



ECONOMIC DEVELOPMENT COMMITTEE

DATE: Tuesday, September 17, 2019

TIME: 5:30 PM

LOCATION: Room 209

NOTE: THIS MEETING OF THE EDC (ON 9/17/2019) IS CANCELED.

NOTE: No public comment will be taken on non-action items.

1. Review and accept Minutes of previous meeting held on September 3, 2019.

- a. See attached draft meeting Minutes.

2. Public Hearing and vote, in the form of a recommendation to the City Council, on proposed Purchase and Sale Agreement with BOPO, LLC, to support the Somerset Street Extension Project, in Bayside, from Elm to Brattle Streets.

- a. See attached memo from Christopher Branch and maps. PLEASE NOTE that the Purchase and Sale Agreement will be posted on Monday, September 16th.

NOTE: Pursuant to 1 M.R.S.A. 405(6)(C), the Committee may go into executive session to provide City staff general policy guidance on this real estate matter.

3. Verbal update on drafting marijuana regulations.

- a. See attached memo from Greg Mitchell.

Next Meeting Date: October 1, 2019

Minutes
Economic Development Committee
September 3, 2019

NOTE: These meetings are now live-streamed, which 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 meeting of the Economic Development Committee (EDC) of the Portland City Council was held on Tuesday, September 3, 2019, at 5:30 p.m. in Room 209 on the second floor of Portland City Hall. Present from the Committee was its Chair Councilor Justin Costa and members Councilors Pious Ali, Nicholas Mavodones, and Spencer Thibodeau. Present from the City staff were Public Works Director Christopher Branch, Associate Corporation Counsel Michael Goldman, City Manager Jon Jennings, Economic Development Director Greg Mitchell, and Senior Executive Assistant Lori Paulette.

Item #1: Review and accept Minutes of previous meeting held on August 20, 2019.

On motion made by Councilor Mavodones, seconded by Councilor Thibodeau, the Committee voted unanimously to accept the Minutes as presented.

Item #2: Public hearing and vote, in the form of a recommendation to the City Council, on proposed Purchase and Sale Agreement with Kennebec Crossing, LLC, to support the Somerset Street Extension Project, in Bayside, from Elm to Brattle Streets.

NOTE: Pursuant to 1 M.R.S.A. 405(6)(C), the Committee may go into executive session to provide City staff general policy guidance for this real estate matter.

Mr. Branch noted that this was discussed at the prior meeting of the Committee. He also noted that the Purchase and Sale Agreement (PSA) in the packet for Kennebec Crossing,

LLC, is in the amount of \$114,623, which is a 2% increase from what the cover memo has of \$112,375. This is due to the timing of the appraisal, done 18 months ago, and a value increase from then, which Assessor Chris Huff also agrees with. Mr. Branch indicated that an exhibit to the PSA is a proposed License Agreement for the City to enter onto Kennebec Crossing's property during construction. This License Agreement is in the amount of \$8,304.

Chair Costa thanked Mr. Branch, noting no substantial changes from prior EDC review, and asked about the status of the BOPO, LLC PSA. Mr. Branch said that negotiations are expected to be finalized to have that PSA at the next EDC meeting.

Chair Costa then opened the meeting for public comment.

George Rheault of Bayside questioned the purchase price and would like to see the appraisal, even if it were redacted, for the public and also questioned whether a traffic study had been done.

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

Mr. Branch indicated that traffic analyses have been done, and that MDOT wanted to see this project move forward as soon as possible. The property acquisition element of the project, however, delayed start of construction. He also noted that there will be an additional meeting for the public prior to the City bidding the project.

In response to Councilor Thibodeau, Mr. Branch described an area on the map where there may be a pocket park.

Councilor Mavodones then made a motion to forward this to the City Council with a recommendation of approval; Councilor Thibodeau seconded the motion.

Chair Costa thanked staff for the work on this project and the broader goal of connecting to Forest Avenue. It is a step in the right direction for the Bayside area. He then asked for a vote on the motion and it passed unanimously.

Item #3: Public hearing and vote, in the form of a recommendation to the City Council, on Amendment of Option Agreement for Purchase of Real Estate at Portland Technology Park by Capricorn Products LLC.

NOTE: Pursuant to 1 M.R.S.A. 405(6)(C), the Committee may go into executive session to provide City staff general policy guidance for this real estate matter.

Mr. Mitchell said that the City Council approved this Option Agreement with Capricorn Products, LLC to Purchase Real Estate at Portland Technology Park eleven months ago, for the purchase of Lot 1. Capricorn was recently purchased by Nittobo America, a subsidiary of Nittobo Boseki, Co., LTD, a Japanese company, with Capricorn Products LLC remaining the operating company. Because of this purchase, Capricorn is requesting a 12-month extension of the Option. The original Option Agreement had Capricorn paying the City a \$5,000 non-refundable deposit, which would be applied to the purchase price. With this proposed amendment, it would pay an additional non-refundable deposit of \$5,000, which would again be applied to the purchase price, set at \$420,000.

Chair Costa asked how many lots are available for development at the Park, and Mr. Mitchell said that there are three right now – Lots 1, 2, and 3, with Lot 1 under Option with Capricorn. He also noted that the Park can accommodate an additional three lots once the road is extended another 500 feet.

Chair Costa then opened the meeting public comment; there being none, the public comment session was closed.

Councilor Mavodones made a motion to forward this item to the City Council with a recommendation for approval; Councilor Ali seconded the motion.

Seeing no further discussion/questions, Chair Costa asked for a vote on the motion and it passed unanimously.

Item #4: Communication: Review of FYE2019 Annual Tax Increment Financing Report and vote to forward to the City Council as a communication.

Mr. Mitchell noted that per City TIF Policy, an Annual Report gets presented to the City Council, and this is the 7th Annual Report. He noted that it is a detailed report, and highlights actions taken by the City Council. It also has Exhibits that detail all the TIF Districts and values. Three CEAs expired as of FYE2019, and, beginning with FY2020, there will be 5 active commercial TIF District CEAs, one active Commercial TIF CEA for an affordable housing development, known as the McAuley TIF District, and 8 active Affordable Housing TIF District CEAs. He then noted that it is estimated that the City saved \$1.2 Million as TIF districts shelter increased assessed values from County tax, municipal revenue sharing, and state aid to education.

Councilor Thibodeau said that this is one of his favorite reports as it shows many public/private partnerships, and promotes affordable housing.

Chair Costa agreed and thanked staff for the incredible detail in the Report. This shows that TIF Districts work well.

Mr. Mitchell thanked Lori Paulette on his staff for her efforts in assisting with creating this report annually.

Councilor Thibodeau then made a motion to forward this item to the City Council as a communication. Councilor Ali seconded the motion and it passed unanimously.

Councilor Thibodeau then made a motion to adjourn the meeting. Councilor Ali seconded the motion and it passed unanimously at approximately 6:00 p.m.

Respectfully, Lori Paulette



CITY OF PORTLAND
Public Works
Christopher Branch, Director

MEMORANDUM

TO: Economic Development Committee

FROM: Christopher Branch, Public Works Director

DATE: September 13, 2019

SUBJECT: City of Portland Somerset Street Restoration Project

I. ONE SENTENCE SUMMARY

Somerset Street Restoration Project is a roadway connection project between Brattle Street and Elm Street and involves purchasing property from land owners abutting the project.

II. BACKGROUND

Somerset Street Restoration Project is a roadway connection project between Brattle Street and Elm Street. The project will include redesigning sections of both Somerset Street from Hanover Street to Elm Street and Kennebec Street from Brattle Street to Hanover Street.

The Portland City Council, Planning, Public Works Department staff, PACTS, and MaineDOT have all been working since at least 2004 on the realignment of Somerset Street to provide an additional direct connection from Franklin Street to Forest Avenue. This segment will almost complete the corridor. This project would be beneficial for both Vehicle Traffic by connecting Kennebec Street to Somerset Street and Bicycle/Pedestrian travelers by extending the Bayside Trail almost to Forest Avenue.

Goals include:

1. Somerset Street, which presently ends at Elm Street will be extended to meet Kennebec Street at the Kennebec and Hanover Street intersection.
2. Kennebec Street will be discontinued between Hanover Street and Preble Street.

3. Kennebec Street and Hanover Street intersection will be reconstructed to include the connection of Somerset Street (and discontinue the Kennebec Street section).
4. Kennebec Street and Parris Street intersection reconstruction.
5. Alder Street at Kennebec Street intersection reconstructed to connect directly to Preble Street (instead of connecting to Kennebec Street) and making Alder Street One Way from Preble to Oxford Street.
6. Somerset Street and Preble Street intersection reconstruction.
7. Somerset Street and Elm Street intersection reconstruction.
8. Sidewalk and Street Parking changes.
9. Extending the Bayside Trail from Elm Street to Brattle Street.

It is noted that the City had a Public Meeting September 21, 2017, and will have an additional Public Meeting before this project goes out to bid.

In addition, the two private property owners that are affected by this project are Kennebec Crossing, LLC, and BOPO, LLC.

At the September 3, 2019, EDC meeting, the Committee reviewed the proposed Purchase and Sale Agreement and License Agreement with Kennebec Crossing, LLC and voted unanimously to forward it to the City Council approval. This is on the City Council's Agenda for September 16, 2019.

The Purchase and Sale Agreement and License Agreement with BOPO, LLC is now ready for the Committee's review and recommendation to the City Council; both are included in the backup.

III. INTENDED RESULT

The intended result is to authorize the Purchase and Sale of ROW to allow the realignment of Somerset/Kennebec Streets project to advance and facilitate the additional stormwater system to be added.

IV. FINANCIAL IMPACT

The proposed financial impact in purchasing property from BOPO, LLC is \$74,253, and \$1,635 for the License Agreement to enter BOPO's property during construction. Funding for this realignment project, at \$987,500, has been secured through City Council approved CIP monies and a Grant from the Federal Highway Administration through MDOT.

V. STAFF ANALYSIS AND RECOMMENDATION

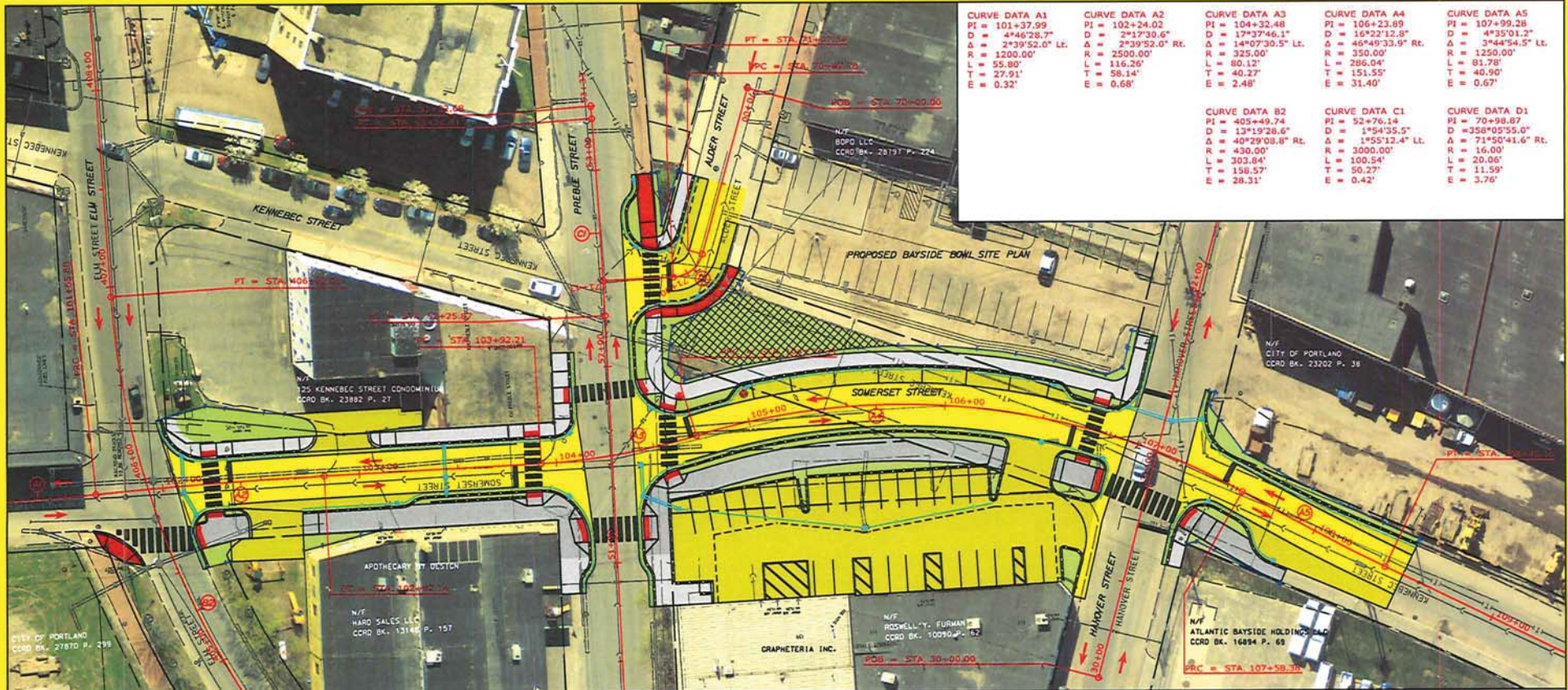
The section of the project between Elm Street and Hanover Street is a Grant from the Federal Highway Administration (FHWA) administered by MDOT. In order to comply with the requirements of the FHWA funding, the City MUST follow the procedures and process outlined by FHWA. This includes the ROW process that includes ROW plans, title examinations, notice of intent to acquire, appraisals, appraisal reviews, negotiations and acquisition steps. All of the steps for these actions are different from the City's ROW process.

The Department of Public Works strongly recommends the EDC vote to forward the Purchase and Sale Agreement, together with the License Agreement which is an Exhibit in the Purchase and Sale Agreement, to the City Council with a recommendation for approval as the project cannot be completed without the Purchase and Sale Agreement being approved by the City Council.

Attachments:

- Maps Showing Proposed Project Reconstruction;
- Proposed Purchase and Sale Agreement and License Agreement with BOPO, LLC.

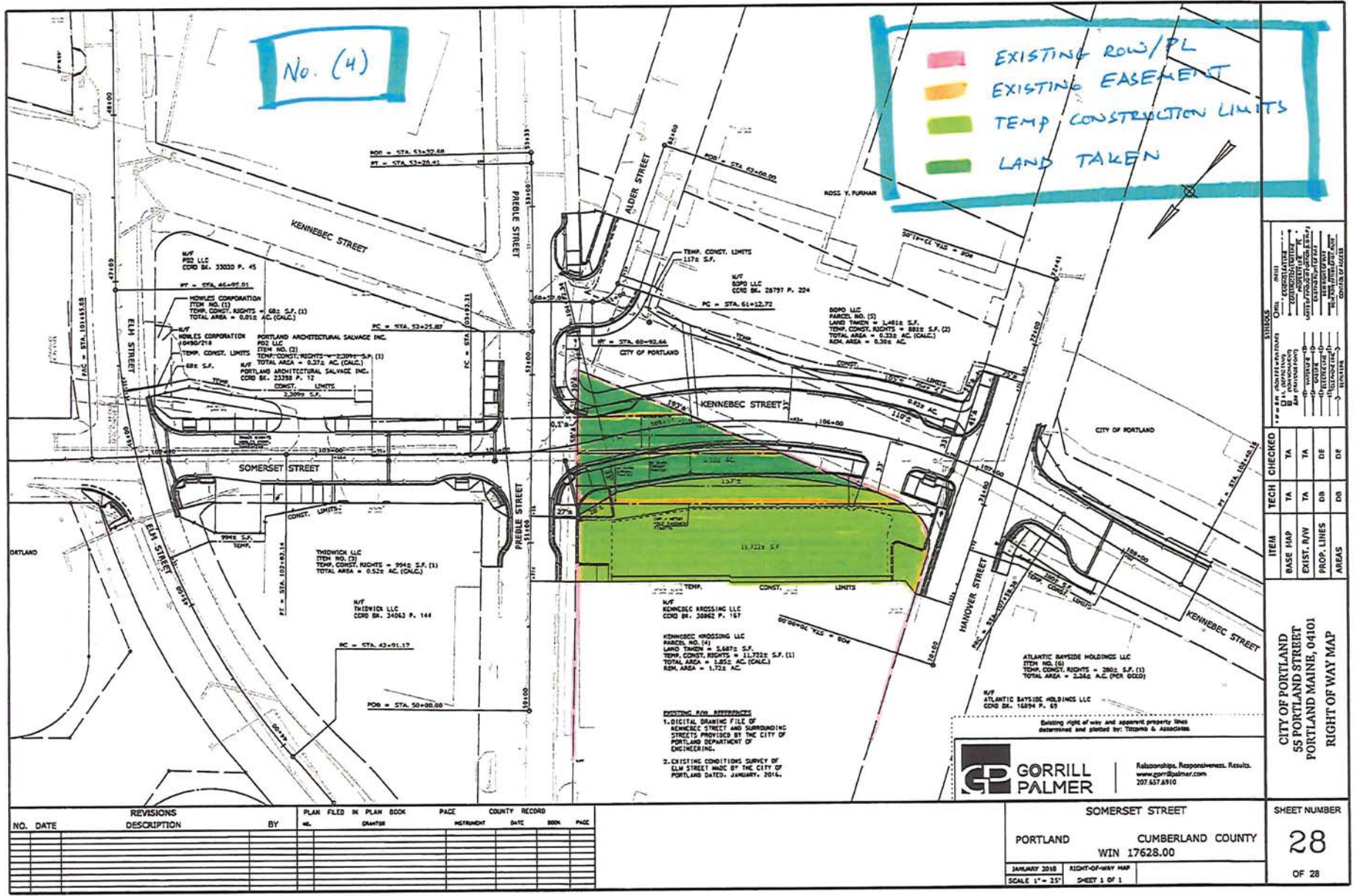




COLOR KEY	
PROPOSED FEATURES	EXISTING FEATURES
TRAVELWAY	TRAVELWAY
SHOULDER, PAVED	SHOULDER
SHOULDER, GRAVEL	DRIVES & PARKING LOTS
DRIVES, PAVED	BUILDINGS
BRICK SIDEWALKS	ISLANDS
CONCRETE SIDEWALKS	SIDEWALKS
BITUMINOUS SIDEWALKS	WOODS, TREES, BUSHES
SLOPE/GRASS	WATER
ISLANDS, RAISED	EXISTING WETLANDS
ISLANDS, FLUSH	WOODPILLS
BILDS, TREES ALL REMOVED	CARDONS
CUT SLOPE LINE	CENTERLINE
FULL SLOPE LINE	BRIDGE/DECK
CENTER LINE	LEDGE
R/W LINE	
TEXT	TEXT
LANE LINES	
DIRECTIONAL ARROWS	

SOMERSET STREET RESTORATION PORTLAND, MAINE WIN 17628.00





STREETS

STREET	DATE	BY	REVISION
ELM STREET	01/15/16	GP	1.0
KENNEBEC STREET	01/15/16	GP	1.0
SOMERSET STREET	01/15/16	GP	1.0
ALDER STREET	01/15/16	GP	1.0
PRESBITERIAN STREET	01/15/16	GP	1.0
HANOVER STREET	01/15/16	GP	1.0

TECH CHECKED

ITEM	TA	DB	DE
BASE MAP	TA	DB	DE
EXIST. R/W	TA	DB	DE
PROP. LINES	TA	DB	DE
AREAS	TA	DB	DE

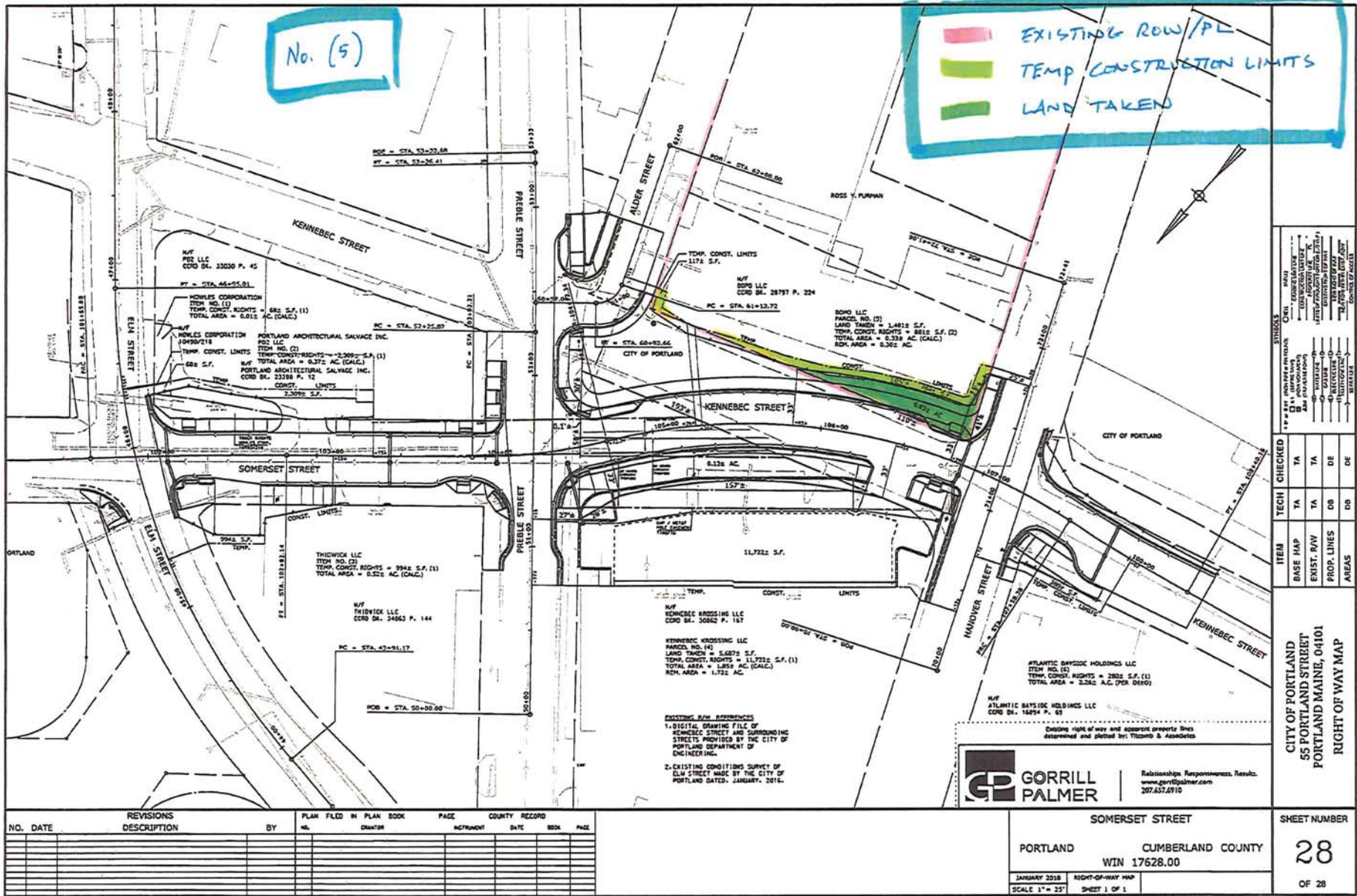
**CITY OF PORTLAND
55 PORTLAND STREET
PORTLAND MAINE, 04101
RIGHT OF WAY MAP**

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NO.	DATE	REVISIONS DESCRIPTION	BY	PLAN FILED IN PLAN BOOK NO.	PAGE	COUNTY RECORD NO.	DATE	BOOK	PAGE

SOMERSET STREET
PORTLAND CUMBERLAND COUNTY
WIN 17628.00
JANUARY 2018 RIGHT-OF-WAY MAP
SCALE 1" = 35' SHEET 3 OF 3

SHEET NUMBER
28
OF 28





CITY OF PORTLAND
Economic Development Department
Gregory A. Mitchell, Director

MEMORANDUM

TO: Economic Development Committee

FROM: Greg Mitchell, Economic Development Director

DATE: September 13, 2019

SUBJECT: Status of Drafting Marijuana Regulations

Chair Costa asked for the EDC to have a verbal update on the drafting of marijuana regulations. It is noted that staff continues its work on this, but more time is needed before bringing proposed regulations back to a joint meeting of this and the Health and Human Services Committees.