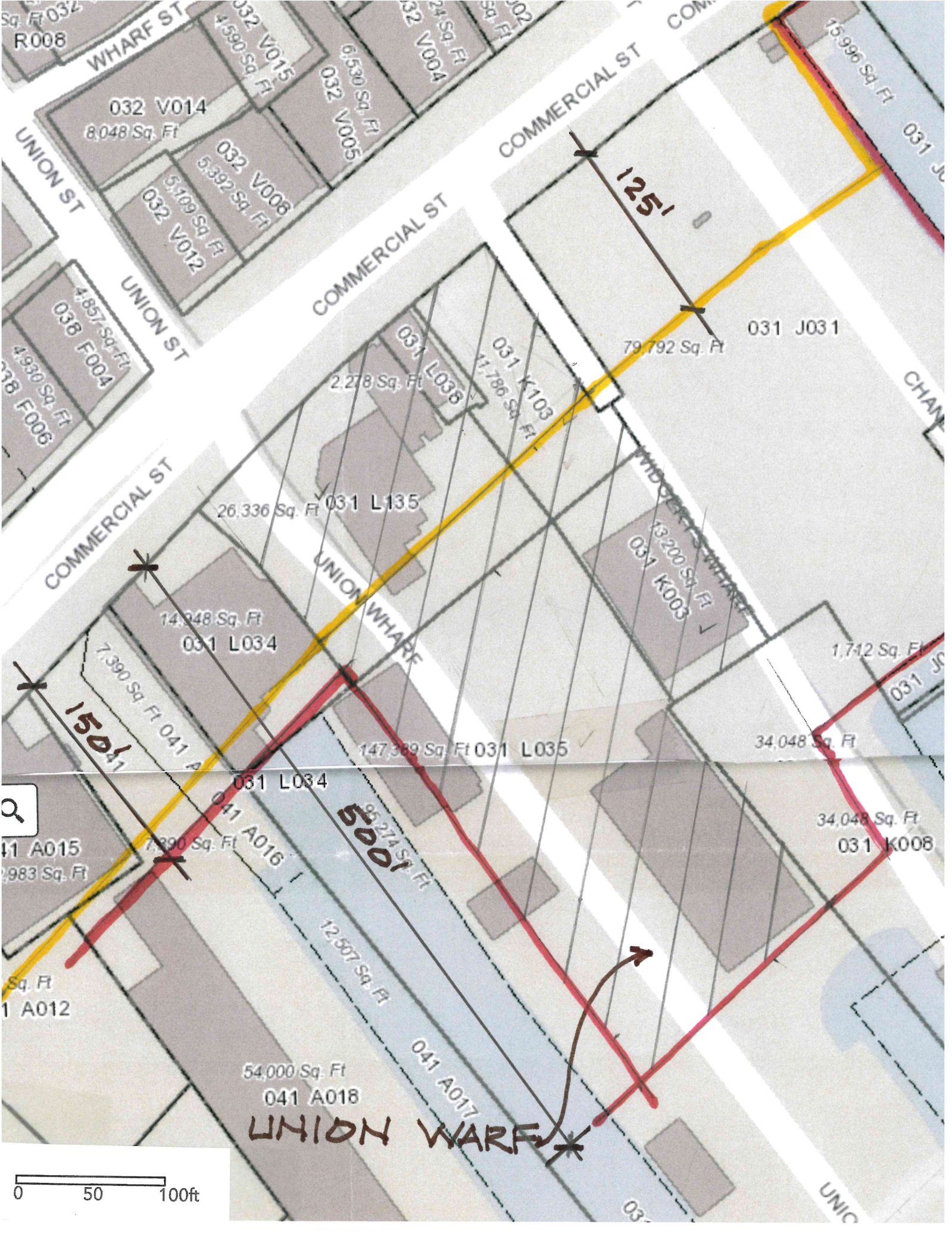
<i>Current Disposition Continued:</i>	<i>Development Potential Based on Current Zoning and Allowable Uses Continued:</i>	<i>Development Potential Based on Proposed Zoning Amendment Continued:</i>	<i>Net Difference / Lost Tax Revenue if the Current "NMUOZ" Zone is Reduced as Proposed by the Current Zoning Amendment Continued:</i>
	Required Marine Infrastructure Investment Project Cost = \$33,886,969 x .05 = \$1,694,348	Required Marine Infrastructure Investment \$0	Required Marine Infrastructure Investment <i>\$1,694,348 Less Available for Marine Infrastructure Improvements</i>



UNION WHARF

Current Disposition	Development Potential Based on Current Zoning and Allowable Uses	Development Potential Based on Proposed Zoning Amendment	Net Difference / Lost Tax Revenue if the Current “NMUOZ” Zone is Reduced as Proposed by the Current Zoning Amendment																																																				
Parcel(s) currently in “NMUOZ” zone: <table><tr><td>031-K103</td><td>11,786 SF</td><td></td><td></td></tr><tr><td>031-L038</td><td>2,278 SF</td><td></td><td></td></tr><tr><td>031-L135</td><td>26,336 SF</td><td></td><td></td></tr><tr><td>013-L035*</td><td>61,250 SF</td><td></td><td></td></tr><tr><td colspan="2">*Portion of Total Lot</td><td></td><td></td></tr><tr><td>031-K003</td><td><u>13,200 SF</u></td><td></td><td></td></tr><tr><td>Total in NMUOZ =</td><td>114,850 SF</td><td></td><td></td></tr></table> • Current Use(s) Retail, Restaurant, Office, Parking Lot, Marine Product Production and Storage Facilities, Commercial Fishing and General Marine Berthing	031-K103	11,786 SF			031-L038	2,278 SF			031-L135	26,336 SF			013-L035*	61,250 SF			*Portion of Total Lot				031-K003	<u>13,200 SF</u>			Total in NMUOZ =	114,850 SF			Parcel(s) currently in “NMUOZ” zone: <table><tr><td></td><td></td><td>114,850 SF</td><td></td></tr><tr><td></td><td></td><td>Lot Area</td><td></td></tr></table> • Project Description (Highest & Best Use) -Retail at 1st Floor/ Office Above (5,175 SF x 4 Floors) 20,700 SF -Office Above 1st Floor Parking <u>23,250 SF</u> (7,750 SF x 3 Floors) Total Project SF = 43,950 SF Estimated Project Cost: Retail & Office Building = \$ 4,906,657 Office Building = <u>5,981,000</u> Total Project Cost <u>\$10,887,657</u>			114,850 SF				Lot Area		Parcel(s) in proposed “NMUOZ” zone: <table><tr><td>031-K103</td><td>11,403.5 SF</td><td></td><td></td></tr><tr><td>031-L038</td><td>2,278 SF</td><td></td><td></td></tr><tr><td>031-L135</td><td><u>18,461 SF</u></td><td></td><td></td></tr><tr><td>Total in NMUOZ =</td><td>32,142.5 SF</td><td></td><td></td></tr></table> • Project Description (Highest & Best Use) -Retail at 1st Floor/ Office Above (5,175 SF x 4 Floors of New Building) 20,700 SF Estimated Project Cost: Retail & Office Building, Total Project Cost = <u>\$4,906,657</u>	031-K103	11,403.5 SF			031-L038	2,278 SF			031-L135	<u>18,461 SF</u>			Total in NMUOZ =	32,142.5 SF			Reduction of 72% of “NMUOZ” Zone Lot Area
031-K103	11,786 SF																																																						
031-L038	2,278 SF																																																						
031-L135	26,336 SF																																																						
013-L035*	61,250 SF																																																						
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<i>Current Disposition Continued:</i>	<i>Development Potential Based on Current Zoning and Allowable Uses Continued:</i>	<i>Development Potential Based on Proposed Zoning Amendment Continued:</i>	<i>Net Difference / Lost Tax Revenue if the Current "NMUOZ" Zone is Reduced as Proposed by the Current Zoning Amendment Continued:</i>
Current Real Estate Tax 031-K103 \$ 5,374.52 031-L038 45,130.00 031-L135 30,372.73 031-L035* 67,725.18 *Portion of Total Lot 031-K003 <u>19,069.78</u> Total = \$167,672.21	Estimated Real Estate Tax -Current Tax = \$167,672.21 -Additional Tax Generated = 148,199.40 (43,950 New SF x \$150/SF \$6,592,500 Valuation @ \$22.48 Mil Rate) Total <u>\$315,871.61</u>	Estimated Real Estate Tax -Current Tax = \$167,672.21 -Additional Tax Generated = 69,800.40 (20,700 SF x \$150/SF \$3,105,000 Valuation @ \$22.48 Mil Rate) Total <u>\$237,472.61</u>	Real Estate Tax <i>Reduction of \$78,399 of Annual Tax Revenue or 52.9% Less/YR</i> <i>\$148,199 < 69,800> \$ 78,399</i> <i>\$78,399 ÷ \$148,199 = 52.9%</i>
Amount Available to Fund Waterfront Capital Improvement Zone (T.I.F. District) \$0	Amount Available to Fund Waterfront Capital Improvement Zone (T.I.F. District) \$148,199	Amount Available to Fund Waterfront Capital Improvement Zone (T.I.F. District) \$69,800	Amount Available to Fund Waterfront Capital Improvement Zone (T.I.F. District) <i>\$78,399 Less/YR</i>
	Required Marine Infrastructure Investment Project Cost = \$10,887,657 x .05 = \$544,383	Required Marine Infrastructure Investment Project Cost @ \$4,906,657 x .05 = \$245,333	Required Marine Infrastructure Investment <i>\$299,050 Less Available for Marine Infrastructure Improvements</i>



WOODMAN EDMANDS DANYLIK AUSTIN
SMITH & JACQUES, P.A.

ATTORNEYS-AT-LAW

ROBERT B. WOODMAN
THOMAS DANYLIK
RALPH W. AUSTIN
JAMES B. SMITH
KEITH R. JACQUES
MICHAEL J. O'TOOLE
HARRY B. CENTER II
SANDRA L. GUAY
AMY McNALLY

234 MAIN STREET
P.O. BOX 468
BIDDEFORD, ME 04005-0468
TELEPHONE: 207-284-4581
FAX: 207-284-2078
E-MAIL: SLG@woodedlaw.com

PETER L. EDMANDS
(Retired)

May 10, 2019

Via Email

Portland Planning Board
Sean Dundan, Chair
City of Portland
Planning Division
389 Congress Street
Portland, ME 04101

Re: Waterfront Central Zone
Ordinance Amendments/Public Hearing May 14, 2019

Dear Mr. Dundan and Planning Board Members:

This letter is submitted to the Planning Board on behalf of the Portland Working Waterfront Group (PWWG) for the Board's consideration prior to its scheduled May 14, 2019 public hearing on the proposed Waterfront Central Zone (WCZ) ordinance amendments.

The purpose of this letter is to: (a) respond to questions put forth by the Planning Board at its April 23, 2019 workshop meeting regarding negative impacts to the water-dependent uses and Portland fishery since the 2010 (WCZ) zoning amendments which amendments created the Non-Marine Use Overlay Zone (NUMOZ) and extended the setback for non-marine uses from 100 feet from Commercial to 150 feet, with 300 feet on Union Wharf and 500 feet on Long Wharf; (b) respond to and support the proposed zoning amendments that have resulted, with the City's assistance, from negotiation between members of the stakeholder task force group; and (c) to briefly comment on a recent letter addressed to the Planning Board by two pier owners and Mr. Bateman.

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A. Impacts to the WCZ Since 2010

Please see the attached chart. Note that of the eight marine-related businesses that have left the WCZ since 2010 (highlighted), five were evicted by pier owners. The bottom of the chart lists some of the additional impacts to remaining commercial fisheries users.

The Portland commercial marine industry, including the fishery, is more than berthing space. In order for this historical industry to survive and grow, it must be able to maintain its complex mixture of access, vessels, bait providers, marine-related services and other related uses. Portland's working waterfront is small and any non-marine expansion negatively impacts water dependent users. While the PWWG realizes that some non-marine use is inevitable, in addition to those items listed on the chart, significant negative impacts since 2010 include:

- Increase in pedestrian and vehicular traffic which creates conflicts and hazard on the wharves and in timely movement of perishable product on Commercial Street.
- Increase in non-marine use parking on some of the wharves that has impacted access to fishing vessels as well as access to historical loading and unloading areas along the edges of the wharves.
- Increase in non-marine uses that displace water dependent uses which are an integral part of the Portland marine industry.

The WCZ ordinance has been amended many times since its original enactment in 1987, each time making changes that benefitted wharf owners and at the same time negatively impacting the working waterfront and water dependent uses. Unlike non-marine uses which can be located anywhere, these working waterfront and water dependent uses must be located on the piers themselves. Surely this basic reality comes with the very ownership of a pier in a working waterfront community. The 2010 WCZ amendments, which significantly expanded the permitted non-marine usage of the wharves, were drafted at a time that development in Portland, and particularly on the working waterfront side of the peninsula was not as intensive as it is today.

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The City's 2017 Comprehensive Plan recognizes and prioritizes the crucial importance of protecting, maintaining and allowing for future growth of the fishing and marine related industry on the Portland waterfront as expressed by the hierarchy of uses in the Plan, with water-dependent uses at the top, marine related uses just below that, and with compatible non-marine uses at the bottom. The 2010 compromise amendments however have not worked to meet the City's goals and have failed to protect the working waterfront. To reverse this downward trend and to protect the City's fishing heritage action must be taken now, through passage of the negotiated amendments provided by City staff for Planning Board review and City Council action.

B. The Proposed 2019 WCZ Amendments

Like any negotiated agreement, the proposed amendments do not include all protections that the PWWG would have wanted. For example, the PWWG had asked for a zero to 75-foot NUMOZ; the proposal (which would also change the name to the Commercial Street Overlay Zone, or CSOZ) is for 125 feet in most locations, with 300 feet at Long Wharf. Bear in mind that the NUMOZ does not prevent non-marine related development; the first floor can be 45% non-marine and the top two floors can be 100% non-marine. The greater the area that is used for non-marine, the less area that will be available for integral marine-related uses; the more non-marine related uses, the greater the conflict between those users and the fishermen and other marine dependent uses – non-marine users complain about noise, smells, the movement of trucks and equipment on the piers, they park other vehicles and place items in the way of vessel access, trucks and equipment.

Despite what the PWWG perceives as its remaining shortcomings, members of the PWWG have agreed to support the proposed NUMOZ changes in the spirit of compromise with the wharf owners and other stakeholders. It was therefore upsetting to the PWWG, after having undergone 11 task force meetings (it was the PWWG who suggested going from every other Thursday to every Thursday in an effort to get the amendments completed within the moratorium period) and separate weekly meetings with other stakeholders, including many of the wharf owners and City staff, to see two of the wharf owners and one wharf lease holder, by letter dated just yesterday, no longer willing to compromise. Despite this, the PWWG is hopeful that the Planning Board will support the significant work that has been done by the stake-holder task force, City staff, and interested citizens and support this important WCZ amendment.

WOODMAN EDMANDS DANYLIK AUSTIN SMITH & JACQUES, P.A.

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In addition to a greater reduction in the 2010 NUMOZ, there are other more restrictive protections that the PWWG would have like to have seen in the amendments, including more restriction on (or greater elimination of) non-marine related and water dependent uses. Notwithstanding this, the PWWG does support some of the other important changes in the amendment including:

- Deletion of the ability to use contract or conditional rezoning anywhere in the WCZ.
- Geographic restriction of most high-traffic and high-congestion non-marine uses to only that part of the zone within 125 feet of Commercial Street (except 300 feet on Long Wharf), keeping new retail, restaurant, personal service, etc. non-marine establishments from locating further out on the piers. (Most non-marine offices would still be allowed out on the piers, would still be limited to 45% of ground floor space, but, as now, could occupy 100% of upper story space).
- Enhancement of zoning enforcement by requiring pier owners to submit an accurate scale plan and a written narrative detailing how the pier's functional utility for marine uses will be protected, with the plan to be updated and reviewed by the City whenever there is a proposed new development, a change of use or an expansion of a use.
- An increase from 5 feet to 10 feet of the area along the pier edge that is to be reserved exclusively for marine uses.
- An increase from 60 days to 180 days in the length of time a pier owner needs to advertise and offer a vacancy to marine uses, after which time if there is still no marine tenant, it can be rented to a non-marine use (still subject to the absolute 45% non-marine cap).
- A series of tweaks to parking regulations, the net effect of which should be to increase parking availability for water-dependent uses (at least from 2:00 am to 5:00 pm), to clarify that parking for non-marine uses is limited to only those non-marine uses on the same pier (and then only if there is sufficient parking for marine uses), and to clearly prohibit new

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parking creation on the water side of Commercial Street for uses, like hotels, which are not located on that pier.

Once again, in the spirit of cooperation with all parties who have an interest in Portland's working waterfront and in appreciation of the continuing effort on the part of the City and those who have been involved in the ongoing stakeholder process to protect the Portland fishery and marine-related industry, the PWWG supports the proposed WCZ ordinance amendments.

C. Comments on May 9, 2016 Submission of Owners and Representatives of Long Wharf, Fisherman's Wharf, and Union Wharf.

The time and effort that has gone into negotiating an agreement on the WCZ amendments by the many people who have been involved has been remarkable. As this Board is well aware, the PWWG had successfully collected signatures for a referendum that would have impacted all three waterfront zones which the PWWG agreed not to submit in light of the City moving forward with a six-month moratorium and the establishment by the City Manager of a waterfront task group. In addition, the PWWG met several times with wharf owners who also expressed their sincere interest in preservation of the working aspect of the Portland waterfront. Most of these wharf owners also expressed their acknowledgment of the negative impacts that were occurring to the Portland waterfront marine industry and a desire to compromise to reach a reasonable solution.

It was therefore with some surprise that the PWWG received a copy of the May 9, 2019 letter in which the two wharf owners and Mr. Bateman appear to ask this Board to recommend no change to the existing status quo.

One of the very first things to come out of the task force, again at the request of the PWWG, was an exploration of how TIF dollars could be used to assist the wharf owners. It was discussed that TIF owners could avail themselves of a credit enhancement TIF for any significant improvements to the wharves and in addition, TIF money from other projects within the waterfront TIF zone could be used to assist the wharf owners with certain infrastructure costs, including dredging. Wharf owners have also complained of rising taxes, but taxes have risen on the wharves in direct relation to the non-marine development that has occurred on the wharves over the past several years. The wharf owners have benefited from this development, at the expense of the existing and

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historical commercial marine industry. Due to the efforts of the PWWG and the task force, the pier owners have gotten financial support that they did not have before. It seems however that these two pier owners and Mr. Bateman want it all - no matter the impact on the fishing and marine industry community.

With respect specifically to the analysis used in the May 9 letter:

By measuring only the change in the square footage in the overlay zone, rather than the impact on full buildout metrics, the letter appears to suggest that zero development will be allowed in the area being rezoned from NUMOZ to non-overlay zone. In fact, the land that the overlay zone is removed from still has the capacity to be developed at 45% non-marine on the ground floor and 100% non-marine on the upper stories. The required 5% marine infrastructure investment can be reinvested by wharf owners in their own waterfront infrastructure. Furthermore, real estate taxes that would be generated from a full buildout of the area removed from the overlay zone are not \$0; it might be slightly less than if it were left in the overlay zone but would still generate significant real estate taxes.

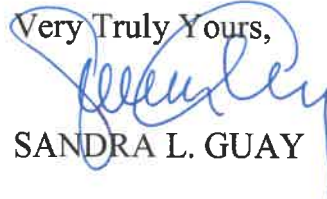
Furthermore, the analysis in the letter does not account for what will become less ability to use the working waterfront as a successful and growing commercial fishery – one of the few left in the northeast, anecdotally perhaps the most valuable with its deep, safe port and one that brings in over \$240,000,00 in product over a single year to be distributed throughout Maine and the world. The analysis also does not consider the loss in tourist revenue that will result from a diminished fishing industry and less visual contact with the working waterfront. Visitors do not crowd the Portland waterfront to see buildings – they come to see the working fisheries that they cannot see anywhere else.

In summary, the PWWG is greatly appreciative of the commitment of time and resources devoted to the redrafting of the WCZ amendments by all members of the task force, City staff and concerned citizens. The end result is not all that the PWWG would have asked for, but the PWWG believes that the process and the compromise has been both fair and effective.

As such, the PWWG respectfully requests that the Planning Board support the proposed amendments at its May 14, 2019 meeting, by giving a positive recommendation to the City Council.

WOODMAN EDMANDS DANYLIK AUSTIN SMITH & JACQUES, P.A.

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Very Truly Yours,

SANDRA L. GUAY

Copy to:

Willis Spear, PWWG
Bill Coppersmith, PWWG
William B. Needelman, Waterfront Coordinator
Jon Jennings, City Manager

Local Marine Businesses on Portland, ME Working Waterfront Wharves that Moved or Evicted Since 1980's

#	Year Moved	Wharf	Company Moved	Business Type	Marine Related?	Comment
1	Mid 1980's	Portland Pier	Harbor Supply	Marine fuel and engine repair supply	Y	
2	Mid 1980's	Portland Pier	Harris Electronic	Fishing vessel electronics supply	Y	
3	Late 1990's	Portland Pier	Marine Metals	Marine salvage yard	Y	
4	Late 1980's	Portland Pier	Car Ferry	Ferry	Y	Connected to Casco Bay Lines
5	Late 1980's	Portland Pier	Ferry	Ferry	Y	Serviced Cushing's Island
6	Mid 1980's	Merrill's Wharf	Marine Cold Storage	Fish cold storage	Y	
7	Mid 1980's	Portland Fish Pier	Seabgo Ice	Fuel depot and ice for fish preservation	Y	Merchant's wharf torn down to create Portland Fish Pier.
8	Mid 1980's	Portland Fish Pier	Vinny Cavanaugh	Boat builder	Y	Merchant's wharf torn down to create Portland Fish Pier. Boat builder and had 5-8 fishing vessels.
9	Mid 1980's	Portland Fish Pier	Peacock Canning	Sardine canning	Y	Brown's Wharf torn down to create Portland Fish Pier. These fishing companies had 4-6 fishing vessels
10	Mid 1980's	Portland Fish Pier	Trident Packing	Sardine canning	Y	Brown's Wharf torn down to create Portland Fish Pier. These fishing companies had 4-6 fishing vessels
11	Mid 1980's	Portland Fish Pier	Fish processing company		Y	
12	Mid 1980's	Chandlers Wharf	Willard & Dagget	fish processing and lobster pound	Y	Central Wharf was torn down to create Chandlers Wharf
13	Mid 1980's	Chandlers Wharf	Stuart Tuttle Engine Repair	engine repair shop	Y	Central Wharf was torn down to create Chandlers Wharf
14	Mid 1980's	Chandlers Wharf	Gundry Fisherman Supply	commercial fishing supply shop	Y	Central Wharf was torn down to create Chandlers Wharf
15	Mid 1980's	Chandlers Wharf	Harris Oil	fuel for fishing vessel	Y	Central Wharf was torn down to create Chandlers Wharf
16	Mid 1980's	Chandlers Wharf	Ocean Canyon	Groundfish buyer/processor	Y	Central Wharf was torn down to create Chandlers Wharf
17	Mid 1980's	Chandlers Wharf	Harris Company	Distributor of fishing supplies	Y	Central Wharf was torn down to create Chandlers Wharf
18	Mid 1980's	Chandlers Wharf	LaRocheville	Fishermen supply house for clothing	Y	Central Wharf was torn down to create Chandlers Wharf
19	Mid 1980's	Chandlers Wharf	Quality Seafood	crab shop- picking crabs	Y	Central Wharf was torn down to create Chandlers Wharf
20	Mid 1980's	Chandlers Wharf	Fulham Brothers	commercial fishing supply shop	Y	offshore draggers and fish handling company
21	Mid 1980's	Chandlers Wharf	Various companies	lobster dealer with bait	Y	
22	Mid 1980's	Chandlers Wharf	Unknown	scallop shucking	Y	
23	Mid 1980's	Chandlers Wharf	Fishermen	lobsters, groundfish draggers, gillnetters	Y	
24	Mid 1980's	Custom House Wharf	R&S Seafood	Fish processing plants	Y	
25	Mid 1980's	Custom House Wharf	Portland Fish	Fish processing plants	Y	
26	Mid 1980's	Custom House Wharf	MidCentral Fish	Fish processing plants	Y	
27	1988	Maine Wharf	Williams Brother's Machine Shop	engine repair shop	Y	
28	1988	Maine Wharf	Central Wharf Tow Boats	towing	Y	
29	By 1980	Long Wharf	Boat building operation		Y	
30	By 1980	Long Wharf	Tide Blocks	Fishing vessel repair area	Y	east side of wharf
31	By 1980	Long Wharf	Fishermen	gill netters and lobstermen	Y	removed from the west side of wharf.
44	Mid 1990's	International Marine Terminal	Fishing Vessels		Y	Richardson Dana Wharf now International Marine Terminal. 2-4 Fishing vessels.
32	Before 2010	Merrill's Wharf	Dropping Springs	Bait company	Y	
33	Before 2011	Merrill's Wharf	Parking	no overnight parking for boat crews	Y	
34	2011	Maine Wharf	Three Sore Lobster & Fish	Bait company	Y	Evicted by new owner Great Maine Wharf LLC, Stephen Goodrich
35	Mid 1980's	Maine Wharf	Holden Seafood	Lobster pound	Y	
36	2012	Maine Wharf	3 Brothers	Lobster pound	Y	
37	2011	Maine Wharf	Chase Leavitt & Co.	Shipping agents, engine supply and repair, and marine safety equipment	Y	Evicted by new owner Great Maine Wharf LLC, Stephen Goodrich
38	2011	Maine Wharf	Fresh Atlantic	fish processing plant	Y	Evicted by new owner Great Maine Wharf LLC, Stephen Goodrich
39	By 1990's	Maine Wharf	Business and Office and tie up	Large draggers		
40	2012	Union Wharf	Portland Trap	gear shop	Y	Moved to Riverside St.
41	2016	Union Wharf	Maine Life Raft	Marine safety equipment	Y	
42	2018	Fore Street	Hamilton Marine	Marine supply house and ship chandlery	Y	Evicted by 100 Fore St. new owner David Bateman and moved to Presu
43	2018	Fore Street	Xpress Copy	Copying shop	N	Evicted by 100 Fore St. new owner David Bateman and moved to West

Conclusion: During the 1980's, much of the marine infrastructure disappeared on the North side and South side of Commercial street boosted by the redevelopment of the Old Port Area and later in 2010 by the NUMOZ.

#	More Apparent after 2010 NUMOZ	Location	Reduction in the Quality of the Working Environment for Fishermen - Accelerated Since 2010 NUMOZ
1		Back Bay	Fishing areas blocked off by pleasure boats mooring between bridges
2		Portland Wharves	Boat berthing of lobster boats and ground fish.
3		Portland Wharves	No overnight parking for boat crews (Merrill's Wharf Only for now)
4		Portland Wharves	Easy access to boats and traps on wharves
5		Portland Wharves	Gear loss due to high volume of cruise ships coming and going in Portland Harbor
6		Portland Wharves	The ability to fish anytime of the year, anytime of the day, any day, any week to traffic congestion and parking.
7		Portland Wharves	The ability of the fishing fleet to expand.
8		Portland Wharves	The ability of the commercial fishing infrastructure to expand. (eg. Supplies, boat and engine repair shops, welders, small shops, etc.)
9		Portland Wharves	Larger boats are coming with no room for expansion in the present berths.
10		Portland Wharves	Loss of income due to having to travel longer distances from wharves for service fishing vessels or buy commercial fishing equipment and supply.

Conclusion: There is a lack of encouragement for commercial fishing and uses by City and wharf owners. The NUMOZ overlay zone is a deterrent to marine use.

Source: Inventoried by Portland, ME Working Waterfront Fishermen: Bill Coppersmith, Keith Lane, and Willis Spears between January and March 2019

Fwd: comments to PB on WWF zoning amendments

1 message

Christine Grimando <cdg@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Mon, May 13, 2019 at 10:54 AM

Christine Grimando, AICP
City Planning Director
Planning & Urban Development Department
389 Congress Street
Portland, Maine 04101
cdg@portlandmaine.gov
Ph: (207) 874-8608

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

From: **Judith Allen** <judithallenefs@yahoo.com>
Date: Sun, May 12, 2019 at 1:34 AM
Subject: comments to PB on WWF zoning amendments
To: cdg@portlandmaine.gov <cdg@portlandmaine.gov>

Judith Allen Portland resident and registered voter in District 1

Comments to the Planning Board in support of amendments to protect the Working Waterfront May 14, 2019

I urge the Planning Board to pass the entire package of zoning amendments to protect our working waterfront. Especially important is the **Deletion** of the ability to use contract or conditional rezoning anywhere in the Waterfront Central Zone (WCZ).

Judith Allen



commentsWWF May 14 PB meeting.docx

42K

Judith Allen Portland resident and registered voter in District 1
Comments to the Planning Board in support of amendments to protect the
Working Waterfront May 14, 2019

I urge the Planning Board to pass the entire package of zoning amendments to protect our working waterfront. Especially important is the **Deletion** of the ability to use contract or conditional rezoning anywhere in the Waterfront Central Zone (WCZ).

Fwd: I support the proposed Working Waterfront zoning amendments

1 message

Christine Grimando <cdg@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Mon, May 13, 2019 at 10:49 AM

Christine Grimando, AICP
City Planning Director
Planning & Urban Development Department
[389 Congress Street](#)
[Portland, Maine 04101](#)
cdg@portlandmaine.gov
Ph: (207) 874-8608

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

From: **Dave Wade** <davewade1@gmail.com>
Date: Mon, May 13, 2019 at 10:18 AM
Subject: I support the proposed Working Waterfront zoning amendments
To: <cdg@portlandmaine.gov>

to City Planning Director Christine Grimando:

Dear Christine,

I am writing you in support of the proposed Working Waterfront zoning amendments. The City of Portland is enjoying a boom in new developments and I think it would be prudent to protect the calling card and main attraction of Portland, its Working Waterfront, and to protect the local fishermen's ability to supply residents and our famed restaurants with the freshest seafood, by adopting the proposed zoning amendments to preserve and protect the fishing community and the working waterfront for future generations.

I am glad the city convened its Working Waterfront Task Force to sit down with fishermen, pier owners, and concerned citizens to talk over this complex issue in order to act in the best interests of the City of Portland and its residents. The 3 months of meetings have been informative, respectful, and productive, and I think we owe the city our thanks for hosting them.

Massive new developments on the east end at the site of the former Portland Company, in the central Zone in the site of the former Rufus Deering lumberyard, and in two newly reported hotel/office/retail complexes slated for construction in the open parking lot areas between Free St., Cotton St, Middle St. and Commercial St. will change the skyline and concentration of activity in downtown Portland immensely. In another two years, you may not be able to recognize our city by the sea. Therefore, I think it is critical that we step back and slow down the development of the Central Waterfront Zone before we lose all sense of the city's charm, marine character, and authenticity, and protect what it is that makes Portland such an attractive place to live and visit. I strongly support the proposed amendments to the city zoning by City Manager Jon Jennings, the Waterfront Coordinator Bill Needelman, and the Planning Department, and believe they represent the best way to keep Portland a livable city for present and future generations.

Sincerely,

David Wade
[17 Frances St.](#)
Portland

Fwd: Letter of support for waterfront zoning revisions

1 message

Christine Grimando <cdg@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Mon, May 13, 2019 at 10:54 AM

Christine Grimando, AICP
City Planning Director
Planning & Urban Development Department
[389 Congress Street](#)
[Portland, Maine 04101](#)
cdg@portlandmaine.gov
Ph: (207) 874-8608

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

From: **Peter Haller** <pdhaller1953@gmail.com>
Date: Mon, May 13, 2019 at 6:16 AM
Subject: Letter of support for waterfront zoning revisions
To: Christine Grimando <cdg@portlandmaine.gov>

To the Planning Board, City of Portland:

I am writing today to urge your passage of the waterfront zoning regulations, without any revisions or amendments and as they are recommended by the City Manager and city staff.

They are to be commended for their diligence, hard work and creativity on these new regulations.

Sincerely yours,
Peter Haller
51 High Street
--

Peter D. Haller, Artist
Studio: [22 Pearl Street](#), Lower Level
Biddeford, Maine
203-530-7829

Fwd: Protect the Working Waterfront

1 message

Christine Grimando <cdg@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Mon, May 13, 2019 at 10:54 AM

Christine Grimando, AICP
City Planning Director
Planning & Urban Development Department
[389 Congress Street](#)
[Portland, Maine 04101](#)
cdg@portlandmaine.gov
Ph: (207) 874-8608

----- Forwarded message -----
From: **Berry Manter** <berrymanter@yahoo.com>
Date: Sun, May 12, 2019 at 6:57 PM
Subject: Protect the Working Waterfront
To: <cdg@portlandmaine.gov>

Dear Christine,

Please support the current package of zoning amendments being proposed by the City as a result of the work of the Working Waterfront Task Force.

A hotel, restaurant, parking garage, other non-marine use structures can find an equivalent "inland" option to operate an effective business.

A working waterfront has but one possible option.

The working waterfront will continue to evolve as Portland's *most* valuable and distinctive asset.

Please, do not allow a small group of self-interests undermine protective zoning amendments.

Sincerely,

Berry Manter
[46 Eastern Prom](#)
[Portland](#)

Fwd: working waterfront

Christine Grimando <cdg@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Mon, May 13, 2019 at 10:49 AM

Christine Grimando, AICP
City Planning Director
Planning & Urban Development Department
389 Congress Street
Portland, Maine 04101
cdg@portlandmaine.gov
Ph: (207) 874-8608

----- Forwarded message -----
From: **joanne arnold** <joannemaryarnold@gmail.com>
Date: Mon, May 13, 2019 at 10:32 AM
Subject: working waterfront
To: <cdg@portlandmaine.gov>

Dear Ms. Grimando,

I am writing as I am unable to attend Tuesday evenings Planning Board Meeting. This is, however, in no way a reflection on my interest and staunch support for the working waterfront. I am writing as a citizen of Maine and a resident of Falmouth to urge the City of Portland to do all it can to support our working waterfront. I am urging you to consider the recommendations and amendments made by the Working Waterfront Group and the Waterfront Task Force. Please, please consider taking the measures, extraordinary if necessary, to maintain our link to the working waterfront, our cultural link to the sea and preventing our vital working waterfront from becoming another mall. We have to do better than this.

Please take the suggestions and recommendations from the Waterfront Task Force, who have worked with due diligence across disparate but involved parties to find a way.

Letting Portland's Working Waterfront be deconstructed by the presence of hotels, restaurants and shops is not only a damn shame but is short sighted and ruinous of the unique quality that makes people WANT to visit and live in Portland, Maine

Thank you for your consideration,

Joanne Arnold
10 Old Mill Road
Falmouth Maine 04105
207-232-2176

Re: Time to reel in the histrionics

1 message

Christine Grimando <cdg@portlandmaine.gov>
To: jmy <jmy@portlandmaine.gov>
Cc: "Barhydt, Barbara" <bab@portlandmaine.gov>

Mon, May 13, 2019 at 10:52 AM

Yes, include it please. Thanks for checking.

Christine Grimando, AICP
City Planning Director
Planning & Urban Development Department
389 Congress Street
Portland, Maine 04101
cdg@portlandmaine.gov
Ph: (207) 874-8608

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

From: **jmy** <jmy@portlandmaine.gov>
Date: Mon, May 13, 2019 at 10:13 AM
Subject: Fwd: Time to reel in the histrionics
To: Barhydt, Barbara <bab@portlandmaine.gov>, Grimando, Christine <cdg@portlandmaine.gov>

Should this be included as WCZ public comment?

On Sunday, May 12, 2019 at 11:47:12 PM UTC-4, Catherine Bremer wrote:

Dear Mayor Strimling, City Councilors, Planning Board Members and Manager Jennings:

This attorney is the driving force behind the current effort to throw cold water on Portland's economic success. As glib as he is, he knows NOTHING about fishing.

<https://youtu.be/56BplBFALvA>

Have we all forgotten? THIS is what has almost killed the fishing industry:

<https://youtu.be/M6CwKVdKzHg>

Yes, fishing is in trouble, and has been for a long, long time. Climate change promises to compound the troubles. But tourists spending money in downtown Portland (and buying tons of lobsters and seafood) is NOT the problem. Accepting that allegation at face value and rushing to change zoning laws, without investigation and documentation, is the wrong way to proceed.

Right now the fishermen's lobbyists and their lawyers have a gun to your head. That's clear. Hopefully, despite their intimidation, logic will prevail and you will make the correct decisions for the entire city. Please deliberate wisely. Thank you for your time and consideration.

Cathy

Fwd: Protecting the waterfront

1 message

Christine Grimando <cdg@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>
Cc: Matthew Grooms <mgrooms@portlandmaine.gov>

Mon, May 13, 2019 at 11:24 AM

Christine Grimando, AICP
City Planning Director
Planning & Urban Development Department
[389 Congress Street](#)
Portland, Maine 04101
cdg@portlandmaine.gov
Ph: (207) 874-8608

----- Forwarded message -----
From: **Stephanie Morris** <islandsammie17@gmail.com>
Date: Mon, May 13, 2019 at 11:09 AM
Subject: Protecting the waterfront
To: <cdg@portlandmaine.gov>

Please support the efforts to maintain Portland's unique personality and stand by our marine industry by respecting the suggestions of the working waterfront group in tonight's meeting.

I cannot be there to lend my presence in support of all the proposals as I am emailing from Portugal but I am hoping the city acts with wisdom and long term vision . There are plenty of opportunities for development of all kinds in and around Portland. Let's please not turn Portland into a mini-Boston!

Thank you
Stephanie Morris
5 Spiro Ave
Gray
And
[75 Leavitt St](#)
[Long Island, ME](#)

Fwd: Working water front

1 message

Christine Grimando <cdg@portlandmaine.gov>

Mon, May 13, 2019 at 1:03 PM

To: Jennifer Munson <jmy@portlandmaine.gov>, Matthew Grooms <mgrooms@portlandmaine.gov>

Christine Grimando, AICP
City Planning Director
Planning & Urban Development Department
[389 Congress Street](#)
[Portland, Maine 04101](#)
cdg@portlandmaine.gov
Ph: (207) 874-8608

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

From: **joyce blossom** <joyceblossom@gmail.com>
Date: Mon, May 13, 2019 at 12:59 PM
Subject: Working water front
To: <cdg@portlandmaine.gov>

I am a resident of Munjoy Hill and a summer home owner on Peaks Island, and I am in favor of maintaining the working water front. I want the amendments to be accepted.
Joyce Blossom
[59 Kellogg St](#)
[Portland, ME 04101](#)

Fwd: zoning amendments

1 message

Christine Grimando <cdg@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>
Cc: Matthew Grooms <mgrooms@portlandmaine.gov>

Tue, May 14, 2019 at 1:11 PM

Christine Grimando, AICP
City Planning Director
Planning & Urban Development Department
[389 Congress Street](#)
[Portland, Maine 04101](#)
cdg@portlandmaine.gov
Ph: (207) 874-8608

----- Forwarded message -----
From: **Sally Barrows** <galeyrie@me.com>
Date: Tue, May 14, 2019 at 1:10 PM
Subject: zoning amendments
To: <cdg@portlandmaine.gov>

Dear Christine,

I am in favor of the zoning amendments package being presented at the Planning Board meeting tonight. I believe it is essential to keep and reinforce the boundaries that support the fishermen's right to the shorefront, as has been guaranteed since the beginning of settlement by Europeans in Maine.

I was a "summer complaint" on Chebeague since 1954, (and have been a resident of Falmouth for over 40 years. I consider Portland to be my community.) I grew up with the fishermen using the Stone Wharf and Chandler's Wharf for landing, hauling traps and gear, joking with each other and us kids. I was aware from an early age of the right of the fishermen to have access to the waterfront, often passing over rights of way on other people's property, and it was explained to me that that right is more or less sacrosanct (and has been since Colonial days) because it is essential to their livelihood.

This principle must remain the first priority in zoning decisions. It is part of who we are as a community.

Thank you for your attention.
Sally Barrows
[53 Underwood Rd.](#)
[Falmouth, ME 04105](#)
207-747-9385

Fwd: Working waterfront

1 message

Christine Grimando <cdg@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>
Cc: Matthew Grooms <mgrooms@portlandmaine.gov>

Tue, May 14, 2019 at 1:11 PM

Christine Grimando, AICP
City Planning Director
Planning & Urban Development Department
[389 Congress Street](#)
[Portland, Maine 04101](#)
cdg@portlandmaine.gov
Ph: (207) 874-8608

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

From: **caron chess** <caronchess2327@gmail.com>
Date: Tue, May 14, 2019 at 1:02 PM
Subject: Working waterfront
To: <cdg@portlandmaine.gov>

I support the current proposal for the working waterfront. Very important to favor them over developers.

Caron Chess
Peaks Island

Fwd: I support the working waterfront

1 message

Christine Grimando <cdg@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>
Cc: Matthew Grooms <mgrooms@portlandmaine.gov>

Tue, May 14, 2019 at 2:09 PM

Christine Grimando, AICP
City Planning Director
Planning & Urban Development Department
[389 Congress Street](#)
Portland, Maine 04101
cdg@portlandmaine.gov
Ph: (207) 874-8608

----- Forwarded message -----
From: **Leah Flumerfelt** <leahflumerfelt@gmail.com>
Date: Tue, May 14, 2019 at 1:50 PM
Subject: I support the working waterfront
To: <cdg@portlandmaine.gov>

Hi, Christine!

I'm a resident of Portland and an employee of Portland Public Schools, and I would like to express my strong support for the zoning amendments that came out of the Working Waterfront Task Force. I want to preserve and even further restore the ecological and cultural diversity of Portland, which includes the community of the working waterfront. A rejection of these amendments, to me, would signify a terrible loss of the qualities that impart Portland residents with a good quality of life.

Thank you!

Sincerely,
Leah Flumerfelt