

**Housing & Economic
Development Committee Meeting**
Monday, April 29, 2024 at 5:30 PM



MEMBERS

Councilor Pious Ali, Chair
Councilor Roberto Rodríguez
Councilor Regina Phillips
Councilor Kate Sykes

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

REMOTE ACCESS INFORMATION

The Housing & Economic Development Committee will conduct this meeting remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the [Agenda Center](#) following the meeting.

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

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/81287382094?pwd=TUtFQU44bk1MGZ1YUplckhHM1JIUT09>

Passcode: 129504

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+1 305 224 1968 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 689 278 1000 US

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1. **Review and accept Minutes of previous meeting held on April 16, 2024.**
 - a. See attached draft meeting Minutes.
2. **(Public Comment) Review and vote on a recommendation to the City Council for the Annual Agreement, Development Plan, and Assessment Rate for the Portland Tourism Municipal Development District for FY2025.**
 - a. See attached Memorandum and backup.
3. **(Public Comment) Review and vote on Committee Work Plan Schedule for calendar year 2024.**
 - a. See attached Work Plan schedule.
4. **(Public Comment) Pursuant to 1 M.R.S.A. 405(6)(C) and 5 M.R.S.A. 13119-A, the Committee will vote to go into executive session to provide guidance to staff regarding the Thames Street Purchase and Sale Agreement performance extension.**

Next Meeting Date: May 7, 2024

Minutes

Remote Housing and Economic Development Committee

April 16, 2024

NOTE: This meeting was held via Zoom and can be viewed at this link:

<http://www.portlandmaine.gov/1695/Economic-Development-Committee> These Minutes provide a record of those in attendance, general discussion taking place, and motions made.

A remote meeting of the Housing and Economic Development Committee (HEDC) of the Portland City Council was held on Tuesday, April 16, 2024, at 5:30 p.m. via Zoom. Present from the HEDC were Chair Councilor Pious Ali, and members Councilors Regina Phillips, Roberto Rodriguez, and Kate Sykes. Present from the City staff were Housing and Economic Development Department Director Greg Watson, Housing and Community Development Division Director Mary Davis, Assistant City Manager Dena Libner, Permitting and Inspections Director Jessica Hanscombe, Manager of Licensing and Housing Safety Zachary Lenhart, Principal Administrative Officer Lori Paulette, and Housing Program Manager Victoria Volent.

Item #1: Review and accept Minutes of previous meeting held on March 19, 2024

On motion made by Councilor Phillips, seconded by Councilor Rodriguez, the Committee voted 4-0 to accept the Minutes.

Item #2: Presentation of the Annual Report from the Permitting and Inspections Department regarding Short and Long Term Rental Registration Program, and Housing Safety

Zachary Lenhart presented the Annual Licensing and Housing Safety Report to the

Committee. Items of note included: staffing (a breakdown of employees by department; new hires; openings within the department); long-term rental registration (the allowable increase percentage for calendar year 2024; renewal mailings; number of online renewals; number of properties and units registered for 2024; short-term rental registration data (wait list; number of properties and units registered for 2024); housing safety inspections (breakdown of inspections for the prior eight months); rent control enforcement, violations, and fines (the violation procedure process; total amount of YTD and 2023 code violation fees collected); rent control inspections (breakdown of type of inspection); rent control enforcement; rent board update; and joint Housing Safety and Fire Prevention staff meetings.

The Committee began their discussion with clarifying questions regarding short-term rentals, and discussed possible proactive strategies in regards to working with short term rental listing agencies. The topic of enforcement, complaints, registration, violations, and fees was discussed, as was staff's response in addressing the backlog of illegal rent increases. In addition to the current communication now provided regarding allowable annual rent increases, members noted two meetings should be held during the year to allow all residents to receive rent increase information in-person. The Committee requested to know the number of annual violation notices issued, the number of fines issued, and the amount of fees collected. The Committee also noted they would like to receive regular updates that cover each memo topic in more detail. Staff will address questions and comments raised by the Committee in a memo for the Committee.

Item #3: Communication Item: 2024 Committee Work Plan and Schedule

Greg Watson presented an update to the Committee regarding the 2024 Work Plan. Items of note include the May 7 presentation of the Planning Department's Housing Data

Dashboard, the May 21 Developer Forum, and the presentation of the 2023 Housing Report on June 18.

The Committee held a discussion regarding items they would like to add to the Work Plan which would include short-term rentals, social housing development, outdoor dining and parklets, the Jill C. Duson Housing Trust Fund and the CDBG allocation process.

Mary Davis discussed the HUD 5-year consolidated planning process which will begin next year.

Dena Libner recommended members redline the corresponding ordinance to facilitate discussion with Corporation Counsel and assist during meetings of the Committee.

Councilor Ali will work with Staff on scheduling.

Item #4: Executive Session - The Committee will go into executive session pursuant to 1 M.R.S.A. 405(6)(C) and 5 M.R.S.A. 13199-A to provide staff direction and negotiations for; (a) Review of the Affordable Housing Development Subsidy Funding Request for the Lambert Woods South Project located at 165 Lambert Street; and (b) Update on the RFP Process for sale of the Tax-Acquired Property at Diamond Cove known as the former McKinley Hospital property.

Councilor Ali introduce the item and noted the Committee would not be returning after Executive Session, and opened public comment.

Liz Trice- of Maine Cooperative Development Partners thanked the Committee for taking up this item.

Councilor Ali closed public comment.

On a motion made by Councilor Phillips, seconded by Councilor Sykes, the Committee voted (4-0) to enter into Executive Session pursuant to 1 M.R.S.A. 405(6)(C) and 5 M.R.S.A.

13199-A to discuss the review of the Affordable Housing Development subsidy funding request for the Lambert Woods South project located at 165 Lambert Street.

On a motion made by Councilor Phillips, seconded by Councilor Rodriguez, the Committee voted (4-0) to enter into Executive Session pursuant to 1 M.R.S.A. 405(6)(C) and 5 M.R.S.A. 13199-A to receive an update on the RFP process regarding the sale of the Tax-Acquired Property at Diamond Cove known as the former McKinley Hospital property.

The Committee entered Executive Session at approximately 7:10 p.m. At approximately 8:20 p.m., the Committee came out of executive session.

On motion made by Councilor Sykes, seconded by Councilor Rodriguez, the Committee 4-0 to then adjourn.

Next meeting is April 29, 2024

Respectively submitted, Victoria Volent



MEMORANDUM

TO: Chair and Members of the Housing and Economic Development Committee

FROM: Greg Watson, Director

DATE: April 25, 2024

SUBJECT: Portland Tourism Development District – FY2025 Agreement,
Development Program, and Assessment Rate

ONE SENTENCE SUMMARY

On September 18, 2023, the City Council passed Orders to create the Portland Tourism Development District starting the first half of FY2024 – terminating June 30, 2024, and this item would recommend approval to the City Council for the FY2025 Agreement, Development Plan, and Setting the Assessment Rate for the District.

I. DESCRIPTION

The Portland Tourism Development District (“District”) was originally established by the City Council September 18, 2023 for the second half of FY2024 – from January 1, 2024, through June 30, 2024. To continue the District, City Council authorization of establishing the special assessment and approval of the documents is needed.

For FY2025, City Council authorization is needed for the continued operation of the District, which includes: (1) Adopting the Development Program; (2) Establishing Assessments for the District; and, (3) Authorizing the Agreement.

The revenue raised through the special assessment will fund the District’s development program expenses for FY2025. The proposed assessment formula is detailed in the Staff Analysis section of this memo.

II. BACKGROUND

To create and start the District, the Housing and Economic Development Committee (HEDC) held several meetings over the course of a couple of years to get to the point of a recommendation to the City Council to create and start this District beginning with the second half of FY2024 – January 1, 2024, through June 30, 2024.

At these meetings, Visit Portland (VP), a/k/a Greater Portland Convention and Visitors Bureau, indicated a need for the District as they are underfunded compared with other Destination Marketing Organizations (DMO), the majority of which are funded by lodging taxes and/or tourism development districts. Historically, VP had been largely funded by annual membership dues and advertising revenue. VP reported that their then current annual budget was less than half-a-million dollars, but pre-pandemic budgets had exceeded \$1M. Other DMOs of similar size to VP, based on Portland's hotel room count of approximately 3,600, have operating budgets of anywhere from \$2.3 Million to \$14 Million. In order to be sustainable, VP requested the creation of the District.

In consultation with Corporation Counsel's office and outside counsel, it was determined that the District could be established using assessments similar to Portland Downtown District (PDD). An assessment would be placed on non-seasonal lodging houses with 40 or more rooms, making up the District, at 1.5% per room sold. The larger lodging houses in the District were identified due to the programming that would occur through the District for leisure, meetings, and conferences.

Using data from 2023, it is estimated that an assessment rate of 1.5% per rooms sold would bring in an estimated \$1.4 Million in assessments for FY2025. The City's administrative fee is 10% of assessments collected, which would net VP an estimated \$1.3 Million for FY2025. See attached listing of the lodging houses and estimated assessments.

With the District in place, VP has indicated it would have sustainable funding to keep Portland competitive as a tourist and convention destination and provide assurances for additional marketing efforts needed during seasonal or economic downturns. VP would target national audiences and capitalize on growth markets to drive high value, overnight, shoulder season travel to the area, and solidify Portland as a year-round destination. This, in turn, would bolster hotels, restaurants, and retail establishments, their employees, and the multitude of local business contracts needed to run these establishments.

VP indicated that it would be able to track results and show a return on investment as a result of the District.

III. INTENDED RESULT- SUGGESTED OUTCOME

The intended result would be for the Portland City Council to approve the District in a similar fashion as it does annually for the PDD, which would include approving the Annual Agreement, Assessment Fee, and Development Program.

IV. FINANCIAL IMPACT

Because of the 10% administrative fee to be retained by the City, negotiated and agreed upon by both parties, there is no financial impact to the City. Administrative fees are intended to cover staff costs associated with the administration of the program, as well as provide funding for City infrastructure needs impacted by increased tourism, including but not limited to, new public restrooms and maintenance, new trash receptacles and maintenance, public benches, and transportation.

V. STAFF ANALYSIS

Based upon meetings and discussions, terms for the FY2025 District are recommended by staff as follows:

Agreement Period: Term of the agreement would be one year based on Fiscal Year, and approved annually by the City Council, similar as to how the PDD is approved annually.

Assessment Rate and City's Administrative Fee: The assessment rate will be one and one-half percent (1.5%). Assessments for each individual lodging house would be established based on the following formula:

Number of Rooms x 365 = Number of Rooms/Year x Occupancy % x Average Daily Room Rate Per Hotel Class x 1.5% Assessment Rate.

Example:

125 Rooms x 365 = 45,625
45,625 x 50% = 22,813
22,813 x \$132.00 = \$3,011,250
\$3,011,250 x 1.5% = \$45,168.75
\$45,168.75 Assessment to Hotel
City 10% Admin = \$4,516.88

Please see attached listing of non-seasonal lodging houses with 40 or more rooms, and, with an assessment fee of 1.5% per room sold, it is estimated that the FY2025 assessment would bring in just under \$1.45 Million. With the City's 10% administrative fee of assessments collected, this would yield \$145,012 to the City, and net VP just over \$1.3 Million for FY2025.

The estimated assessment fees are based on the estimated number of rooms sold. VP estimated the occupancy percentage of 50% and the Average Daily Room Rate in these estimates was determined using data from the Smith Travel Research (STR) 2023 Report based on hotel class.

Annual Reporting: VP will provide the Director of Finance with an annual certified financial statement for expenses related to the District and the programs and services outlined in the Development Program. The statement shall list all income and expenses related to the District and shall be provided to the Director of Finance within six (6) months after the fiscal years.

Visit Portland will produce an annual report to the City reflecting all projects, expenses, and returns on investment of the District.

The City will complete financial reporting on the 10% administrative fee at the same intervals.

VI. RECOMMENDATION

Staff is recommending that the District for FY2025 be approved by the City Council based on the terms noted above.

VII. LIST ATTACHMENTS

- Listing of Lodging Houses Proposed for District and Estimated Assessments for FY2025 - Page 5.
- Proposed FY2025 Agreement, with attached Development Plan - Pages 6 to 36.
- Visit Portland FY2024 Annual Report - Pages 37 to 46.

NON-SEASONAL LODGING PROPERTIES OF 40 ROOMS OR MORE TO BE ASSESSED FOR PROPOSED PORTLAND TOURISM DEVELOPMENT DISTRICT- FY2025 AS OF 4/25/2024	Address	Chart-Block-Lot	Acreage		Number of Rooms	Number of Rooms per year	Rooms Rented at Annual Average Rate of 50% Per Class	Est. Room Revenue Per Hotel Class Using US Average Daily Rate (ADR) (YEAR-TO-DATE JUNE 2023)	Estimated Assessment for FY2025, Based on 50% ADR * 1.5% Assessment	10% of Assesment Fee to City Adm.
Hotel Name										
- Economy Class							50.0%	\$77.00	1.50%	10%
Motel 6 Portland ME	1 Riverside St	266 A001001	3.0384		128	46,720	23,360	\$1,798,720.00	\$26,980.80	\$2,698.08
- Midscale Class							50.0%	\$99.00	1.50%	10%
Ramada Plaza By Wyndham Portland	155 Riverside St	267 B001001	8.173		119	43,435	21,718	\$2,150,032.50	\$32,250.49	\$3,225.05
- Upper Midscale Class							50.0%	\$132.00	1.50%	10%
La Quinta Inn & Suites by Wyndham Portland	340 Park Ave, Portland	065 A003001	2.007		105	38,325	19,163	\$2,529,450.00	\$37,941.75	\$3,794.18
Clarion Hotel Airport	1230 Congress St	189 A014001	4.8057		149	54,385	27,193	\$3,589,410.00	\$53,841.15	\$5,384.12
Hampton Inn Portland Downtown - Waterfront	209 Fore Street	029 L00100H	0.5829		125	45,625	22,813	\$3,011,250.00	\$45,168.75	\$4,516.88
Holiday Inn By The Bay	88 Spring St	039 E010001	2.3018		239	87,235	43,618	\$5,757,510.00	\$86,362.65	\$8,636.27
Hampton Inn & Suites Portland West	1210 Brighton Ave	265 A001001	2.9256		86	31,390	15,695	\$2,071,740.00	\$31,076.10	\$3,107.61
Fireside Inn & Suites Portland	81 Riverside St	266 A002001	5.3691		200	73,000	36,500	\$4,818,000.00	\$72,270.00	\$7,227.00
- Upscale Class							50%	\$163.00	1.5%	10%
Residence Inn By Marriott Portland Downtown/Waterfront	145 Fore St	020 C010001	0.7821		179	65,335	32,668	\$5,324,802.50	\$79,872.04	\$7,987.20
Hilton Garden Inn Portland Downtown Waterfront	65 Commercial St	029 K003001	0.3866		120	43,800	21,900	\$3,569,700.00	\$53,545.50	\$5,354.55
AC Hotel by Marriott Portland Downtown/Waterfront	158 Fore St	019 B020001	0.6552		178	64,970	32,485	\$5,295,055.00	\$79,425.83	\$7,942.58
Courtyard by Marriott Portland Downtown/Waterfront	321 Commercial St	040 E00300H	0.767		132	48,180	24,090	\$3,926,670.00	\$58,900.05	\$5,890.01
Hyatt Place Portland-Old Port	433 Fore St	032 I042001	0.4392		130	47,450	23,725	\$3,867,175.00	\$58,007.63	\$5,800.76
Cambria Hotel Portland Downtown / Old Port	25 Hancock Street	020 C009001	0.7983		102	37,230	18,615	\$3,034,245.00	\$45,513.68	\$4,551.37
Aloft Portland Maine	379 Commercial Street	042 A001001	0.807		157	57,305	28,653	\$4,670,357.50	\$70,055.36	\$7,005.54
Hilton Garden Inn Portland Airport	145 Jetport Blvd	209A A016002	2.2107		76	27,740	13,870	\$2,260,810.00	\$33,912.15	\$3,391.22
- Upper Upscale Class							50%	\$222.00	1.5%	10%
The Press Hotel, Autograph Collection	119 Exchange St	032 C001001	0.2304		110	40,150	20,075	\$4,456,650.00	\$66,849.75	\$6,684.98
Portland Regency Hotel & Spa	20 Milk St	029 R001001	0.5596		95	34,675	17,338	\$3,848,925.00	\$57,733.88	\$5,773.39
The Westin Portland Harborview	157 High St	037 E007001	1.0647		289	105,485	52,743	\$11,708,835.00	\$175,632.53	\$17,563.25
Canopy by Hilton Portland Waterfront	9 Center Street	038 G005001	0.5462		135	49,275	24,638	\$5,469,525.00	\$82,042.88	\$8,204.29
Embassy Suites by Hilton Portland Maine	1050 Westbrook St	210A A005001	2.78		120	43,800	21,900	\$4,861,800.00	\$72,927.00	\$7,292.70
The Longfellow Hotel	754 Congress St.	054 G001001	0.2459		48	17,520	8,760	\$1,944,720.00	\$29,170.80	\$2,917.08
- Luxury Class							50%	\$379.00	1.50%	10%
Portland Harbor Hotel	468 Fore St	038 F009001	0.6505		97	35,405	17,703	\$6,709,247.50	\$100,638.71	\$10,063.87
Totals:			42.1269					\$94,729,910.00	\$1,450,119.45	\$145,011.95

**AGREEMENT
BETWEEN THE CITY
OF PORTLAND AND
VISIT PORTLAND**

This AGREEMENT made as of the 1st day of July, 2024, (the “Effective Date”) is by and between the CITY OF PORTLAND, a body politic and corporate with a mailing address of 389 Congress Street, Portland, Maine 04101 (the “City”) and the CONVENTION AND VISITORS’ BUREAU OF GREATER PORTLAND, doing business as VISIT PORTLAND, a Maine non-profit corporation with a mailing address of 1375 Congress Street, Portland, Maine 04102 (“Visit Portland”) (collectively referred to as (the “Parties”).

WHEREAS, by Council Orders _____, and dated _____, 2024, the City has approved a tourism economic development district designated as the ***Portland Tourism Municipal Development District*** (the “District”), the Development Program (defined below) including a map of the District, is attached hereto as Exhibit A and incorporated herein; and

WHEREAS, Visit Portland has been designated as the independent, non-profit corporation that shall manage the District as the Development Program Manager; and

NOW, THEREFORE, in consideration of the covenants herein contained, the Parties hereby mutually agree as follows:

ARTICLE I. Term

The term of this Agreement shall commence with the establishment of the District, and shall expire on June 30, 2025 (“the Term”).

ARTICLE II. Financial Considerations

- a. The City Council has approved the Portland Tourism Municipal Development District Development Program for the District (“the Development Program”) and the special assessment rate that provides funding to support the Development Program.
- b. The City shall make assessments (the “Assessments”) on all non-seasonal lodging properties with forty (40) rooms or more located within the boundaries of the District (each a “District Property”) in accordance with the Development Program as authorized by the City Council and permitted by law.

- c. The City shall remit the Assessments to Visit Portland within thirty (30) days of collection, less the administrative fee of ten percent (10%) of District revenue as described in the Development Program. The City administrative fee may be used for any costs or expenses related to the administration, collection, enforcement, and reporting particular to the District. Any additional funds shall be spent in accordance with the Development Districts Law in a manner which uniformly benefits the assessed parcels in the district.
- d. In addition to the foregoing, the City will pay in a lump sum, within thirty (30) days from the close of the fiscal year, any amount assessed in a prior year, but collected in a subsequent year. Said payment by City shall be subject to the City's administrative fee described in the Development Plan and less any amounts remaining to be reimbursed under a prior year Agreement with the City. City will provide Visit Portland with written detail as to any deductions taken from payments under this paragraph.
- e. Notwithstanding the foregoing, Visit Portland agrees that it will neither encumber funds that it anticipates receiving from the District Assessments nor incur expenditures in anticipation of receipt of such funds except in accordance with the Development Program.
- f. Visit Portland has approved Visit Portland's budget and Development Program in, covering the period beginning on July 1, 2024, and ending on June 30, 2025, and the City Council has approved the assessment that provides funding to support Visit Portland's budget and Development Program.
- g. Any penalties and interest collected by the City for nonpayment of assessments shall be retained by the City. Such penalties and interest shall be equivalent to penalties and interest for nonpayment of property taxes.
- h. Visit Portland will provide the Director of Finance with an annual certified financial statement for expenses related to the District and the programs and services outlined in the Development Program. The statement shall list all income and expenses related to the District and shall be provided to the Finance Director within six (6) months after the fiscal year ends.
- i. Visit Portland will produce an annual report to be submitted to the City reflecting all projects, expenses, and returns on investments of the District. Any audits

needed to verify collection assessment will be paid for by Visit Portland. The City may require reporting and conduct an audit without cause no more than once during the Term to verify remittance in accordance with the assessment formula.

Visit Portland shall have reasonable access to the City's assessment collection records, and the City shall have reasonable access to the Visit Portland's books and records particular to the District expenditures.

ARTICLE III. Services To Be Provided By Visit Portland.

During the Term, Visit Portland shall:

- a. Provide the services described herein and in the Development Program.
- b. Provide staff and administrative services sufficient for the performance of the services described herein and in the Development Program.
- c. Establish a corporate Board of Directors whose members fairly represent a cross section of District Property owners or their designees in the District, and include on the Board one (1) ex-officio Director seat for the Portland Housing and Economic Development Director or the City Manager's designee.
- d. Establish a mechanism for resolving any dispute to the kind and level of services which may arise between Portland Downtown and persons subject to development district assessments regarding the kind and level of services provided by Visit Portland.
- e. Provide liaison between the City, the District property owners, civic groups, interested persons, and other groups and individuals, as necessary to carry out the mission of the District.
- f. Maintain all minutes and records of Visit Portland proceedings as may be required.
- g. Nothing in this Agreement is intended to or shall be construed to limit Visit Portland's general powers, as set forth in the Maine Non-profit Corporation Act, Title 13-B of the Maine Revised Statutes Annotated.

ARTICLE IV. Termination.

- a. The District will commence upon the date of its establishment by the City Council and continue indefinitely in accordance with applicable law until the Council takes action to terminate or amend the District. District Property owners may submit a petition to the City Council at any time requesting that the District be terminated, which the City will consider in accordance with applicable law. The City has and reserves the right to suspend, terminate or abandon the execution of any work by Visit Portland upon receipt of a petition dissolving the District.

- b. This Agreement may be terminated by either Party for good cause. If Visit Portland or the City should fail to perform any material covenant, obligation or agreement hereunder for a period of thirty (30) days after written notice of complaint from the City Manager or Visit Portland specifying such failure, either Party may provide the other with notice of failure to perform the Agreement as provided herein. Upon receipt of notice, Visit Portland or the City shall have a ninety (90) day period, computed from the date of delivery of the notice of failure to perform, within which the affected Party may provide a written plan to remedy the complaint. In the event that a determination is made at the expiration of the ninety (90) day period that the complaint is unresolved, either Party may declare their intent to terminate the Agreement and identify the specific date of termination with a written notice. Either Party shall have the right to appeal the decision to the other. Either Party shall file such appeal within seven (7) business days from the date the Party receives the notice of termination. If such appeal does not remedy the complaint, consideration for termination of this Agreement would be subject to a vote of the City Council.
- c. Nothing herein shall be construed as giving Visit Portland the right to perform the work contemplated under this Agreement beyond the time that the City Council terminates this Agreement. In case Visit Portland should be discharged before all the services contemplated in this Agreement have been completed, or the services for any reason should be stopped, either because of the expiration of the Term or because of the inability of Visit Portland to fulfill its obligations under this Agreement, Visit Portland shall be reimbursed for all services satisfactorily performed prior to the effective date of termination in accordance with Article II hereof, but only to the extent that sufficient Assessments have been received by the City to make such reimbursement. After termination of the Agreement, Visit Portland shall:
1. With respect to existing activities, take only such actions as the City Manager shall direct;
 2. Upon City's request, assign to the City in the manner, at the times and only to the extent the City, acting by and through its City Manager, may direct it to do so, all the rights, title and interest of Visit Portland in and to all existing orders and agreements.
 3. To the extent rights, title and interests of Visit Portland in and to existing orders and agreements may be assigned to the City and accepted by it; obligations incurred on or after such assignment will be assumed by the City. Otherwise, Visit Portland shall settle all outstanding liabilities and all claims arising out of any terminated orders or agreements.
 4. Deliver to the City, in the manner, at the times and to the extent directed by the City Manager, all documents and data produced by Visit Portland as part

of or in connection with the work.

5. In the event of termination of the District, any remaining revenues, after all outstanding debts are paid, derived from the charge of fees, or derived from the sale of assets acquired with the revenues, shall be returned to the City and appropriated for the purposes of the Development Program, subject to the approval of the City Council.

ARTICLE V. Assignment

Visit Portland covenants and agrees that it will neither assign nor transfer any rights here under, either in whole or in part, without first obtaining the prior written consent of the City.

ARTICLE VI. Performance of Services

All services performed by Visit Portland under this Agreement, or by third parties paid with funds provided under this Agreement, shall be performed in a good, workman like fashion and in accordance with all applicable professional and industry standards.

ARTICLE VII. Compliance with Law

Visit Portland will comply with all provisions of Federal, State, and local law, applicable to the services provided under this Agreement. Visit Portland further agrees to adhere to a policy of non-discrimination in all employment actions, practices, policies, procedures, phases, and conditions of employment. This shall include compliance with all applicable provisions of the Workforce Investment Act of 1998, as amended (WIA, 29 CFR part 37); the Nontraditional Employment for Women Act of 1991; title VI of the Civil Rights Act of 1964, as amended; section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended; title IX of the Education Amendments of 1972, as amended; and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR part 37 and all other applicable laws, including the Maine Human Rights Act, ordinances and regulations regarding equal opportunity and equal treatment. Visit Portland specifically agrees that all employment-related decisions (including but not limited to hiring, discharge, transfers, promotions, discipline, training, job opportunities, and wage and salary levels) will be made without discrimination based on an individual's race or color, religion, age, sex (including pregnancy), sexual orientation, gender identity or expression, ancestry or national origin, physical or mental disability, veteran status, genetic information, previous assertion of a claim or right under Maine's Workers' Compensation Act, previous actions taken protected under Maine's Whistleblowers' Protection Act, or any other protected group status as

defined by applicable law. Provisions in applicable laws providing for bona fide occupational qualifications, business necessity, or age limitations will be adhered to by Visit Portland where appropriate.

ARTICLE VIII. Indemnification

- a. Visit Portland shall, at its own cost and expense, defend, indemnify, and hold harmless the City, its officers, agents, and employees, from and against the following:
 1. To the fullest extent permitted by law, Visit Portland shall defend, indemnify and hold harmless the City, its officers and employees, from and against all claims, damages, losses, and expenses, just or unjust, including but not limited to costs of defense, including attorney's fees, arising out of or resulting from the performance of this Agreement, provided that any such claims, damage, loss or expense is (1) attributable to bodily injury, sickness, disease, or death, or injury to or destruction of tangible property, including the loss or use thereof; and (2) is caused in whole or in part by any negligent act or omission of Visit Portland, anyone directly or indirectly employed by it, or anyone for whose act it may be liable;
 2. All claims and liens of Visit Portland's consultants, subcontractors, and their laborers, mechanics, material men, and/or suppliers. Such obligation shall not be construed either to negate or abridge any other obligation of indemnification and shall not be limited by any provision for insurance contained in this Agreement.
- b. Notwithstanding the foregoing, nothing herein shall, nor is intended to, waive any defense, immunity or limitation of liability which may be available to the City or their respective officers, agents and employees, under the Maine Tort Claims Act or any other privileges and/or immunities provided by law.

ARTICLE IX. Insurance

- a. Neither Visit Portland nor any of its subcontractors shall commence work under this Agreement until they have provided the insurance coverage required by this Agreement and such coverage has been approved by the City.
- b. Prior to the execution of this Agreement, Visit Portland shall, at its own expense, procure and maintain:

- Occurrence-based Professional Liability Insurance for errors, omissions and negligence, in the amount of One Million Dollars (\$1,000,000.00) per claim.
- Occurrence based Commercial General Liability Insurance coverage in amounts of not less than One Million Dollars (\$1,000,000.00) per occurrence for bodily injury, death and property damage;
- Workers' Compensation Insurance coverage to the extent required by law, which shall include an endorsement waiving all rights of subrogation against the City of Portland, its officers or employees;

With respect to the Commercial General Liability, Visit Portland shall name the City as an additional insured for coverage for claims for which the City does not have governmental immunity, including, without limitation, those areas where government immunity has been expressly waived as set forth in 14 M.R.S. A. § 8104-A, as limited by § 8104-B, and § 8111. This provision shall not be deemed a waiver of any defenses, immunities or limitations of liability or damages available to the City under the Maine Tort Claims Act, other Maine statutory law, judicial precedent, common law, or any other defenses, immunities or limitations of liability available to the City. Prior to execution of this Agreement, Visit Portland shall furnish the City and thereafter maintain certificates evidencing all such coverages, which certificates shall guarantee thirty (30) days' notice to the City of termination of insurance from the insurance provider or agent. Visit Portland shall also provide a copy of any endorsement naming the City as additional insured. A certificate that merely has a box checked under "Addl Insr," or the like, or that merely states the City of Portland is named as an Additional Insured, will not be acceptable. The Workers' Compensation insurance shall include an endorsement waiving all rights of subrogation against the City of Portland, its officers or employees. Upon City's request, Visit Portland shall provide City with a complete copy of any of the above-referenced policies. Visit Portland shall be responsible for any and all deductibles and/or self-insured retentions (not to exceed \$10,000.00 without prior written approval of Corporation Counsel). City's acceptance or lack of acceptance of Visit Portland's Certificate of Insurance or other evidence of insurance shall not be construed as a waiver of the Visit Portland's obligation to obtain and maintain such insurance as required by this agreement.

Article X. No Joint Venture; Independent Contractors

- a. Nothing contained in this Agreement will constitute or be construed to be or create a partnership or joint venture between the parties or any of their respective officers, directors, employees, affiliates, successors or assigns. The parties understand and agree that this Agreement does not make either of them an agent or legal

representative of the other for any purpose whatsoever. No party is granted, by this Agreement or otherwise, any right or authority to assume or create any obligation or responsibilities, express or implied, on behalf of or in the name of any other party, or to bind any other party in any manner whatsoever.

- b. Each party will secure, at its own expense, all personnel, materials, and equipment required to perform its obligations under this Agreement. Each party, in accordance with its status as an independent contractor, covenants and agrees that its employees shall be regarded for all legal and tax purposes as its own employees during the term of this Agreement, and each party shall govern and supervise the work of its own employees. Each party shall discharge all applicable obligations imposed upon employers under the law, including without limitation payment of wages, social security taxes, withholding taxes, unemployment taxes and worker's compensation. Both parties' employees shall not be considered employees of the other party for any purpose and shall not be entitled to any retirement benefits, social security benefits, unemployment benefits, group health or life insurance, vacation, personal, or sick leave, worker's compensation, or any other similar benefits ("Employment Benefits") from the other party. Each party further covenants and agrees that its employees will conduct themselves consistent with such status, that they will neither hold themselves out as, nor claim to be, officers or employees of the other party by reason of this Agreement, and that its employees will not, by reason of this Agreement, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the other party, including but not limited to the Employment Benefits.
- c. Nothing in this Agreement is intended to or does prohibit Visit Portland or the City from entering into any other contractual relationship with each other or any third party.

Article XI. Miscellaneous Provisions

- a. This Agreement shall be construed in all respects in accordance with, and governed by, the laws of the State of Maine. All parties hereto hereby consent to the exclusive jurisdiction of the Superior Court for the County of Cumberland in the State of Maine, for all actions, proceedings and litigation arising from or relating directly or indirectly to this Agreement or any of the obligations hereunder, and any dispute not otherwise resolved as provided herein shall be litigated solely in said Court.

- b. This Agreement and its attachments represents the entire and complete agreement and understanding between the parties and supersedes any prior agreement or understanding, written or oral, between the parties with respect to the subject matter of this Agreement. This Agreement cannot be amended except by written instrument executed by the City and Visit Portland.
- c. Visit Portland warrants and represents that it has the full right and authority to enter into this Agreement, that there is no impediment that would inhibit its ability to perform their respective obligations under this Agreement, and that the person signing this Agreement on behalf of Visit Portland has the authority to do so.
- d. This Agreement may be executed in any number of counterparts and by different parties in separate counterparts. Each counterpart when so executed shall be deemed to be an original and all of which together shall constitute one and the same agreement. A signature in a pdf or electronic document shall be considered the equivalent of an original signature.

(Signature page follows)

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the _____ day of _____, 2024.

WITNESS

CITY OF PORTLAND

By: _____
Danielle P. West
Its City Manager

WITNESS

**CONVENTION AND VISITORS'
BUREAU OF GREATER
PORTLAND**

By: _____
Print Name:
Its: _____

Approved as to Form:

City Corporation Counsel

Approved as to Funds:

City Finance Department

ECONOMIC DEVELOPMENT PROJECT

CITY OF PORTLAND, MAINE

A Municipal Development District

**PORTLAND TOURISM MUNICIPAL DEVELOPMENT DISTRICT
DEVELOPMENT PROGRAM**

Presented to:

**City Council
City of Portland**
_____, 2024

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Exhibit List

Exhibit A	City of Portland Property Map Showing District Property Relative to City Boundaries
Exhibit B	Notice of Public Hearing
Exhibit C	Minutes of Public Hearing
Exhibit D	City Council Order
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Development Program

I. Introduction

The City of Portland (the “City”) seeks to establish a Municipal Development District to be known as the “**Portland Tourism Municipal Development District**” (the “District”), located throughout the City of Portland.

The District includes 23 non-seasonal hotels with 40 rooms or more to be assessed for the District to provide programs, services and improvements as described in this Development Program.

In designating the proposed District and adopting this Development Program, the City can accomplish the following goals:

- Maintain and ideally expand the existing tax revenues flowing from the District properties;
- Enable the investment of assessment payments made by properties uniformly and proportionally benefitting from the Development Program in strategic sales, marketing, promotions, destination development and special events;
- Maintain and create long-term, stable employment opportunities for area residents; and
- Improve the overall economy of the City, the Cumberland County region, and the State of Maine.

II. Development Program Narrative

A. The Development District

The District will encompass approximately 42.1269 acres of real property, and includes the following\ City Tax Map/Lots/Blocks: 019-B020001 (0.6552 acres), 042-A001001 (0.807 acres), 20-C009001 (0.7983 acres), 038-G005001 (0.5462 acres), 054-G001001 (.2459 acres), 189-A014001 (4.8057 acres), 040-E00300H (0.767 acres), 210A-A005001 (2.78 acres), 266-A002001 (5.3691), 029-L00100H (0.5829 acres), 265-A001001 (2.9256 acres), 029-K003001 (0.3866 acres), 209A-A016002 (2.2107 acres), 039-E010001 (2.3018 acres), 032-I042001 (0.4392 acres), 065-A003001 (2.007 acres), 266-A001001 (3.0384 acres), 038-F009001 (0.6505 acres), 029-R001001 (0.5596 acres), 267-B001001 (8.173 acres), 020- C010001 (0.7821 acres), 032-C001001 (0.2304 acres), 037-E007001 (1.0647 acres) (each a “District Property”). The District is shown in **Exhibit A** attached hereto.

B. The Development Program

The City’s designation of the District and adoption of this Development Program allows for the City to fund activities and projects to be supported by the District Property owners, and also coordinate services to ensure effective delivery and proper support for tourism promotion while building on existing revitalization efforts and protection of public and private investment. The travel industry is a major economic driver for the City and Maine. Visitor spending not only

supports tourism-related businesses but also the local artists, lobster/fishing community, cultural institutions, food & beverage establishments, and small businesses that residents alone could not support year-round. Therefore, it is in the public interest of the City, and vital to the welfare of the City's economy, to facilitate and encourage cooperating public-private partnerships where lodging properties become partners with the City for the enhancement and expansion of the travel economy and to provide for increased business activity, tourism, economic development and job creation throughout the District.

The term of the District will commence when established by the City Council and continue indefinitely, subject to annual budget approvals by the City Council, until the Council takes action to terminate or amend the District. District Property owners may submit a petition to the City Council at any time requesting that the District be terminated, which the City will consider in accordance with applicable law.

Under this Development Program, projects as listed below in Table 1 will be executed through an agreement with a development program manager (the "Development Program Manager").

This Development Program is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended (the "Statute"). The designation of the District and adoption of the Development Program are effective upon approval by the City Council, evidenced by Exhibit C and Exhibit D hereto.

C. The Projects

District Property owners will pay assessments on an annual basis to support the program. The formation of the District is intended to contribute to the economic growth and wellbeing of the City, and to the betterment of the health, welfare or safety of the inhabitants of the City. To accomplish this intention, the City desires to support the costs described below using District revenues. The City shall not reduce services to the District Properties because of the implementation of the District. Projects and services approved and executed by the District shall be in addition to and not in the place, of municipal projects and services. Assessment revenues must be spent in accordance with the financial plan.

The annual project costs presented in the annual Financial Plan shall be approved by the City Council and must be contained within the project descriptions below and identified in the Order Establishing the Portland Tourism Development District. Please see Table 1 herein for a complete list of authorized projects and their respective cost estimates for the second half of the 2024 fiscal year. Future cost estimates for the projects will be approved on an annual basis and will serve as the basis for the assessment calculation.

TABLE 1
Municipal Projects

Project	FY 2025 Cost Estimate*
• <u>Sales, Marketing, Promotions, Destination Development and Special Events.</u> Marketing efforts will reach markets such as Leisure Travelers, Meetings & Conferences, Sporting Events, Destination Weddings and Social Events, International Travelers, Motorcoaches, Cruise Passengers, and Media/Influencers. Marketing messaging will reach all ages of travelers and target all demographics including BIPOC and LGBTQ+. <u>Ten percent (10%) of the Sales, Marketing, Promotions, Destination Development, and Special Events budget shall be allotted specifically to reach the BIPOC, LGBTQ+ markets, and community DEI efforts.</u> Projects may include: • Promoting and marketing tourism in different periods (for example out of season or shoulder seasons); • Research & Development of a marketing plan designed to outline a strategy for attracting potential visitors and expand programs to attract diverse visitors at the right time with the right message; • Regional and national leisure marketing and convention trade marketing programs inclusive of broadcast, social, digital, audio, print, pay-per-click and out-of-home channels, designed to increase awareness of and drive overnight traffic to the destination – in turn, benefitting the assessed lodging properties through increased consumer demand and increased year-round room night bookings.; • Public Relations and media programs that enhance the profile of Portland as a visitor, meetings and event destination – in turn, benefitting the assessed lodging properties through increased consumer demanded increased room night bookings; • Dedicated funds to support incentives, hosting fees and other offsetting costs associated with securing strategic industry events, incremental group and convention business, and/or large-scale events for the destination that generate room nights for the assessed lodging properties; • Strategic partnerships, sponsorships, or other alliances that reinforce the City of Portland as a destination of choice within the travel marketplace	\$745,000

for meetings, events and leisure travel – in turn, generating greater room night sales to the assessed lodging properties; • Attendance at tradeshow, conferences, and professional industry/partner events to promote the destination and the assessed lodging properties; • Sales missions, client events, site inspections, and familiarization tours showcasing the destination and the assessed lodging properties; • Visitor services programs designed to extend stays at assessed lodging properties and increase visitor spending; • Preparation, production, mailing, and distribution of collateral promotional materials such as brochures, flyers, maps, and videos featuring assessed lodging properties; • Research on current and new markets that would result in additional room night sales to assessed lodging properties_	
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Project	FY 2025 Cost Estimate*
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B. Business Practices & Workforce Initiatives Work with lodging partners, attractions, restaurants, venues and other tourism-related entities to support programs that encourage sustainable visitation. Services may include: • Programs to combat congestion at specific locations and reduce pressure on infrastructure and resources that have a negative impact on the quality of life for residents; • Programming to sustain demand and undertaking activities that balance the livability of the destination in popular tourism periods and generating overnight stays from leisure travelers especially during need periods; • Infrastructure or capital improvements, including maintenance activities, that enhance Portland's competitive position to attract desirable special events year around and attract overnight visitors including payment of debt service on such expenditures; • Funds may be deployed to build programs to support a sustainable workforce. Programming may include destination wide workforce assessment, cost analysis and investment strategy, and apprenticeship/educational programming as seasonality requires.	\$100,000
C. <u>District Administration</u> The administration portion of the budget shall be utilized for the costs of forming the District shall be repaid to the Development Program Manager from District assessment revenues, as well as administrative costs, office costs, and other general administrative costs such as insurance, legal, and accounting fees incurred by the City and the Development Program Manager.. A portion of the budget will be allocated to a contingency fund. If there are contingency funds collected, they may be held in a reserve fund or utilized for other program or administration costs at the discretion of the Development Program Manager board. Policies relating to contributions to the reserve fund, the target amount of the reserve fund, and expenditure of monies from the reserve fund shall be set by the Board, subject to approval by the City.	\$585,120
D. <u>Return on Investment/ Quarterly and Annual Reporting</u> The Development Program Manager will account for the expenses of the District specific to the services and programming and the return on investment to be recorded in room nights sold, lodging properties occupancy percentages, and revenues generated.	\$20,000

Project	FY 2025 Cost Estimate*
Total	\$1,450,120

* These are estimates only. The City may approve different budgeted amounts for the listed projects each year.

D. Strategic Growth and Development

By creating and designating the District, the City can achieve the appropriate level of programs, services and improvements described in this Development Program as well as a fair and appropriate financial contribution from each party benefitting from such activities. Establishing the public private partnership to fund our local tourism industry will pave the way for an engaged community that will be invested in efforts to stabilize and sustain a year-round balanced visitor demand, local workforce development and support, creating a new platform for Portland to elevate the accessibility to its diverse community, support residents and business development, and maintain and evolve experiences for visitors.

In addition, by providing additional services for assessed lodging properties in the City of Portland, the District will ease the burden on local government, which faces constrained budgets, while under obligation to provide equivalent levels of service throughout the entire community.

The City's designation of the District and pursuit of this Development Program constitute a good and valid public purpose described in Chapter 206 of Title 30-A of Maine Revised Statutes because it represents a substantial contribution to the economic well-being of both the City and the region, by supporting surrounding businesses which provide jobs and contribute to property taxes.

E. Improvements to the Public Infrastructure

As further set forth in Table 1, the City will undertake a variety of operations and maintenance activities, including potential public infrastructure improvements.

F. Operational Components

1. Public Facilities

As further set forth in Table 1, the City may undertake public capital improvement projects and maintenance activities.

2. Commercial Improvements Financed Through Development Program

No commercial improvements will be financed through the District or assessments.

3. Relocation of Displaced Persons

No persons will be displaced.

4. Transportation Improvements

No transportation improvements will be financed through the District or Assessments.

5. Environmental Controls

The improvements made under the proposed Development Program will meet or exceed all federal and state environmental regulations and will comply with all applicable land use requirements for the City.

6. Plan of Operation

During the term of the District, the City Manager or designee will be responsible for all administrative matters within the purview of the City concerning the implementation and operation of the District, including the imposition and collection of implementation assessments.

Pursuant to the Development Districts Law, the City will enter into a contractual arrangement with the Development Program Manager to perform the Projects outlined in Table 1 above and all administrative matters associated with the Development Program other than those matters within the purview of the City. The Development Program Manager shall establish a corporate Board of Directors whose members fairly represent a cross section of assessed property owners or their designees in the District and include on the Board one (1) ex-officio Director seat for the Portland Housing and Economic Development Director or the City Manager's designee.

III. Physical Description

Municipal documents relating to the District's physical description attached as: City of Portland property map showing the District relative to City boundaries. **Exhibit A**

IV. Financial Plan

The District will encompass approximately 42.1269 acres of property and will begin for the 2025 fiscal year July 1, 2024 – June 30, 2025, with subsequent fiscal years with an indefinite term of years to be terminated only upon Council action.

A. Cost Estimate and Sources of Revenues

All non-seasonal lodging properties with forty (40) or more rooms within the boundaries of the City of Portland that meet the assessed property criteria shall be assessed. The assessment is based upon the benefits received from the district programming, derived from the business activity related to the parcel. The fiscal year method and assessment rate is based on short term room rental using the US Average, Average Daily Rate (ADR) multiplied by fifty-percent (50%) occupancy as reported by STR year or, when unavailable, as reported by the District Property, for the previous year, multiplied by one and one-half percent (1.5%) which is also equal to one and one-half percent (1.5%) of annual gross short-term room rental revenue.

With a July 1, 2024, District begin date, the budget is based on July 1, 2024, to June 30, 2025, business activity as reported by STR as outlined above, or when unavailable as reported by District Property owners. The subsequent annual assessment will be calculated in a similar manner to the initial assessment using the most recent available previous fiscal year data as reported by STR as outlined above, or when unavailable by District Property Owners.

Assuming a July 1, 2024 District begin date, the District is expected to have a budget (FY2025) of approximately \$1,450,119, based on the assessment rate described above and the cost of programs detailed in the attached budget and as described in Table 1.

B. Collections and Remittance

Pursuant to the Development Districts Law, assessments must be collected by the City at the same time and in the same manner as municipal taxes, following municipal procedures as outlined by the City of Portland. The City shall forward to the Development Program Manager all District assessment funds collected within thirty (30) days of collection, less a ten (10) percent City administrative fee as authorized in the District Development Program. The City tax collector has all the authority and powers by law to collect the assessments. If any District Property owner fails to pay any assessment or part of an assessment on or before the dates required, the City has all the authority and powers to collect the delinquent assessments vested in the City by law to collect delinquent municipal taxes. Penalties for nonpayment of assessments shall be equivalent to penalties for nonpayment of property taxes. Assessments may be remitted on a monthly basis in advance of the municipal tax billing. The City administrative fee may be used for any costs or expenses related to the administration, collection, enforcement, and reporting particular to the District. Any additional funds shall be spent in accordance with the Development Districts Law in a manner which uniformly benefits the assessed parcels in the district. The City may require reporting and conduct an audit without cause no more than once every year to verify remittance in accordance with the assessment formula.

C. Municipal Indebtedness

The City reserves the right to issue municipal bonds in order to pay for costs of maintenance and operations costs. Any municipal bond issued for such project would require City Council approval and follow Charter required process.

D. Related Contract, Agreements, and Obligations

There are no existing terms and conditions of any agreements, contracts, or other obligations related to this Program, other than the anticipated contract with the Development Program Manager to implement the Projects outlined in Table 1 above and all other administrative matters concerning the implementation and operation of the District, other than those matters within the purview of the City.

E. Rollover Funds

Any and all unused fee funds collected during a year may be rolled over to the subsequent year to be used for programs detailed in the Financial Plan. In the event of termination of the

District, any remaining revenues, after all outstanding debts are paid, derived from the charge of fees, or derived from the sale of assets acquired with the revenues, shall be appropriated for the purposes of this Development Program.

F. Reserve Policy

The District's Development Program Manager may develop a Reserve Policy to establish minimum levels for designated funds to ensure stable program and project execution, meet future needs, and protect against financial instability, subject to approval by the City.

V. Financial Data

Please find attached as **Exhibit E** the Statutory Requirements and Thresholds Form required by the Maine Department of Economic and Community Development.

VI. Municipal Approvals

A. Notice of Public Hearing

Attached as **Exhibit A** is a copy of the Notice of Public Hearing held on _____, 2024, in accordance with the requirements of 30-A M.R.S.A. § 5226(1). The notice was published in the Portland Press Herald, a newspaper of general circulation in the City on a date at least ten (10) days prior to the public hearing.

B. Minutes of Public Hearing

Attached as **Exhibit C** is a certified copy of the minutes of the public hearing held on _____, 2024, at which time the proposed District was discussed by the public.

C. City Council Order

Attached as **Exhibit D** is an attested copy of the City Council Order adopted by the Portland City Council at a Council Meeting duly called and held on _____, 2024, designating the District and adopting the Development Program.

EXHIBIT A

CITY OF PORTLAND PROPERTY MAP SHOWING DISTRICT PROPERTY
RELATIVE TO CITY BOUNDARIES

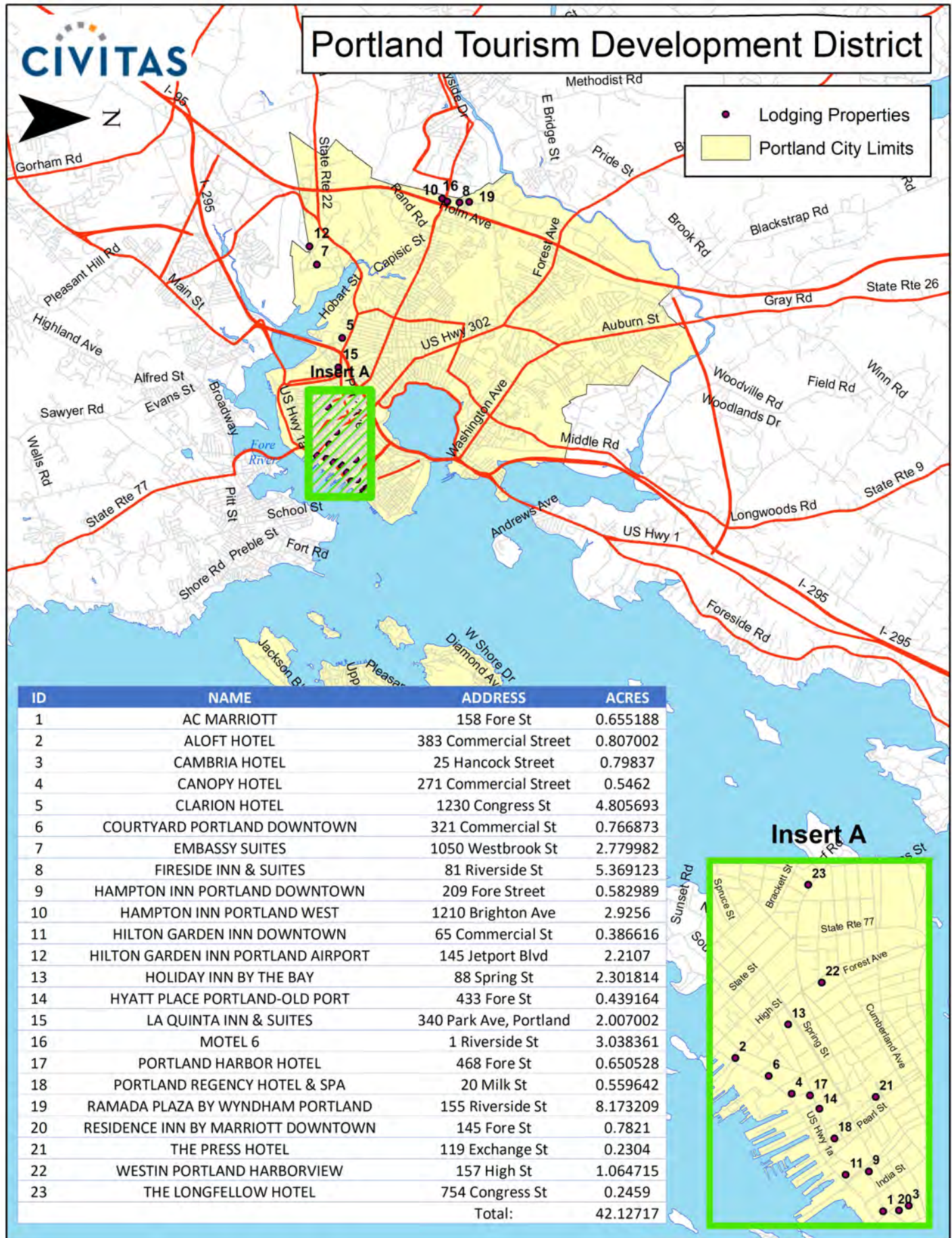


EXHIBIT B
NOTICE OF PUBLIC HEARING

EXHIBIT C
MINUTES OF PUBLIC HEARING

EXHIBIT D
CITY COUNCIL ORDER

EXHIBIT E
STATUTORY REQUIREMENTS AND THRESHOLDS FORM

EXHIBIT E
STATUTORY REQUIREMENTS AND THRESHOLDS
PORTLAND TOURISM MUNICIPAL DEVELOPMENT DISTRICT/FY2025

SECTION A. Acreage Caps		
1. Total municipal acreage;	13,785.6	
2. Acreage of proposed Municipal Development District;	42.1269	
3. Downtown-designation ¹ acres in proposed Municipal Development District;	0	
4. Transit-Oriented Development ² acres in proposed Municipal Development District;	0	
5. Total acreage [=A2-A3-A4] of proposed Municipal Development District counted toward 2% limit;	42.1269	
6. Percentage [=A5÷A1] of total acreage in proposed Municipal Development District (CANNOT EXCEED 2%).	.3056%	
7. Total acreage of all <u>existing/proposed</u> Municipal TIF districts in municipality including Municipal Affordable Housing Development districts: ³ SEE ATTACHED LISTING . District Name/Acreage District Name/Acreage District Name/Acreage District Name/Acreage District Name/Acreage District Name/Acreage	Existing	847.5118
	Proposed	42.1269
	Total:	889.6387
30-A § 5223(3) EXEMPTIONS⁴		
8. Acreage of an <u>existing/proposed</u> Downtown Municipal TIF district;	416.7288	
9. Acreage of all <u>existing/proposed</u> Transit-Oriented Development Municipal TIF districts: District Name/Acreage District Name/Acreage	30.00	
10. Acreage of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts: District Name/Acreage District Name/Acreage	0	
11. Acreage in all <u>existing/proposed</u> Municipal TIF districts common to ⁵ Pine Tree Development Zones per 30-A § 5250-I (14)(A) excluding any such acreage also factored in Exemptions 8-10 above: District Name/Acreage District Name/Acreage District Name/Acreage District Name/Acreage District Name/Acreage District Name/Acreage	0	
12. Total acreage [=A7-A8-A9-A10-A11] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	442.910	
13. Percentage of total acreage [=A12÷A1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).	3.2128%	
14. Real property in proposed Municipal Development District that is:	ACRES	% [=Acres÷A2]
a. A blighted area;		
b. In need of rehabilitation, redevelopment or conservation;		
c. Suitable for commercial or arts district uses.	42.1269	100%
TOTAL (except for § 5223 (3) exemptions a., b. OR c. must be at least 25%)		

¹ Before final designation, the Commissioner will seek advice from MDOACF and MDOT per 30-A § 5226(2).

² For Transit-Oriented Development (TOD) definitions see 30-A § 5222 sub-§§ 19-24.

³ For AH-TIF acreage requirement see 30-A § 5247(3)(B). Alternatively, Section B. must exclude AH-TIF valuation.

⁴ Downtown/TOD overlap nets single acreage/valuation caps exemption.

⁵ PTZ districts approved through December 31, 2008.

EXHIBIT E
STATUTORY REQUIREMENTS AND THRESHOLDS
PORTLAND TOURISM MUNICIPAL DEVELOPMENT DISTRICT/FY2025

SECTION B. Valuation Cap			
1.	Total TAXABLE municipal valuation—use most recent April 1;	N/A	
2.	Taxable Original Assessed Value (OAV) of proposed Municipal TIF District as of March 31 preceding municipal designation—same as April 1 prior to such March 31;	N/A	
3.	Taxable OAV of all <u>existing/proposed</u> Municipal TIF districts in municipality excluding Municipal Affordable Housing Development districts:	Existing	N/A
	District Name/OAV District Name/OAV District Name/OAV	Proposed	N/A
	District Name/OAV District Name/OAV District Name/OAV	Total:	N/A
30-A § 5223(3) EXEMPTIONS			
4.	Taxable OAV of an <u>existing/proposed</u> Downtown Municipal TIF district;	N/A	
5.	Taxable OAV of all <u>existing/proposed</u> Transit-Oriented Development Municipal TIF districts:	N/A	
	District Name/OAV District Name/OAV		
6.	Taxable OAV of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts:	N/A	
	District Name/OAV District Name/OAV		
7.	Taxable OAV of all <u>existing/proposed</u> Single Taxpayer/High Valuation ⁶ Municipal TIF districts:	N/A	
	District Name/OAV District Name/OAV		
8.	Taxable OAV in all <u>existing/proposed</u> Municipal TIF districts common to Pine Tree Development Zones per 30-A § 5250-I (14)(A) excluding any such OAV also factored in Exemptions 4-7 above:	N/A	
	District Name/OAV District Name/OAV District Name/OAV		
	District Name/OAV District Name/OAV District Name/OAV		
9.	Total taxable OAV [=B3-B4-B5-B6-B7-B8] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	N/A	
10.	Percentage of total taxable OAV [=B9÷B1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).	N/A	

COMPLETED BY			
PRINT NAME	Lori Paulette		
SIGNATURE		DATE	4/26/2024
If this form has <u>not be completed by the municipal or plantation assessor</u> , the assessor must sign and date below, acknowledging he/she agrees with the information reported on this form, and understands the OAV stated in Section B, line 2, will be used to determine the IAV for this District.			
PRINT NAME	Elisa Marr		
SIGNATURE		DATE	

⁶ For this exemption see 30-A §5223(3)(C) sub-§§ 1-4.

Listing of Existing TIF Districts for Proposed Tourism Development District for FY2025

4/23/2024

Active TIFs			
TIF District	FY Start/End	Original Assessed Value (OAV)	Acres
Waterfront/and W Maine Sub District/Added March 2018 Parcels	FY2002-03/FY2031-32	\$8,283,740	6.625
- WTIF 9/2018 Added Parcels		\$20,076,870	77.560
- WTIF 5/2019 Added Parcels		\$5,938,400	13.430
Bayside Expanded TIF District	FY2003-04/FY2032-33	\$121,639,640	128.728
Pearl Place/Avesta-AH TIF	FY2007-08/FY2035-36	\$0	1.035
Public Market/Power Pay	FY2010-11/FY2039-40	\$1,862,600	1.070
McAuley Place	FY2009-10/FY2038-39	\$0	5.320
Avesta/409 Cumberland Ave-AH TIF	FY2013-14/FY2034-35	\$0	0.410
Thompson's Pt TOD/TIF II	FY2014-15/FY2043-44	\$4,970,470	30.000
134 Washington Avenue/AH TIF	FY2014-15/FY2033-34	\$0	0.230
17 Carleton St/AH TIF	FY2015-16/FY2036-37	\$0	0.572
Downtown TOD TIF	FY2015-16/FY2044-45	\$964,702,263	416.7288
ImmuCell TIF	FY2017-18/FY2028-29	\$52,600	1.110
58 Boyd Street/AH TIF	FY2018-19/FY2047-48	\$0	0.480
178 Kennebec St/AH TIF	FY2019-20/FY2048-49	\$0	0.220
Deering Place/AHTIF	FY2018-19/FY2047-48	\$0	1.090
977 Brighton Avenue/AHTIF	FY2019-20/FY2048-49	\$0	0.730
66 State Street AHTIF	FY2020-2021/FY2049-50	\$0	0.509
PHA Front Street AHTIF	FY2020-2021/FY2049-50	\$0	3.487
200 Valley Street AHTIF	FY2020-2021/FY2049-50	\$0	0.344
577 Washington Avenue AHTIF	FY2020-2021/FY2049-50	\$0	3.610
337 Cumberland Avenue AHTIF	FY2020-2021/FY2049-50	\$0	0.452
104 Grant Street AHTIF	FY2020-2021/FY2049-50	\$0	0.330
83 Middle Street AHTIF	FY2020-2021/FY2049-50	\$0	0.285
91 Winter Street AHTIF	FY2021-2022/FY2050-51	\$0	0.0000
73 Winter Street AHTIF	FY2021-2022/FY2050-51	\$0	0.3941
45 Dougherty Street AHTIF	FY2023/2024/FY2052-53	\$0	1.6750
25 Casco Street AHTIF	FY2024-2025/FY2053-54	\$0	0.312
Riverton Park	FY2024-2025/FY2043-44	\$0	19.8649
Portland Tourism Dev. District	n/a	n/a	42.1269
Portland Downtown Munic. Dev. Dist.	n/a	n/a	130.9100
Sub-Total:		\$1,127,526,583	889.6387
Less Exempt:			
Thompson's Point (TOD TIF)	FY2014-15/FY2043-44	-\$4,970,470	-30.000
Downtown TOD District	FY2015-16/FY2044-45	-\$964,702,263	-416.7288
Totals for Caps:		\$157,853,850	442.910
FY2023 Aggregate Total Value:		\$14,872,866,446	
Total Acreage for Ptd:			13,785.600
5% Allowed to be TIF'd:		\$743,643,322	689.280
Current Amounts TIF'd:		\$157,853,850	442.910
Amount Remaining that can be TIF'd:		\$585,789,472	246.370



VISIT
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MAINE

Authentic By Nature

PTDD ANNUAL REPORT

PGM Photography

LETTER FROM THE BOARD CHAIR

On behalf of the Portland Tourism Development District and Visit Portland, I am pleased to share the progress we have made in the last few months.

As the Chair of Visit Portland, I am proud to present this Annual Report. Over the past six months, our dedicated board members and organizational team have engaged in rigorous discussions and strategic planning to shape the trajectory of Portland's tourism landscape. At the heart of our efforts lies a commitment to promote our city such that we ensure sustainable growth that benefits both our vibrant community and the tourism industry.

Central to our mission is the recognition that successful tourism development must be inclusive and responsive to the diverse interests and voices within our city. As such, we have conducted extensive outreach efforts to engage with local businesses, community leaders, and residents so our initiatives reflect the values and aspirations of all Portlanders.

By fostering open dialogue and collaboration, we strive to build a tourism ecosystem that fosters economic prosperity, cultural enrichment, and environmental stewardship.

We're grateful for your support and partnership. Together, we'll continue to develop tourism strategies that reflect the essence of Portland and chart a course toward a future where our city shines as a beacon of hospitality, creativity, and inclusivity.

Thank you for your dedication to our city's prosperity.

John Schultzel

John Schultzel
Olympia Companies
Chair



FY 2024

MEET THE REST OF THE BOARD

At the onset of the district formation, the current Visit Portland board of 31 voted to relinquish their seats for the organization to establish a new board that oversees both the Visit Portland organization and the management of the Portland Tourism Development District. The newly formed board includes representatives from district hotels and is balanced with representatives from a restaurant, attraction, transportation, arts/culture, marketing, and the City of Portland.



Matthew Nolan, General Manager
Press Hotel
Vice Chair



Sam Brown, CFO
Portland Regency
Treasurer



Michael Erickson, General Manager
Holiday Inn by the Bay
Secretary



Casey Oakes, Deputy Director
Portland Ovations



David Turin, Owner
David's Restaurant



Jeff Lidinsky, General Manager
Westin Harborview



Kevin Pagnano, Director of Operations
Maine Course Hospitality



Pam Laskey, Owner
Maine Day Ventures



Natalie Bogart, Deputy Director
Amtrak Downeaster



Sarah Dobbins, Market President
Townsquare Media



Gerard Kiladjian, Consultant
Principal Hospitality



Greg Watson, Director HEDC
City of Portland



DATES OF PROGRESS

The Portland Tourism Development District mirrors the structure of the Portland Downtown District. Since its establishment in 1992, the downtown district has brought about transformative success for the City of Portland. Consequently, Visit Portland recognized the importance of dedicating the initial six months to laying the groundwork, believing that this foundational period is crucial for establishing a thriving program in the years ahead.

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September 18, 2023: The Portland City Council passes Maine's first Tourism Development District.

October 11, 2023: All district hotels were informed of the processes moving forward to prepare for the district's start on January 1, 2024.

October 19, 2023: Visit Portland holds its last board meeting with its 31-member board. The existing board voted to establish a new governance structure to oversee the Visit Portland and Development District budgets and all programming. The new 13-member board is comprised primarily of PTDD hoteliers along with a City of Portland representative.

November 20, 2023: The newly formed Board of Directors held its first meeting. The board meets monthly on the 3rd Thursday of each month.

February 12, 2024: The City of Portland's Financial Department sends hotel assessment invoices.

March 14, 2024: Hotel assessment invoices due to the city.

April 14, 2024: Assessment revenues, less 10%, should be directed to Visit Portland to begin programming.*

April 29, 2024: Presentation on progress to Housing & Economic Development Committee.

June 17, 2024: Presentation to the City Council for the FY25.

* As of April 26, 2024, funds have not been transferred from the City of Portland to the Development District. Therefore, Visit Portland has begun some programming out-of-pocket with the anticipation of district funding.



Greg Premru

PARTICIPATING HOTELS + FINANCIALS

The district includes non-seasonal hotels with 40 rooms or more within the City of Portland. In FY24, the following 22 properties were identified as participants.

- ▶ AC Hotel by Marriott Portland Downtown/Waterfront
- ▶ Aloft
- ▶ Cambria Hotel Portland Downtown / Old Port
- ▶ Canopy by Hilton Portland Waterfront
- ▶ Clarion Hotel Airport
- ▶ Courtyard by Marriott Portland Downtown/Waterfront
- ▶ Embassy Suites by Hilton Portland
- ▶ Fireside Inn & Suites
- ▶ Hampton Inn & Suites Portland West
- ▶ Hampton Inn Portland Downtown - Waterfront
- ▶ Hilton Garden Inn Portland Airport
- ▶ Hilton Garden Inn Portland Downtown Waterfront
- ▶ Holiday Inn By The Bay
- ▶ Hyatt Place Portland-Old Port
- ▶ La Quinta Inn & Suites by Wyndham
- ▶ Motel 6
- ▶ Portland Harbor Hotel
- ▶ Portland Regency Hotel & Spa
- ▶ Ramada Plaza By Wyndham
- ▶ Residence Inn By Marriott Portland Downtown
- ▶ The Press Hotel, Autograph Collection
- ▶ The Westin Portland Harborview

FY24 PTDD budget from assessment invoices: The total assessment amount from the combined 22 hotels equaled \$710,580. The City of Portland received a 10% administration fee for FY24, \$71,058.

Visit Portland budget: Visit Portland is the contracted Development Program Manager and fiscal agent for the district with an operating budget of \$800,000 and 8 full-time employees to manage and facilitate the programming.

No negative financial impact on the city: There is no negative financial impact on the City. The City receives a 10% administrative fee intended to cover staff costs associated with the program's administration and provide funding for City infrastructure needs impacted by increased tourism, including new public restrooms and maintenance, new trash receptacles and maintenance, public benches, and transportation.

Moving forward into FY25, the total assessment amount from a combined 23 hotels will equal \$1.4m. The City of Portland will receive \$140,000.



COMMUNITY ENGAGEMENT

As we establish the Portland Tourism Development District, we must engage with community members to identify shared concerns and aspirations that intersect between the community and the tourism industry.

Visit Portland and its Board of Directors have placed a high priority on outreach to community leaders. By fostering dialogue and seeking common ground, we've initiated a collaborative process that has sparked fruitful discussions and generated promising ideas for collaborative progress in areas of mutual interest.

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City Councilor Pious Ali
City Councilor Anna Bullet
City Councilor April Fournier
City Councilor Regina Phillips
City Councilor Kate Sykes
City of Portland Office of Economic Opportunity
Creative Portland
Greater Portland Council of Governments
Maine Immigrant Welcome Center
Mayor Mark Dion
Portland Downtown
Portland Regional Chamber of Commerce
Roux Institute
The Third Place
United Way: Greater Portland Workforce Initiative
University of Southern Maine
USL Soccer

AREAS OF COMMONALITY

We eagerly anticipate further dialogue and collaboration as we move forward.

Community Connections for New Mainers
Cultural Awareness
Diversity Training
Diversity Marketing
Equitable Opportunity
Public Restrooms
Student Engagement
Sustainability
Workforce Development
Workforce Housing
Working Waterfront

PROJECT HIGHLIGHTS

Although district funding has yet to be turned around by the city's financial department, Visit Portland has been able to conduct a few marketing initiatives in anticipation of district funding.

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MAINE LIFE: HIDDEN GEMS OF PORTLAND



Now in its ninth season, MaineLife takes you around the state with host Erin Ovalle to meet fascinating locals, explore new places to visit and uncover the positive stories you won't hear anywhere else. Visit Portland took Erin throughout the city to explore some hidden gems. The show aired in Maine on WCSH6 TV in March and will air again in October in the Boston market to encourage visitation to Portland for the holiday 2024 and winter 2025 seasons.

https://youtu.be/oynxJ-gR8K4?si=UjB1HudGmZeX_dF-

SEGMENTS + GUESTS

Segment 1:

- Lisa Jones, owner of Black Travel Maine
- Abyssinian Meeting House
- Portland Freedom Trail

Segment 2:

- Andre Nzeyimana and Jocelyne Kamikaz, owners of Burundi Star Coffee
- Stella Hernandez, Business Hub Director from the Greater Portland Immigrant Welcome Center

Segment 3:

- Andrew Downs, City of Portland's Director of Public Assembly Facilities
- Merrill Auditorium
- Ashley O'Brien, Executive Director of the Friends of the Kotschmar Organ
- James Kennerley, the Portland Municipal Organist

Segment 4:

- Joel Mahaffey and John Bonney, co-founders of Foundation Brewing
- Foundation Brewing Manager, Tina Booney

Segment 5:

- Portland Harbor Hotel's Sales & Events Manager, Colleen O'Connell
- Chef Trent Seib, Portland Harbor Hotel
- Cary Tyson, Executive Director of Portland Downtown
- Pandora Lights

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BLACK TRAVEL MAINE: MLK WEEKEND



Black Travel Maine’s mission is to expose Black and multiethnic travelers and organizations to the cultural beauty, richness, and delightfully friendly people of the gorgeous State of Maine. Their custom-curated cultural tours highlight everything from the arts to entertainment to the spectacular food Maine has to offer visitors from around the World in hopes of helping dispel the age-old myth of, ‘Why go there? It is too cold and too white.’

Lynn Tillotson met Lisa Jones, owner of Black Travel Maine, at the Governor’s Conference on Tourism in the winter of 2023. From there, Visit Portland has been proud to assist Lisa with her mission. The MLK Weekend Ski Trip was the second trip Visit Portland sponsored. Lisa feels strongly that no matter where she brings groups throughout the state, the tour must start and highlight the City of Portland.

The group experienced:

- The Francis Hotel
- Tandem Coffee
- City Tour with Genius Black
- Boone’s Fish & Oyster House
- Becky’s Diner
- Yardie Ting Restaurant
- Leonardo’s Pizza
- and used VIP Tour & Charter to take them to Sugarloaf.

Posts and reviews of the trip can be found here:

<https://www.instagram.com/blacktravelmaine/>
<https://www.facebook.com/groups/790168818833154/>



Photos courtesy of Black Travel Maine

Lisa Jones
Owner
Black Travel Maine

Tanisha Arena
Executive Director
Arise for Social Justice



INTERNATIONAL TOUR OPERATOR FAMILIARIZATION TOUR



Photo courtesy of Maine Office of Tourism

Discover New England is an organization comprised of all 6 New England states working together to promote New England to the international market. In April, after attending the Discover New England Summit in Bretton Woods, NH, Visit Portland worked alongside the Maine Office of Tourism to host 23 representatives from Italy, France, Germany, and the Netherlands.

Delegates were in Maine for 2.5 days and visited Portland businesses such as Ballast, Boone's Fish House & Oyster Room, Old Port Sea Grill, Hyatt Portland Old Port, Maine Day Ventures, and the Portland Head Light.

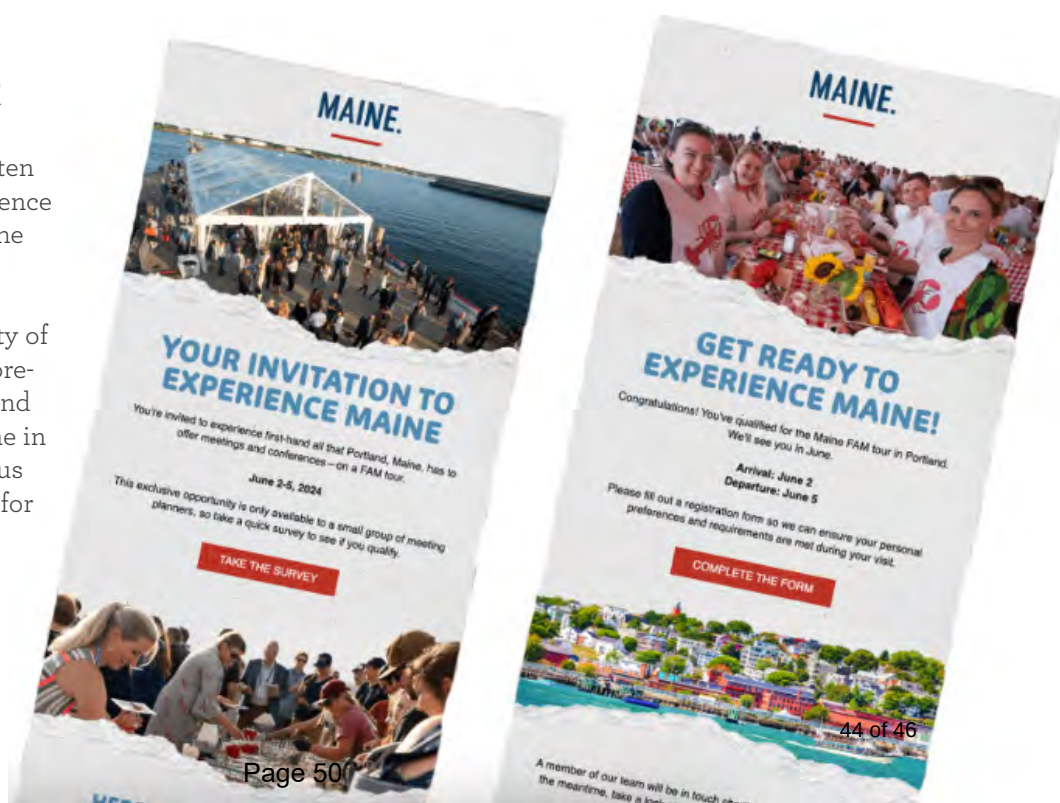
Visit Portland welcomed the delegates to the region with gift bags and to fully connect with the operators while they were in Maine. Additionally, Visit Portland facilitated a sponsored welcome reception at Boone's Fish House & Oyster Room.

MEETING PLANNER FAMILIARIZATION TOUR

June 2-4, 2024, Visit Portland will host ten meeting planners in Portland to experience the various opportunities we offer for the meeting and conference market.

This is a unique opportunity for the City of Portland. The planners will conduct a pre-perception survey before their arrival and a post-perception survey after their time in Portland. This information will inform us on what works well and where to focus for improvement.

In addition, a videographer and photographer will be with the team to capture the tour, which we will use for future marketing efforts.



MOVING FORWARD

As we move forward, Visit Portland remains dedicated to three essential pillars: strategic planning, workforce development, and year-round marketing. Through strategic planning, we navigate towards sustainable growth, fostering community engagement and preserving Portland's unique character. Our workforce development initiatives aim to cultivate a diverse and skilled workforce, championing inclusivity and empowerment within the tourism and hospitality industry. Concurrently, by focusing on year-round marketing, we strive to bolster business during shoulder months, contributing to a less seasonal and more stable workforce.

We are looking forward to moving out of the administrative portion and into the actual work.

WORKFORCE COLLABORATIONS

In our pursuit of a workforce development strategy, Visit Portland has engaged in numerous discussions with industry leaders and organizations dedicated to this cause. Through these dialogues, we've discovered shared interests and cultivated several collaborative ideas to bolster the tourism and hospitality sector. Central to our vision is the imperative to involve students, adult education programs, and immigrant communities, introducing them to the wealth of opportunities within our industry. We're enthusiastic about furthering these conversations, nurturing innovative ideas, and forging partnerships that will drive success and empowerment within our workforce.

COMMUNITY AWARENESS

Visit Portland aims to create a community-centered website showcasing the diverse job opportunities in the tourism industry. This platform will offer engaging video profiles featuring current employees, detailed listings of job openings, and information on career growth pathways, including degree and certificate programs. Moreover, the website will spotlight businesses committed to sustainable practices, highlighting their contributions to our community and emphasizing the importance of sustainability alongside visitation in safeguarding our shared environment.

DEI TRAINING

To ensure inclusivity and embrace the diversity of our workforce and visitor base, Visit Portland recognizes the importance of providing Diversity, Equity, and Inclusion (DEI) training to all hospitality businesses and their staff. By offering comprehensive DEI training, we empower businesses to create welcoming environments that embrace individuals from all backgrounds. This initiative strengthens our commitment to diversity and enhances the overall visitor experience by fostering a culture of respect and understanding. Through DEI training, we pave the way for a more inclusive tourism industry that celebrates the richness of our community and welcomes individuals of diverse cultures and backgrounds with open arms.

STRATEGIC PLANNING

At Visit Portland, we know that having a solid plan is critical to balancing our tourism goals with the well-being of our community. We want to grow responsibly while keeping Portland's character front and center. Integrating our marketing efforts into this strategy, ensures that tourism benefits everyone while minimizing any negative impacts. Whether managing visitor numbers or preserving our local vibe, our strategy guides our decisions. So, when we talk about strategic planning—it's our commitment to keeping Portland thriving for locals and visitors alike.

RESIDENT SENTIMENT STUDY

Keeping in touch with our community is essential, so conducting a resident sentiment survey is vital to our strategic planning process. We want to ensure that our tourism efforts align with the values and concerns of our residents. By gathering feedback from our neighbors, we gain valuable insights into their perspectives and priorities. This enhances our strategic approach and ensures that our initiatives are tailored to the needs and aspirations of our community. Resident sentiment surveys will help us navigate our path, ensuring that our efforts contribute positively to the well-being of Portland.

VISITOR DATA RESEARCH

Alongside our strategic plan and resident sentiment study, thorough research and data collection on visitor demographics, behaviors, and spending habits are essential components of our approach. By delving into who our visitors are, where they come from, what they do during their stay, and how much they spend, we gain invaluable insights that inform our decision-making and shape our tourism initiatives. This data not only helps us tailor our marketing efforts but also allows us to allocate resources effectively and ensure that our tourism development benefits both our visitors and our local community alike. In essence, by combining strategic planning, resident sentiment analysis, and visitor research, we're able to create a holistic approach that fosters sustainable tourism growth while preserving the unique character of Portland, Maine.



VisitPortland.com

.....
1375 Congress Street
Portland, Maine 04102
207.772.4994

DRAFT
Housing & Economic Development Committee
2024 Work Plan Schedule
as of April 26, 2024

April 29, 2024

1. (Public Comment) Review and recommendation to the City Council for the Annual Agreement for the Portland Tourism Development District for FY2025.
2. (Public Comment) Review and approve Work Plan schedule.
3. Executive Session: Thames Street Purchase and Sale Agreement Performance Extension

May 7, 2024

1. Presentation of New Housing Data Dashboard
(<https://www.portlandmaine.gov/1462/Housing-Dashboard>).
2. (Public Comment) Review and Recommendation to the City Council regarding the Seadogs/Hadlock Field Lease Agreement, with possible executive session.
3. Tentative - (Public Comment) Review and recommendation to City Council to approve Purchase and Sale Agreement with The Hemlock House for its purchase of the Former Fort McKinley Hospital Property, a tax-acquired property. **Note:** The Committee may go into executive session to provide staff direction on negotiations pursuant to 1 M.R.S.A. etc.
4. (Public Comment) Review and Recommendation to the City Council to approve Affordable Housing Development Funding Request- Lambert Woods South Project (165 Lambert Street), with possible executive session.

May 21, 2024

1. Developer Forum - Process and Challenges Developing Affordable Housing
 - a. Overview of the City Tax Increment Financing Program - City Staff (15 Minutes)
 - b. Overview of the Low Income Housing Tax Credit Program - Mark Wiesendanger, Director of Development, Maine Housing(15 Minutes)
 - c. Non-Profit Developers - Patrick Hess, Avesta Housing and Community Housing of Maine (15 Minutes)
 - d. For-Profit Developers - Amy Cullen, The Szanton Company/Jonathan Culley, Redfern Properties (15 Minutes)
 - e. Public Housing - Jay Waterman, Portland Housing Development Corp. (15 Minutes)
 - f. HEDC Members - Questions and Discussion (45 Minutes)

June 18, 2024

1. Presentation of 2023 Annual Housing Report
2. Tentative: Public Comment - Review and Recommendation to the City Council regarding the Maine Celtics Lease Agreement for the Exposition Building, with possible executive session.

July 2, 2024 (reschedule? 4th of July week)

July 16, 2024

1. Parklet/Outdoor Dining Discussion and Guidance from the Committee on specific items it would like to highlight. If a majority of the Committee supports a particular policy proposal, Corporation Counsel will work with staff and Committee members to create draft ordinances for the Committee's consideration.

2. Short-Term Rental Registration Program discussion and guidance from the Committee on specific items it would like to highlight. If a majority of the Committee supports a particular policy proposal, Corporation Counsel will work with staff and Committee members to create draft ordinances for the Committee's consideration.

August 20, 2024

September 3, 2024 (reschedule? Labor Day week?)

September 17, 2024

1. Discussion regarding social housing programs. If a majority of the Committee supports a particular policy proposal, Corporation Counsel will work with staff and Committee members to create draft ordinances for the Committee's consideration.

October 15, 2024

1. Discussion regarding social housing programs continued. If a majority of the Committee supports a particular policy proposal, Corporation Counsel will work with staff and Committee members to create draft ordinances for the Committee's consideration.

November 5, 2024

November 19, 2024

1. (Public Comment) Review of FYE2024 TIF Annual Report and vote to forward to the City Council as a Communication.
2. Review of the 2023 Annual Accomplishment Report for the Housing and Economic Development Committee

December 17, 2024

COMPLETED WORK

January 23, 2024

1. 2024 Calendar Year Work Plan review and discussion
2. City Council referrals re: Order #92-23/24 and Order #93-23/24
3. Proposed Merger of Portland Fish Pier Authority and Portland Fish Exchange
4. Review and approval of 2024 Housing Policies and Goals for the 2024 Jill C. Duson Housing Trust Fund Annual Plan and Affordable Housing and TIF Application

February 27, 2024

1. Communication Item: Update on RFP for City-Owned Property on Diamond Cove, former Fort McKinley Hospital building.
2. (Public Comment) Review and vote on a recommendation to Amend Chapter 6-225 to dissolve the Rental Housing Advisory Committee
3. (Public Comment) Review, Approval, and Recommendation to the City Council to Approve the FY2025 Housing Program Budget
4. (Public Comment) Review and Recommendation to the City Council to approve:
 - a. 2024 Jill C. Duson Housing Trust Fund Annual Plan; and,

- b. The issuance of the 2024 Affordable Housing TIF and Affordable Housing Development Fund Application for the Jill C. Duson Housing Trust Fund, HOME Program

March 5, 2024

1. Committee Work Plan Discussion

March 19, 2024

1. Review of FY2025 HUD Annual Action Plan
2. (Public Comment) Review and Recommendation to the City Council of an Amendment to the HOME-ARP Allocation Plan
3. (Executive Session) Review and Recommendation to the City Council regarding the Seadogs/Hadlock Field Lease Agreement, with possible executive session.

April 16, 2024

1. Presentation of Annual Report from Permitting & Inspections Dept. Re: Short/Long Term Rental Registration Program and Housing Safety.
2. Executive Session: Review of an Affordable Housing Development Funding Request- Lambert Woods South Project (165 Lambert Street)
3. Executive Session: Update on the RFP Process for the sale of tax-acquired property at Diamond Cove, known as the Former Fort McKinley Hospital property.

2024 Housing and Economic Development Committee Draft Work Plan April 26, 2024

	Annual Committee Work	Staff Recommendations	Committee Members' Priorities	Status
ECONOMIC DEVELOPMENT POLICY				
Review Tax Increment Financing (TIF) investment in workforce training for FY2025 funding.		X		
Research and present options for public-private partnerships to support parking garage and possible new affordable housing - City-owned Bayside Lot 6, (corner of Somerset & Chestnut St) acquired by the City Council through eminent domain.		X		
Review Outdoor Dining Ordinance and Administrative Policy, including parklets		X	X	
Evaluate the possibility of establishing a Payment in Lieu of Taxes (PILOT) Program to fund community development programs			X	
Evaluate the City's Minimum Wage Ordinance re: possible increase to \$20/hour			X	
Implement a Universal Basic Income pilot project			X	
Evaluate the establishment of a City Department of Labor			X	
Waterfront Activity Workshop including - Harbor Dredge Project, Portland Harbor Commons, Off-Shore Wind, and other items		X	2023X	
Accessibility of Public Buildings, ADA Compliance			2023 X	

	Annual Committee Work	Staff Recommendations	Committee Members' Priorities	Status
AFFORDABLE HOUSING POLICY AND BUDGETS				
Policy Discussion re: (1) Guidelines and Priorities for the allocation of city resources for housing development	X			1.23.24
Review of FY 2025 Housing Program Budget	X			2.27.24
Review of 2024 Jill C. Duson Housing Trust Fund Annual Plan and the 2024 Affordable Housing Development Application	X			2.27.24
Review and Analysis of the Role of the Rental Housing Advisory Committee		X	X	2.27.24
Evaluate the Short Term Rental Registration Ordinance		X	X	
Establish a Portland Social Housing Development Fund		X	X	
Facilitate a Developer and Housing policy Forum		X		
Presentation of New Housing Data Dashboard		X		
Secure and Utilize 150 New Housing Vouchers			X	
Evaluate how members are appointed to the Rent Board			X	
Update the City-Owned Property Map and Evaluate Parcels for Potential Housing Development			X	

	Annual Committee Work	Staff Recommendations	Committee Members' Priorities	Status
AFFORDABLE HOUSING/ECONOMIC DEVELOPMENT - PUBLIC-PRIVATE PARTNERSHIPS, REAL ESTATE TRANSACTIONS				
Review/ Vote to Approve Funding Requests Received from the Affordable Housing Development Applications -Housing Trust, HOME & AHTIF CEA Requests.	X	X		
Review City Owned property to sell/lease to support affordable housing		X		
Kennebec Street Realignment (from Brattle to Forest)		X		
Establish a Vacant Property Database, institute fees for empty commercial and residential properties.			X	
Establish a Community Opportunity to Purchase Act and “Right to Return” Policy			X	

	Annual Committee Work	Staff Recommendations	Committee Members' Priorities	Status
ANNUAL REPORTS AND ACTIONS				
Presentation of 2023 Housing Report (June)	X			
FY25 Annual Allocation Plan (Jan-April)	X	X		3/19/24
Annual Presentation,-Permitting & Inspections, Short/Long-term Rental Housing Registration, Safety & Inspection Program - Implementation & Financial Report Discussion of Dept. Staff Needs (Apri)	X		Process established under prior Housing Committee X	4/16/24
City TIF District Annual Activity Report (November)	X			
Committee Annual Accomplishment Report (November)	X			